

FORTY-FIRST DAY

Thursday, May 21, 2020

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020, convened at 12:27 p.m. with the President in the Chair.

The Roll was called showing all Senators present, with Senators Chang and Ruderman present and participating via videoconference, and with the exception of Senator Harimoto who was excused.

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

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 360) was read by the Clerk and was placed on file:

Hse. Com. No. 360 dated May 19, 2020, informing the Senate of the House's intent to agree to the amendments proposed by the Senate to the following House bills:

H.B. No. 117 (S.D. 1);
H.B. No. 1631 (S.D. 1);
H.B. No. 2200, H.D. 1 (S.D. 1); and
H.B. No. 2725, H.D. 1 (S.D. 1).

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 244) was read by the Clerk and was disposed of as follows:

S.C.R. No. 244 "SENATE CONCURRENT RESOLUTION RELATING TO THE RECESS OF THE THIRTIETH LEGISLATURE, REGULAR SESSION OF 2020."

Offered by: Senator English.

On motion by Senator Kahele, seconded by Senator Fevella and carried, S.C.R. No. 244 was adopted.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3619) recommending that S.C.R. No. 68, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.C.R. No. 68, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CITY AND COUNTY OF HONOLULU PROHIBIT ELECTRIC SCOOTERS, ELECTRIC BICYCLES, AND ELECTRIC TRIKES ON SIDEWALKS," was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3620) recommending that S.R. No. 35, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE CITY AND COUNTY OF HONOLULU PROHIBIT ELECTRIC SCOOTERS, ELECTRIC BICYCLES, AND ELECTRIC TRIKES ON SIDEWALKS," was referred to the Committee on Judiciary.

Senator Nishihara, for the majority of the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 3621) recommending

that H.B. No. 1902, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and H.B. No. 1902, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3622) recommending that H.B. No. 2526, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2526, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3623) recommending that H.B. No. 2101, H.D. 2 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2101, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Taniguchi, for the Committee on Labor, Culture and the Arts, presented a report (Stand. Com. Rep. No. 3624) recommending that H.B. No. 1799, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 1799, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3625) recommending that H.B. No. 1929, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 1929, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3626) recommending that H.B. No. 2448, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2448, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3627) recommending that

H.B. No. 2449, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2449, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3628) recommending that H.B. No. 2527, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2527, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOW-INCOME HOUSING TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3629) recommending that H.B. No. 2183, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2183, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3630) recommending that H.B. No. 2411, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2411, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3631) recommending that H.B. No. 2066, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2066, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3632) recommending that H.B. No. 2447, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2447, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3633) recommending that H.B. No. 2687, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2687, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DOWNPAYMENT LOAN LOSS RESERVE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3634) recommending that H.B. No. 2470, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2470, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 3635) recommending that H.B. No. 2547, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2547, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Taniguchi and Kidani, for the Committee on Labor, Culture and the Arts and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 3636) recommending that H.B. No. 1959, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 1959, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF A MINOR," passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

ADOPTION OF A RESOLUTION

MATTER DEFERRED FROM MONDAY, MAY 18, 2020

S.R. No. 198:

Senator Keohokalole offered the following amendment (Floor Amendment No. 7) to S.R. No. 198:

SECTION 1. Senate Resolution No.198, is amended by amending its title to read as follows:

"ESTABLISHING THE SENATE SPECIAL INVESTIGATING COMMITTEE ON COVID-19 ~~[AS AN INVESTIGATING COMMITTEE].~~"

SECTION 2. Senate Resolution No.198, is amended by amending the provisions in the BE IT RESOLVED paragraph on page 2, line 36 through page 3, line 2 to read as follows:

"BE IT RESOLVED by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, that the ~~[Senate Special Committee on COVID-19 that was established and whose membership was modified to include six members pursuant to memorandums issued by the President of the Senate dated March 18, 2020, is established as the]~~ Senate Special Investigating Committee on COVID-19~~[is established pursuant to chapter 21, Hawaii Revised Statutes, and Rules 13 and 25 of the Rules of the Senate, and may operate during the 2020 interim to:]~~"

SECTION 3. Senate Resolution No.198, is amended by amending the first BE IT FURTHER RESOLVED paragraph on page 3, lines 26 through 29 to read as follows:

“BE IT FURTHER RESOLVED that the current chair and members of the Senate Special Committee on COVID-19 ~~[continue to]~~ shall also serve on the Senate Special Investigating Committee on COVID-19 in their respective capacities; and”

Senator Keohokalole moved that Floor Amendment No. 7 be adopted, seconded by Senator Kidani.

Senator Keohokalole rose to speak in support of the amendment as follows:

“These amendments are necessary to enable the Senate the most flexibility to expeditiously obtain information relating to the State’s response to the COVID-19 pandemic. These amendments seek to create two committees, one informal and one investigative. The investigative committee will empower the Senate with legal authority to mandate a response to requests for information from the administration: in particular, subpoena power. This legal authority means that the subject of inquiry will be entitled to legal representation and, in the event that that power is invoked by the Senate, the investigative and legal process could be lengthy due to the subject’s ability to legally challenge questions and requests.”

The motion to adopt Floor Amendment No. 7 was put by the Chair and carried.

On motion by Senator Keohokalole, seconded by Senator Kidani and carried, S.R. No. 198, S.D. 1, entitled: “SENATE RESOLUTION ESTABLISHING THE SENATE SPECIAL INVESTIGATING COMMITTEE ON COVID-19,” was adopted, with Senator Taniguchi voting “Aye with Reservations” and Senator Thielen voting “No.”

ADVISE AND CONSENT

Stand. Com. Rep. No. 3560 (Gov. Msg. No. 780):

Senator Kahele moved that Stand. Com. Rep. No. 3560 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nomination of ANGELA HIILEI KAWELO to the Natural Area Reserves System Commission, term to expire June 30, 2024, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3561 (Gov. Msg. No. 779):

Senator Kahele moved that Stand. Com. Rep. No. 3561 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nomination of WILLIAM ALBERT HAASE to the Legacy Land Conservation Commission, term to expire June 30, 2024, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3562 (Gov. Msg. No. 588):

Senator Kahele moved that Stand. Com. Rep. No. 3562 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nomination of NANCY TIMKO to the Game Management Advisory Commission, term to expire June 30, 2024, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3563 (Gov. Msg. Nos. 776, 777, and 778):

Senator Kahele moved that Stand. Com. Rep. No. 3563 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Kane’ohe Bay Regional Council of the following:

CEDRIC BERTELMANN, term to expire June 30, 2020 (Gov. Msg. No. 776);

CEDRIC BERTELMANN, term to expire June 30, 2024 (Gov. Msg. No. 777); and

FREDERICK REPPUN, term to expire June 30, 2023 (Gov. Msg. No. 778),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3564 (Gov. Msg. Nos. 773, 774, and 775):

Senator Kahele moved that Stand. Com. Rep. No. 3564 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Kaho’olawe Island Reserve Commission of the following:

CARMEN LINDSEY, term to expire June 30, 2023 (Gov. Msg. No. 773);

MICHELLE PESCAIA, term to expire June 30, 2021 (Gov. Msg. No. 774); and

SAUMALU MATAAFA, term to expire June 30, 2023 (Gov. Msg. No. 775),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3565 (Gov. Msg. Nos. 586 and 768):

Senator Kahele moved that Stand. Com. Rep. No. 3565 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Commission on Water Resource Management of the following:

MICHAEL BUCK, term to expire June 30, 2023 (Gov. Msg. No. 586); and

NEIL HANNAHS, term to expire June 30, 2024 (Gov. Msg. No. 768),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3566 (Gov. Msg. Nos. 548, 550, 670, and 671):

Senator Kahele moved that Stand. Com. Rep. No. 3566 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Land Use Commission of the following:

DAN GIOVANNI, term to expire June 30, 2021 (Gov. Msg. No. 548);

DAWN CHANG, term to expire June 30, 2023 (Gov. Msg. No. 550);

JONATHAN SCHEUER, term to expire June 30, 2024 (Gov. Msg. No. 670); and

LEE OHIGASHI, term to expire June 30, 2024 (Gov. Msg. No. 671),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3567 (Gov. Msg. Nos. 584 and 585):

Senator Kahele moved that Stand. Com. Rep. No. 3567 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Board of Land and Natural Resources of the following:

WESLEY YOON, term to expire June 30, 2022 (Gov. Msg. No. 584); and

VERNON CHAR, term to expire June 30, 2021 (Gov. Msg. No. 585),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3568 (Gov. Msg. No. 639):

Senator Nishihara moved that Stand. Com. Rep. No. 3568 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nomination of KRISTIN DAVIDSON as Compact Administrator of the State Council for the Interstate Compact for Juveniles, term to expire June 30, 2022, seconded by Senator Wakai.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3569 (Gov. Msg. No. 701):

Senator Nishihara moved that Stand. Com. Rep. No. 3569 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nomination of BLAIR SUZUKI to the Advisory Board on Veterans' Services, term to expire June 30, 2024, seconded by Senator Wakai.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3570 (Gov. Msg. Nos. 570, 571, 572, 573, 574, 575, and 576):

Senator Nishihara moved that Stand. Com. Rep. No. 3570 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Law Enforcement Standards Board of the following:

SAMUEL JELSMAN, term to expire June 30, 2021 (Gov. Msg. No. 570);

SHERRY BIRD, term to expire June 30, 2022 (Gov. Msg. No. 571);

GARY YAMASHIROYA, term to expire June 30, 2020 (Gov. Msg. No. 572);

GARY YAMASHIROYA, term to expire June 30, 2023 (Gov. Msg. No. 573);

HARRY KUBOJIRI, term to expire June 30, 2021 (Gov. Msg. No. 574);

CRAIG TANAKA, term to expire June 30, 2022 (Gov. Msg. No. 575); and

NICHOLAS COURSON, term to expire June 30, 2022 (Gov. Msg. No. 576),

seconded by Senator Wakai.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3571 (Gov. Msg. Nos. 617, 618, 619, and 620):

Senator Nishihara moved that Stand. Com. Rep. No. 3571 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Hawaii Paroling Authority of the following:

EDMUND HYUN, term to expire June 30, 2024 (Gov. Msg. No. 617);

MAX OTANI, term to expire June 30, 2022 (Gov. Msg. No. 618);

CLAYTON HEE, term to expire June 30, 2023 (Gov. Msg. No. 619); and

CHERYL INOUE, term to expire June 30, 2023 (Gov. Msg. No. 620),

seconded by Senator Wakai.

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

For Gov. Msg. Nos. 617, 618, and 620:
Ayes, 24. Noes, none. Excused, 1 (Harimoto).

For Gov. Msg. No. 619:
Ayes, 23. Noes, 1 (Rhoads). Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3572 (Gov. Msg. Nos. 702 and 703):

Senator Nishihara moved that Stand. Com. Rep. No. 3572 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Hawaii Advisory Council on Emergency Management of the following:

DARRYL OLIVEIRA, term to expire June 30, 2022 (Gov. Msg. No. 702); and

RONALD COX, term to expire June 30, 2023 (Gov. Msg. No. 703),

seconded by Senator Wakai.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3573 (Gov. Msg. No. 567):

Senator Wakai moved that Stand. Com. Rep. No. 3573 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of CHUNG CHANG as Deputy Director of the Department of Business, Economic Development and Tourism, term to expire at noon on December 5, 2022, seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3574 (Gov. Msg. No. 667):

Senator Wakai moved that Stand. Com. Rep. No. 3574 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of DANIEL ITO to the Hawai'i Community Development Authority, term to expire June 30, 2023, seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3575 (Gov. Msg. No. 668):

Senator Wakai moved that Stand. Com. Rep. No. 3575 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of DENNIS WONG to the Hawaii Green Infrastructure Authority, term to expire June 30, 2022, seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3576 (Gov. Msg. Nos. 659, 660, 661, 662, 663, and 664):

Senator Wakai moved that Stand. Com. Rep. No. 3576 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nominations to the Board of Directors of the Pacific International Space Center for Exploration Systems of the following:

DAVID DE LUZ JR, term to expire June 30, 2021 (Gov. Msg. No. 659);

HENK ROGERS, term to expire June 30, 2022 (Gov. Msg. No. 660);

KIMBERLY BINSTED, term to expire June 30, 2020 (Gov. Msg. No. 661);

KIMBERLY BINSTED, term to expire June 30, 2024 (Gov. Msg. No. 662);

LUKE FLYNN, term to expire June 30, 2023 (Gov. Msg. No. 663); and

RACHAEL SOLEMSAAS, term to expire June 30, 2022 (Gov. Msg. No. 664),

seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3577 (Gov. Msg. Nos. 665 and 666):

Senator Wakai moved that Stand. Com. Rep. No. 3577 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

KALEOKALANI KURODA, term to expire June 30, 2023 (Gov. Msg. No. 665); and

NANCY LO, term to expire June 30, 2023 (Gov. Msg. No. 666),

seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3578 (Gov. Msg. Nos. 672, 673, 674, and 675):

Senator Wakai moved that Stand. Com. Rep. No. 3578 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Wakai then moved that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

MARY ALBITZ, term to expire June 30, 2024 (Gov. Msg. No. 672);

NANCY ATMOSPORA-WALCH, term to expire June 30, 2024 (Gov. Msg. No. 673),

ROBERT CUNDIFF, term to expire June 30, 2024 (Gov. Msg. No. 674); and

TARYN RODIGHIERO, term to expire June 30, 2023 (Gov. Msg. No. 675),

seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3579 (Gov. Msg. Nos. 704 and 705):

Senator Kidani moved that Stand. Com. Rep. No. 3579 be received and placed on file, seconded by Senator Kim and carried.

Senator Kidani then moved that the Senate advise and consent to the nominations to the Hawaii Teacher Standards Board of the following:

DAWN RAYMOND, term to expire June 30, 2022 (Gov. Msg. No. 704); and

KRISTI MIYAMAE, term to expire June 30, 2022 (Gov. Msg. No. 705),

seconded by Senator Kim.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3580 (Gov. Msg. Nos. 707 and 708):

Senator Kidani moved that Stand. Com. Rep. No. 3580 be received and placed on file, seconded by Senator Kim and carried.

Senator Kidani then moved that the Senate advise and consent to the nominations to the Board of Education of the following:

LYNN FALLIN, term to expire June 30, 2023 (Gov. Msg. No. 707); and

SHANTY ASHER, term to expire June 30, 2023 (Gov. Msg. No. 708),

seconded by Senator Kim.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3581 (Gov. Msg. Nos. 771 and 772):

Senator Shimabukuro moved that Stand. Com. Rep. No. 3581 be received and placed on file, seconded by Senator Kahele and carried.

Senator Shimabukuro then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lanai of the following:

IRIS PEELUA, term to expire June 30, 2023 (Gov. Msg. No. 771); and

KYLE NAKANELUA, term to expire June 30, 2021 (Gov. Msg. No. 772),

seconded by Senator Kahele.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3582 (Gov. Msg. Nos. 622, 623 and 624):

Senator Shimabukuro moved that Stand. Com. Rep. No. 3582 be received and placed on file, seconded by Senator Kahele and carried.

Senator Shimabukuro then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

ZACHARY HELM, term to expire June 30, 2024 (Gov. Msg. No. 622);

RUSSELL KAUPU, term to expire June 30, 2023 (Gov. Msg. No. 623); and

RANDY AWO, term to expire June 30, 2023 (Gov. Msg. No. 624),

seconded by Senator Kahele.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3583 (Gov. Msg. Nos. 609 and 610):

Senator Inouye moved that Stand. Com. Rep. No. 3583 be received and placed on file, seconded by Senator English and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Medical Advisory Board of the following:

CHRISTOPHER TORTORA, term to expire June 30, 2021 (Gov. Msg. No. 609); and

JUDITH DICKERT, term to expire June 30, 2023 (Gov. Msg. No. 610),

seconded by Senator English.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3584 (Gov. Msg. No. 709):

Senator Chang moved that Stand. Com. Rep. No. 3584 be received and placed on file, seconded by Senator Kanuha and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of LEILANI PULMANO to the Board of Directors of the Hawaii Public Housing Authority, term to expire June 30, 2024, seconded by Senator Kanuha.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3585 (Gov. Msg. Nos. 589 and 590):

Senator Chang moved that Stand. Com. Rep. No. 3585 be received and placed on file, seconded by Senator Kanuha and carried.

Senator Chang then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Housing Finance and Development Corporation of the following:

CAROL REIMANN, term to expire June 30, 2024 (Gov. Msg. No. 589); and

GARY MACKLER, term to expire June 30, 2022 (Gov. Msg. No. 590),

seconded by Senator Kanuha.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3586 (Gov. Msg. Nos. 710, 711, and 712):

Senator Ruderman moved that Stand. Com. Rep. No. 3586 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Ruderman then moved that the Senate advise and consent to the nominations to the Commission on Fatherhood of the following:

CHARLES WOOLFORK, term to expire June 30, 2024 (Gov. Msg. No. 710);

DAVID MATTOS, term to expire June 30, 2024 (Gov. Msg. No. 711); and

SAMUEL KIPPEN, term to expire June 30, 2023 (Gov. Msg. No. 712),

seconded by Senator Rhoads.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3587 (Gov. Msg. Nos. 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, and 725):

Senator Ruderman moved that Stand. Com. Rep. No. 3587 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Ruderman then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

ANNETTE TASHIRO, term to expire June 30, 2022 (Gov. Msg. No. 713);

ARTHUR CABANILLA, term to expire June 30, 2023 (Gov. Msg. No. 714);

CAROLINE CAMPBELL, term to expire June 30, 2023 (Gov. Msg. No. 715);

CHRISTINA PASCUA, term to expire June 30, 2022 (Gov. Msg. No. 716);

EVALINA WATANABE, term to expire June 30, 2022 (Gov. Msg. No. 717);

EVAN NAKATSUKA, term to expire June 30, 2020 (Gov. Msg. No. 718);

EVAN NAKATSUKA, term to expire June 30, 2023 (Gov. Msg. No. 719);

JOSHUA GRAHAM, term to expire June 30, 2022 (Gov. Msg. No. 720);

NANCY GORMAN, term to expire June 30, 2020 (Gov. Msg. No. 721);

NANCY GORMAN, term to expire June 30, 2023 (Gov. Msg. No. 722);

ROSELANI MANUWAI-ROWE, term to expire June 30, 2022 (Gov. Msg. No. 723);

STANLEY YOUNG, term to expire June 30, 2022 (Gov. Msg. No. 724); and

WALTER SOARES, term to expire June 30, 2022 (Gov. Msg. No. 725),

seconded by Senator Rhoads.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3588 (Gov. Msg. Nos. 649, 650, 651, 652, 653, 654, 655, and 656):

Senator Keohokalole moved that Stand. Com. Rep. No. 3588 be received and placed on file, seconded by Senator English and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nominations to the Enhanced 911 Board of the following:

ALLISON KATHLEEN PUANANI BLAKE, term to expire June 30, 2022 (Gov. Msg. No. 649);

COREY BOOTH SHAFFER, term to expire June 30, 2022 (Gov. Msg. No. 650);

ELLIOTT KE, term to expire June 30, 2024 (Gov. Msg. No. 651);

FRANCIS LINO ALUETA, term to expire June 30, 2022 (Gov. Msg. No. 652);

KENNETH BUGADO, JR., term to expire June 30, 2024 (Gov. Msg. No. 653);

KIMAN K.L. WONG, term to expire June 30, 2021 (Gov. Msg. No. 654);

MARK WONG, term to expire June 30, 2021 (Gov. Msg. No. 655); and

THALIA BERNADETTE BURNS, term to expire June 30, 2023 (Gov. Msg. No. 656),

seconded by Senator English.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3589 (Gov. Msg. Nos. 792, 793, and 794):

Senator Kim moved that Stand. Com. Rep. No. 3589 be received and placed on file, seconded by Senator Kidani and carried.

Senator Kim then moved that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawai'i of the following:

DAVID KARL, term to expire June 30, 2021 (Gov. Msg. No. 792);

KELLI GOODIN, term to expire June 30, 2023 (Gov. Msg. No. 793); and

KEN HAYASHIDA, term to expire June 30, 2021 (Gov. Msg. No. 794),

seconded by Senator Kidani.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3590 (Gov. Msg. Nos. 605, 606, and 608):

Senator Kim moved that Stand. Com. Rep. No. 3590 be received and placed on file, seconded by Senator Kidani and carried.

Senator Kim then moved that the Senate advise and consent to the nominations to the Hawaii Medical Education Council of the following:

TODD SETO, term to expire June 30, 2023 (Gov. Msg. No. 605);

JOSEPH STERBIS, term to expire June 30, 2023 (Gov. Msg. No. 606); and

KATHRYN RYDER, term to expire June 30, 2023 (Gov. Msg. No. 608),

seconded by Senator Kidani.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3591 (Gov. Msg. Nos. 796, 797, 798, 799, 800, 801, 802, 803, 804, and 805):

Senator Kim moved that Stand. Com. Rep. No. 3591 be received and placed on file, seconded by Senator Kidani and carried.

Senator Kim then moved that the Senate advise and consent to the nominations to the Hawai'i Commission for National and Community Service of the following:

FREDERICK HOLSCHUH, term to expire June 30, 2022 (Gov. Msg. No. 796);

JANICE BOND, term to expire June 30, 2023 (Gov. Msg. No. 797);

JENNIFER DOTSON, term to expire June 30, 2020 (Gov. Msg. No. 798);

JENNIFER DOTSON, term to expire June 30, 2023 (Gov. Msg. No. 799);

JOHN ANDERSON, term to expire June 30, 2020 (Gov. Msg. No. 800);

JOHN ANDERSON, term to expire June 30, 2023 (Gov. Msg. No. 801);

KAI DUPONTE, term to expire June 30, 2022 (Gov. Msg. No. 802);

MONIQUE MIRONESCO, term to expire June 30, 2020 (Gov. Msg. No. 803);

MONIQUE MIRONESCO, term to expire June 30, 2023 (Gov. Msg. No. 804); and

SYLVIA YUEN, term to expire June 30, 2023 (Gov. Msg. No. 805),

seconded by Senator Kidani.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3592 (Gov. Msg. No. 795):

Senator Kim moved that Stand. Com. Rep. No. 3592 be received and placed on file, seconded by Senator Kidani and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of ROSE HATA to the Center for Nursing Advisory Board, term to expire June 30, 2024, seconded by Senator Kidani.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3593 (Gov. Msg. No. 501):

Senator Gabbard moved that Stand. Com. Rep. No. 3593 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of MORRIS ATTA as Deputy Director of the Department of Agriculture, term to expire at noon on December 5, 2022, seconded by Senator Ruderman.

Senator Gabbard rose to request that remarks in support of the nominee be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Mr. President, I rise in support of Standing Committee Report 3593, G.M. 501, Morris Atta, as the Deputy Director of the Department of Agriculture.

"Colleagues, Morris Atta was appointed by the Governor to serve in this role on August 22, 2019. Morris has proven to be a competent and dedicated Deputy Director. All the testimony the AEN Committee received on his nomination was in support. He previously served as an Ag Land Manager/Administrator for HDOA, a Deputy Director of HART, a State Lands Administrator at DLNR, and worked several sessions as a Research Attorney for our very own SMA.

"Given the current COVID-19 crisis, now more than ever it's important that we move forward as quickly as possible on efforts to help our local farmers. The confirmation of Morris is important to provide stability to HDOA and allow their team to continue focusing on the recovery of our agriculture industry. Please join me in supporting G.M. 501. Mahalo."

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3594 (Gov. Msg. No. 549):

Senator Gabbard moved that Stand. Com. Rep. No. 3594 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of KATHLEEN S.Y. HO as Director of the Office of Environmental Quality Control, term to expire June 30, 2023, seconded by Senator Ruderman.

Senator Gabbard rose to request that remarks in support of the nominee be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"I also rise in support of Standing Committee Report 3594, G.M. 549, Kathy Ho, as Director of the Office of Environmental Quality Control.

"Colleagues, Kathy Ho has been a Deputy Attorney in the Attorney General's Office for the last 27 years. She has focused on environmental law during that time and has been an advisor

for both OEQC and the Environmental Council. Truthfully, Kathy has some big shoes to fill in following former OEQC Director, Scott Glenn, who is now the state's Chief Energy Officer. But I think she's up to the challenge and she received overwhelming support in the testimony that was submitted to the AEN Committee. Kathy plans to focus on providing guidance to state agencies and other applicants to help make the environmental review process easier and more understandable. This is a very good idea! I ask that you please join me in supporting G.M. 549. Mahalo."

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3595 (Gov. Msg. No. 568):

Senator Gabbard moved that Stand. Com. Rep. No. 3595 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of ARNOLD HARA to the Advisory Committee on Pesticides, term to expire June 30, 2023, seconded by Senator Ruderman.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3596 (Gov. Msg. No. 641):

Senator Gabbard moved that Stand. Com. Rep. No. 3596 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of EN YOUNG to the Board of Agriculture, term to expire June 30, 2021, seconded by Senator Ruderman.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3597 (Gov. Msg. No. 781):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3597 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nomination of FRANCIS IMADA to the Board of Taxation Review, 1st Taxation District (Oahu), term to expire June 30, 2023, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3598 (Gov. Msg. No. 782):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3598 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nomination of GLENN SAKUDA to the Board of Taxation Review, 1st Taxation District (Oahu), term to expire June 30, 2021, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3599 (Gov. Msg. No. 783):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3599 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nomination of NEIL HIRASUNA to the Board of Taxation Review, 1st Taxation District (Oahu), term to expire June 30, 2023, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3600 (Gov. Msg. No. 784):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3600 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nomination of CHRISTOPHER HANNIGAN to the Board of Taxation Review, 3rd Taxation District (Hawai'i), term to expire June 30, 2024, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3601 (Gov. Msg. No. 785):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3601 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nomination of MARILYN GAGEN to the Board of Taxation Review, 3rd Taxation District (Hawai'i), term to expire June 30, 2023, seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3602 (Gov. Msg. Nos. 786, 787, 788, 789, 790, and 791):

Senator Dela Cruz moved that Stand. Com. Rep. No. 3602 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nominations to the Tax Review Commission of the following:

ALTON MIYASHIRO, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 786);

ELIZABETH GIESTING, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 787);

KAIYO HIRASHIMA, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 788);

KATHARINE LLOYD, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 789);

MURRAY CLAY, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 790); and

SCOTT TERUYA, term to expire upon completion of the Tax Review Commission's duties or dissolution of the Tax Review Commission (Gov. Msg. No. 791),

seconded by Senator Keith-Agaran.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3603 (Gov. Msg. Nos. 577, 578, 579, 580, 581, and 582):

Senator Taniguchi moved that Stand. Com. Rep. No. 3603 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LOUISE ALINA, term to expire June 30, 2020 (Gov. Msg. No. 577);

LOUISE ALINA, term to expire June 30, 2024 (Gov. Msg. No. 578);

OLIVIA MANN, term to expire June 30, 2023 (Gov. Msg. No. 579);

KAUHI AHANA, term to expire June 30, 2022 (Gov. Msg. No. 580);

GERALDINE MIYAMOTO, term to expire June 30, 2021 (Gov. Msg. No. 581); and

LYAH KAMA-DRAKE, term to expire June 30, 2022 (Gov. Msg. No. 582),

seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3604 (Gov. Msg. Nos. 613 and 614):

Senator Taniguchi moved that Stand. Com. Rep. No. 3604 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

TIMOTHY CHATFIELD, term to expire June 30, 2020 (Gov. Msg. No. 613); and

TIMOTHY CHATFIELD, term to expire June 30, 2024 (Gov. Msg. No. 614),

seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3605 (Gov. Msg. Nos. 615 and 616):

Senator Taniguchi moved that Stand. Com. Rep. No. 3605 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Hawai'i Historic Places Review Board of the following:

KATHARINE STEPHENS, term to expire June 30, 2024 (Gov. Msg. No. 615); and

ALTON OKINAKA, term to expire June 30, 2023 (Gov. Msg. No. 616),

seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3606 (Gov. Msg. Nos. 657 and 658):

Senator Taniguchi moved that Stand. Com. Rep. No. 3606 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

CLYDE SAKAMOTO, term to expire June 30, 2024 (Gov. Msg. No. 657); and

LLOYD ITSUMI UNEBASAMI, term to expire June 30, 2023 (Gov. Msg. No. 658),

seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3607 (Gov. Msg. No. 669):

Senator Taniguchi moved that Stand. Com. Rep. No. 3607 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of JEAN ROLLES to the Hawai'i Sister State Committee, term to expire June 30, 2024, seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3608 (Gov. Msg. No. 676):

Senator Taniguchi moved that Stand. Com. Rep. No. 3608 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of WESLEY KAZUO MACHIDA to the Board of Trustees of the Employees' Retirement System, term to expire January 1, 2025, seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3609 (Gov. Msg. Nos. 726 and 727):

Senator Taniguchi moved that Stand. Com. Rep. No. 3609 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Board of Trustees of the Deferred Compensation Plan of the following:

BLANCHE MATSUYAMA, term to expire June 30, 2023 (Gov. Msg. No. 726); and

KALEIHI'IKAPOLI RAPOZA, term to expire June 30, 2024 (Gov. Msg. No. 727),

seconded by Senator Ihara.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3610 (Gov. Msg. Nos. 642, 643, 644, 645, 646, and 647):

Senator Gabbard moved that Stand. Com. Rep. No. 3610 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

FREDERICK LAU, term to expire June 30, 2020 (Gov. Msg. No. 642);

FREDERICK LAU, term to expire June 30, 2024 (Gov. Msg. No. 643);

KAREN SEDDON, term to expire June 30, 2023 (Gov. Msg. No. 644);

KEVIN HOPKINS, term to expire June 30, 2022 (Gov. Msg. No. 645);

LLOYD HARAGUCHI, term to expire June 30, 2023 (Gov. Msg. No. 646); and

WARREN WATANABE, term to expire June 30, 2024 (Gov. Msg. No. 647),

seconded by Senator Ruderman.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

Stand. Com. Rep. No. 3611 (Gov. Msg. Nos. 769 and 770):

Senator Gabbard moved that Stand. Com. Rep. No. 3611 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nominations to the Endangered Species Recovery Committee of the following:

KAWIKA WINTER, term to expire June 30, 2023 (Gov. Msg. No. 769); and

LOYAL ARCHIE MEHRHOFF, term to expire June 30, 2023 (Gov. Msg. No. 770),

seconded by Senator Ruderman.

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

Ayes, 24. Noes, none. Excused, 1 (Harimoto).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, MAY 19, 2020

Stand. Com. Rep. No. 3612 (S.R. No. 94, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 94, S.D. 1, entitled: "SENATE RESOLUTION URGING RESTAURANTS THROUGHOUT THE STATE TO ADOPT THE RECOMMENDED BEST PRACTICES AND SAFETY

GUIDELINES DEVELOPED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION AND NATIONAL RESTAURANT ASSOCIATION IN RESPONSE TO THE COVID-19 PANDEMIC," was adopted.

Stand. Com. Rep. No. 3613 (S.R. No. 174, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 174, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH ADVANCE TRAVEL QUARANTINE AND STATEWIDE STAY-AT-HOME ORDERS TO ENSURE RAPID AND EFFECTIVE RESPONSE TO ANY RESURGENCE OF THE CORONAVIRUS DISEASE 2019 IN HAWAII," was adopted.

Stand. Com. Rep. No. 3614 (S.R. No. 151, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 151, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE HAWAII TOURISM AUTHORITY, TO DEVELOP A TRAVEL RESTRICTION NOTIFICATION PROCEDURE FOR ADOPTION BY ANY PASSENGER AIRLINE OPERATING IN THE STATE," was adopted.

Stand. Com. Rep. No. 3615 (S.R. No. 150, S.D. 1):

Senator Kidani offered the following amendment (Floor Amendment No. 6) to S.R. No. 150, S.D. 1:

SECTION 1. Senate Resolution No. 150, S.D. 1, is amended by amending its title to read as follows:

"REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORMALIZE AND MAKE MANDATORY THE SUBMISSION OF THE ORDER FOR SELF-QUARANTINE, SAFE TRAVELS APPLICATION, AND INTERISLAND DECLARATION FORMS."

Senator Kidani moved that Floor Amendment No. 6 be adopted, seconded by Senator Dela Cruz.

Senator Kidani rose to speak in support of the amendment as follows:

"This amendment offered is nonsubstantive and seeks only to correct a minor flaw in the measure's title: The amendment adds the words 'declaration forms' following the word 'interisland.'"

The motion to adopt Floor Amendment No. 6 was put by the Chair and carried.

At 12:36 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 p.m.

Senator Kidani then moved that Stand. Com. Rep. No. 3615 be received and placed on file, seconded by Senator Dela Cruz and carried.

On motion by Senator Kidani, seconded by Senator Dela Cruz and carried, S.R. No. 150, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORMALIZE AND MAKE MANDATORY THE SUBMISSION OF THE ORDER FOR SELF-QUARANTINE, SAFE TRAVELS APPLICATION, AND INTERISLAND DECLARATION FORMS," was adopted.

Stand. Com. Rep. No. 3616 (S.R. No. 144, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and

S.R. No. 144, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII DEPARTMENT OF EDUCATION TO DEVELOP A STRATEGY TO IMPLEMENT A REOPENING PLAN FOR THE UPCOMING SCHOOL YEAR BASED ON GUIDELINES ESTABLISHED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION," was adopted.

Stand. Com. Rep. No. 3617 (S.R. No. 84, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A RESTAURANT REOPENING TASK FORCE TO ASSIST IN THE SAFE REOPENING OF RESTAURANTS THROUGHOUT THE STATE THAT WERE CLOSED DUE TO THE COVID-19 PANDEMIC," was adopted.

Stand. Com. Rep. No. 3618 (S.R. No. 27, S.D. 1):

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII EMERGENCY MANAGEMENT AGENCY TO PROVIDE TO THE SENATE A FORMAL PLAN AND MONTHLY ACCOUNTING FOR FEDERAL FUNDS ALLOCATED TO THE AGENCY TO ADDRESS THE CORONAVIRUS PANDEMIC," was adopted.

The Chair then announced:

"If there are no objections from the members, we will take a short recess. The House has voted on the budget. We're waiting for the copy of the transmittal to the governor, and then we'll take the vote."

At 12:38 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:44 p.m.

FINAL READING

S.B. No. 75, S.D. 2, H.D. 1:

Senator Dela Cruz moved that S.B. No. 75, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Ruderman rose to speak in opposition to the measure as follows:

"I want to mostly refer to the senator from Waimānalo's comments here on the floor on Tuesday as well as in her *Civil Beat* editorial today; I couldn't say it nearly as well. I just want to expand on the sense of urgency she mentions.

"This week, my daughter's preschool closed, not for the summer, for good. It's one of about a dozen in our community that have closed. In today's local paper, St. Joseph School, a 150-year-old institution and one of the largest private schools, announced it may close. That's just in our little small town, and there's hundreds of stories like that around our state.

"My point is the crisis is now, and it's urgent, and soon we're going to have a lot more homeless, a lot more hungry, a lot more people in permanent need of expensive social services. We should not be afraid of borrowing as needed, as provided by our constitution in a crisis, and helping our people. We should be putting aside our power struggles, our desire to stash and control money, and we should be helping our people as much as possible. The desire for a balanced budget is admirable; the need for a balanced budget in a major economic crisis is misplaced. We need to be the government that helps the people.

"I know there are no easy answers, and I acknowledge the very, very hard work that's been done and everyone doing what they think is right. But we, the State of Hawai'i, can handle the debt. We can handle long-term debt. Families without work cannot handle the current situation. The risks of long-term debt are dwarfed by the risks of further devastating our local economy. So we should welcome any debt needed as our responsibility and help our people as much as we can as quickly as we can. Thank you."

Senator Dela Cruz rose to speak in support of the measure as follows:

"This legislative body understands the gravity of the situation and the impact on every resident of the state. We owe the citizens of this state both immediate and long-term stability and security. We need to think and act responsibly and prudently with the federal resources that are being provided us.

"Hawai'i's economy relies heavily on tourism, not the case for the states that were previously upheld as examples. Tourism accounts for 20 percent of the state's economy. On May 7th, Dr. Tian presented on the economic impacts of COVID-19. He estimates that our state's non-tourism sector will at least take two years to recover. For tourism, he estimates it will take five to six years.

"It costs \$677 million to operate state government monthly so we can run our state hospitals, pay for education, maintain safety-net programs, take care of our natural resources, and the list goes on. Looking at state tax collection reports: collections of \$533 million in March 2020 as compared to \$590 million in March 2019—the state is down by \$57 million. For April 2020, compared to April 2019, collections are down \$350 million. We went from \$810 million in 2020 to \$540 million last month. In speaking with the Department of Taxation, the downward trend is to continue. The Council on Revenues will be meeting in exactly one week. Before we commit every dollar of the federal CARES Act, we should pause and see what the economic forecast will be.

"I want to highlight and reiterate to the Senate membership and the public that millions of dollars of relief funding for food grants, for businesses, are being provided directly to state and county agencies. The Legislature and the counties agree and have developed and coordinated budget plans that will meet the needs for the state.

"The Emergency Food Assistance Program: through the state Office of Community Services, two appropriations were received from the federal government. The Families First Coronavirus Response Act provided \$1,136,000, of which \$880,000 will be for food purchase. The federal CARES Act provided \$1.3 million, of which the full amount will be for food purchases. The state Office of Community Services will order through the USDA and work with nonprofit organizations, such as the Hawaii Foodbank, in distribution of food to the public statewide. The state Executive Office on Aging received \$1.2 million from the Families First Coronavirus Response Act, of which \$400,000 will be used for congregant meals, \$800,000 will be used for home delivery meals. In addition, the state Office on Aging received \$2,400,000 from the Older Americans Act, of which the full amount will be used for home delivery of meals.

"Supplemental Nutrition Assistance Program, otherwise known as SNAP: The Department of Human Services has seen a spike of almost 17,000 people—new applicants—for the month of April as compared to the same point in time last year. In speaking with the director, the department has been able to keep up with the filings and was approved last week to provide emergency SNAP supplements to address temporary food needs for SNAP households. The emergency supplements will benefit

approximately 60,000 households (about 75 percent of total households currently receiving SNAP) and will bring in more than \$13 million per month in federal food assistance to address our growing food needs. We have allocated an additional \$2 million toward SNAP so that we can even broaden SNAP's capability.

"Unemployment insurance: The Department of Labor and Industrial Relations has received \$3.9 million of emergency grants for administration of the state's unemployment compensation law. The department has applied for and has been approved by the U.S. Department of the Treasury for a quarterly, no-interest line of credit for \$1.3 billion. DLIR is working on determining what's the state's repayment schedule. This line of credit can only be used once unemployment compensation fund has a zero balance. In addition, the Pandemic Emergency Unemployment Compensation was launched this week. This program allows for an additional 13 weeks of payments to individuals whose regular unemployment benefits ended on or after July 1, 2019. Both the cost of new federal benefits and the funding to the states for the administration of the program are 100 percent federally funded.

"The state Office of Community Services also received Community Services Block Grant, an estimated \$5.2 million. Potential use of these funds include the community action agencies (CAAs) to respond to economic impacts of COVID-19 pandemic on people with low income (individuals up to 200 percent of the federal poverty line), used to support and possibly expand anti-poverty programs that the CAAs currently have. Some of these programs include but are not limited to: rental and utility bill assistance; food delivery for seniors and disabled; support for existing food programs like Senior Farmer's Market; transportation services, particularly for seniors and disabled individuals; child care; homeless prevention; and emergency shelter. CAAs may also use the funds to coordinate services and refer clients to other resources needed to address client situations. CAAs will use funds from other programs as they deem necessary to address the current situation in the recovery efforts to address the economic and community consequences of the outbreak. There are four CAAs, one for each county: O'ahu – Honolulu Community Action Program; Kaua'i – Kauai Economic Opportunity; Maui – Maui Economic Opportunity; and Hawai'i County – the Hawai'i County Economic Opportunity Council.

"For the counties, which is in S.B. 75: The County of Hawai'i has committed \$28 million for childcare grants, household grants, technology improvements for rural areas to help support school closures and teleworking, student and senior technology tools, and homeless prevention. The Hawai'i Island Recovery Initiative: \$22,300,000 for grants and support for small businesses, agriculture, energy; restarts startups, nonprofits, and the business community. Property acquisition, housing, and construction: the Big Island county is committing \$9.5 million for shelter needs for quarantine, homeless, contact tracing, and services location and other housing needs.

"The County of Maui also has several initiatives, which we are budgeting for in S.B. 75: \$26 million for grants for households, small businesses, and child care, which includes HELP, microbusiness loan programs, and farmer relief programs. Maui County is also committing \$4.5 million for recovery planning and incentives.

"The County of Honolulu, outside S.B. 75, is committing \$166 million for grants for households, small businesses, and child care. For the Household Hardship Relief Fund program, they're also distributing \$25 million in CARES Act funds designed to support households economically impacted by the current pandemic. City and County of Honolulu also has a program called the Small Business Relief and Recovery; this program provides one-time reimbursement for expenses up to

\$10,000 to each qualified business that has less than \$1 million in gross annual revenue or 30 or fewer employees. Eligible business types include nonprofit organizations. Examples of expenses include rent, utilities, and payroll. The fund can also reimburse expenses incurred to implement physical distancing and other safety precautions to comply with business openings and operating guidelines.

"For the County of Kaua'i, the county is committing \$1.5 million for food distribution, \$2.2 million for mental health and domestic violence prevention for grants to nonprofits, \$3 million for small-business loans and other business support, and \$330,000 for nonprofit food support, all within S.B. 75. The County of Kaua'i is also committing \$3.5 million for agriculture infrastructure support and \$250,000 for commercial fishing assistance.

"Again, I want to reiterate that it costs \$677 million to operate state government a month. If the governor's proposed furloughs were adopted, the state would only find a savings of \$50 million; it would cost us \$627 million a month to operate the state. For March collections, in 2019, we brought in \$590 million; for 2020, we brought in \$533 million—we saw a loss in March. In April, the loss was even greater: We went from \$810 million in 2019 to \$540 million in 2020. In May, we collected \$704 million in 2019, and we can expect even lower numbers for collections in 2020.

"People brought up the fact that we can borrow money. Well, we're going to authorize the governor to borrow \$2.1 billion from the Municipal Liquidity Facility fund. And UI, as I mentioned, can borrow up to \$1.3 billion in loans. But how are we going to balance all of this if we're going to be in the red every month? How are we going to operate the state **and** pay back loans? We need these three weeks to figure out and see what Council on Revenues is going to do and what kind of federal assistance Congress is going to pass.

"I ask my colleagues to join me in supporting S.B. 75, which provides funds to our neighbor-island counties for relief as well as makes the responsible decision of depositing the difference into the rainy day fund so we can make better and smarter decisions with the new information from Council on Revenues and actions from the feds. Thank you."

Senator Thielen rose to speak in opposition to the measure as follows:

"I'd like to record my 'no' vote on Senate Bill 75 and then have the remarks that I make on that also be applied to the Journal for Senate Bill 3139 that we're going to vote on. [The Chair so ordered.] Thank you. And if I could have the remarks that I made on the floor on these two bills on the motion to accept the House amendment on May 19th, two days ago, to be inserted in the Journal on both these bills, and also the article that I had posted in today's *Honolulu Civil Beat* with my commentary on why I voted against both these bills, but if I can first preface it with a clarification to the remarks that were just made? [The Chair so ordered.] Thank you, Mr. President.

"So just a point of clarification first: I had never proposed that we use the entire \$650 million to be spent right now in the federal CARES relief funds. The first proposal I made was that we put out a zero-interest loan program to the people who were waiting on the unemployment, requiring them to sign an agreement that once they were approved for unemployment, the first check could repay the state. So that would've used the money for an initial need and then left us free to use it for other purposes as it was repaid. The second proposal I made was for \$30 million to supplement the monies that were going out, and that was based on the extra \$50 million of CARES 3.5 monies that came to us after we had already put together this financial plan. So I never did propose that we spend all of it.

"But I also want to point out that, in an economic collapse at this level, the past three chairpeople of the Federal Reserve Board (Powell, Yellen, Bernanke), appointed by Democrats and Republicans; the Secretaries of the Treasury, again, appointed by Democrats and Republicans after 2009 and to today; the think tanks and most economists that have taken a look at governments, how they recovered from the 2009 crash, have pointed out time and again: Expenditures upfront that can prevent businesses from going bankrupt, expenditures upfront and quickly that can prevent people from going bankrupt, will save governments from increasing burdens and debts from people tapping into their supporting services, and allows governments to recover faster and with less debt. And that's the sense of urgency and the reason why I'm voting 'no.' I support those programs that are going out from the neighbor-island counties from the CARES money that we gave them, but if you put these numbers into household budget figures, we literally gave them tens and twenties when we're dealing with over \$2,000. It's not going to be enough to meet the magnitude, and it's not going to be at the speed, because in the three weeks that we're taking, more people are going to sink into insolvency. However, I look forward to this body and our chamber on the other hand coming forward when we reconvene in June with programs that are going to help the families that are facing bankruptcy and that are going to help our small businesses so that we don't have more of them go insolvent and that we can recover more quickly. Thank you."

The Chair having so ordered, Senator Thielen's remarks, as delivered on the Fortieth Day, Tuesday, May 19, 2020, read as follows:

"Thank you, Mr. President. I rise in opposition to Senate Bill No. 75 and then also Senate Bill No. 3139. The reasons I have are the same ... Mr. President, I had also voted 'no' on the budget bill yesterday, 2200, and just to save time for everybody here, I'm asking that my remarks now be placed in the Journal as my remarks on House Bill 2200 yesterday, the two bills that we are moving to agree to the amendments on today, and then on Thursday, when we make a final vote on those bills, so I only have to say this one time. [The Chair so ordered.] Thank you."

"This is my eighth year here, and every year, I've voted in support of the budget. I haven't done it 'with reservations,' even though I haven't agreed to a hundred percent of the budget, because I know every budget—like every bill, but especially every budget—reflects a compromise. Sometimes, some people get what they want; sometimes, they don't. Usually everybody gets a little bit less than what they want."

"The reason I have a problem this year is that there are huge groups of Hawai'i residents that are getting nothing despite an unprecedented emergency and economic crisis that our state is facing, and I cannot in good conscience support this choice. I don't think my words today are going to change anybody's mind on their votes on the bills in front of you, but I want to walk through why I have the reasons for voting against this and why I think we should be doing something different, because we will be recessing and coming back in June and making a decision then about what to do with the approximately \$1.8 billion that we're putting into the rainy day fund."

"There is a sense of urgency that I feel is lacking, both in the executive and in this legislature, about what our population is facing. According to unemployment statistics in DBEDT, nearly a quarter of a million Hawai'i residents have filed for unemployment. This has happened in just less than two months. We went from under 3 percent unemployment—we're waiting for the figures now—but somewhere between 25 to maybe close to 40 percent unemployment in a two-month period. Twelve thousand people filed for unemployment last week. We have been among the worst, if not the worst, state in the nation at getting unemployed people their entitled unemployment

benefits. Forty-four states began making the federal \$600 plus-up payments that were in addition to the regular state unemployment before we did. Thirty-five states began making the PUA federal payments to self-employed, independent contractor, gig workers, and other people who were not eligible for regular unemployment beginning back in April. One state even began in March. We have yet to make a single payment—today is May 19th. Between 100,000 to 130,000 Hawai'i residents still have not had their application approved. Either they're stuck in the regular unemployment system or they've finally been rejected from that system and they've been allowed to apply for PUA, which has just begun starting to process applications. Most of these workers are low-wage service-level workers in our tourism industry and in our restaurant industry. This is the perfect storm. It's the highest cost-of-living state, it's workers with the lowest wages and the least amount of savings, and it's the state that's among the slowest to deliver employment payments to them. Even today, I got an email this morning from a woman who filed her application for unemployment 10 weeks ago and has yet to see anything—two and a half months. Many of these people also lost their health insurance. And it's not just the people who filed for unemployment: It's their spouses, it's their kids, it's their parents. It's nearly half a million people or more in Hawai'i that have been economically hit by this."

"Their employers have been hit, too—hard. University of Hawai'i partnered up with the Chamber of Commerce and a number of other business associations, and they surveyed 623 businesses across the state: 24 percent of those businesses surveyed said they will not survive without additional assistance. Even those who were fortunate enough to get the federal PPP loan, 75 percent of that has to go toward payroll. They have rent, they have utilities, they have to struggle with figuring out how do they reinvent their business to act when they are allowed to open up in an era where they cannot do business as usual and they have to have social distancing and measures in place to protect their employees as well as their customers. They need help with these expenses. Every business that shuts down is one less that we're going to have to help us with an economic recovery."

"So, when there's a sudden economic collapse—and this is more sudden than we've had in a long time, and it's also unusual and, unlike the Great Depression, it's due to this virus that's come in—but when you have a sudden economic collapse, and we've had them before (2009, other periods), all of the experts say government needs to increase its spending. And the studies after the 2009 collapse show that the governments that did increase their spending in a way that got the best returns on those investments had shorter downturns and less debts and faster recovery. The biggest bang for the buck: spending on newly unemployed and lower-income—programs that help them. The last three chairpeople of the Federal Reserve have said the important thing is to prevent businesses and individuals from going bankrupt, keeping people housed, keeping local businesses open or alive."

"We received nearly a billion dollars in federal CARES Act money, either CARES relief or those recent CARES 3.5. Part of what we were doing this session and in some of these bills in front of us is to assert our legislative authority over appropriations over these fundings. It's to move them out of the governor's control and into the rainy day fund, to say that the Legislature can make better decisions."

"I'd like to point out what some of the other states are doing because I contacted NCSL and looked online. They're realizing that they need to get money out to their local businesses and to the families and individuals who are hurting in order to keep them afloat because it's those people that are going to help them get out of the economic problems that they're in, and by helping

keep them afloat, it'll reduce the amount of support that they're going to have to provide in the future:

- Montana: \$133 million in emergency grants for small businesses to adapt, for senior care homes to keep kūpuna connected, for emergency housing and food and childcare so people can go back to work;
- New Hampshire: \$490 million: small business relief, early child care, family support, food bank, nonprofits for social services;
- Ohio: \$174 million to expand who is eligible for food stamps because they don't want to have that strict income requirement when they know so many people are struggling with severely reduced household incomes, and expanding food banks and school food programs;
- Vermont: \$300 million for economic relief for local businesses;
- North Carolina: \$125 million for small-business loan program, operated by two NGOs (they're not trying to retain control—they're trying to help);
- Alaska: \$290 million for small-business relief grants.

"We called ourselves back into session because we wanted to assert control. We gave out small amounts of money to the neighbor-island counties, which I think we needed to do for their CARES Act relief so they could start the programs that City and County of Honolulu was able to do because it got its appropriation directly. And we put in a small amount of money to shore up some of our state operations to respond to COVID, which, again, we should do. But out of two billion-plus dollars, we chose to put about \$1.8 billion into the rainy day fund, to recess later this week, and to take three weeks (maybe more) to decide what to do. The reason that was given by the House Finance chair for putting this amount of money in the rainy day fund, I'm a little perplexed about.

"One of the reasons was our unemployment fund is running out of money. Well, we knew that. We've known that for some time. The director of the Department of Labor over two months ago notified us about that, and had applied to the U.S. Treasury for a no-interest line of credit, and in the Ways and Means memo to the members of the Senate dated May 15, 2020, we've been notified that we've been approved for \$1.3 billion in a line of credit from the unemployment trust fund. According to the Congressional Research Service, we can have up to 34 months with no interest to pay back that line of credit to the unemployment trust fund, but we can't tap into that line of credit until our unemployment state funds go down to zero. So if we use some of this CARES Relief Act money to put it into the unemployment fund, that's the longer we're going to have to wait to tap into this zero-interest line of credit, and unlike the municipal liquidity bond funds, if it takes us longer than 34 months to pay back this credit, we have longer. There's just a very, very small interest rate that's added on top of that, and many states have tapped into this fund back in 2009 and took many years to pay it back. We're passing another bill that's encouraging the governor to take out loans under the municipal liquidity fund, so we are encouraging the state to take advantage of programs that offer zero-interest money. I do not understand why we would say we cannot give out any of these CARES Relief Act funds to our residents or our small businesses because our unemployment money is going to run out. It's not going to run out. The federal government, again, according to Congressional Research Service, cannot let the states' unemployment funds run out because it is an entitlement with money that was paid for by the businesses. They will back us up just like they will back every other state up that has record unemployment, and if we're looking for the hope of whether we have a Republican or Democratic administration after the next

election, Republicans are more likely to bail out businesses and to help states that are struggling with repayments to the unemployment trust fund than just about any other program.

"I don't find the reasons given to be compelling, to say that we can do nothing for our citizens and our small businesses that are struggling now, particularly because we had come up with this plan apparently before we called ourselves back into session. And after we called ourselves back into session, we found that we received an extra \$50 million from the federal CARES 3.5. We could have taken some of that \$50 million to provide emergency grants. We have nonprofit partners out there that had people on the ground on every island that can screen applicants to make sure that we were getting money to the people who are still waiting on their unemployment application or still waiting for PUA to make some type of decision and issue any money; to small businesses that were turned down for the PPP, that are on the list of businesses that can open up but they need to make the adaptations in order to keep their customers and their employees safe. There was no reason why we couldn't act like so many of these other states to take some of this federal money to help people who are in serious pain now, and it would've been the smart thing to do as well, because it would reduce the amount of time that we're going to be in this economic pit.

"I want to share one more story before closing. Our youngest daughter—my husband and I, we started doing this tradition about 10 years ago. On Friday mornings, just as a treat, we would go to Like Like Drive Inn for breakfast before we dropped her off at school. And I don't know how many of you have gone there, but it's one of the great Hawai'i diners, and it's one of those great Hawai'i restaurants where all the waitresses are women of a certain age—you know, fifties up to their seventies—and they get to know you really quickly. And even after our daughter graduated from high school, my husband and I would go there every few months just for old times' sake, and they'd always say, 'Oh, how's Emma? How's she doing?' They'd always welcome you; they were always friendly. In 2009, after the crash hit, one of our favorite waitresses told us that that was her last day. She had all the lei on; I was asking if it was her birthday, and she said, 'No, just, we're having to cut back, and, you know, some of the girls here can't afford cutback hours, and I can afford to retire, so I'm gonna retire because I want to make sure that they can take care of their families.' Like Like Drive Inn announced a little while ago it's closed; it's not surviving COVID. I think about all those women and the busboys and the line cooks, everybody there: how many of them are waiting still on their unemployment checks? That business is not going to be able to open up. We talked earlier about how we had to do job creation and business development. In this crisis, we have to make sure more businesses don't close their doors like Like Like and never reopen.

"I am ashamed that we did nothing with the money that we had. At the end of the day, I was just asking, out of that extra \$50 million, could we just take \$30 million, give it out to partners like the Hawai'i Community Foundation, have them do the reporting, come back to us when we reconvene in June; if all the money wasn't spent, we pull it back. But even that was turned down. Again, I don't expect that I'm going to be changing anybody's vote here today, but I'm speaking up about this because we can't come back here in June and have a repeat of this. In the three weeks it's going to take us to come back (or more), we're already going to see more people going into bankruptcies, more businesses closing their doors. The small amounts that we gave to the neighbor islands are not going to be enough for our state to recover. Even the middle-size amount that the City and County of Honolulu has and already has started to get out the door is not going to be enough for our state to recover. We need to take some of that \$1.7 billion and get it out to the people and the businesses because we rely on them,

and they rely on us for their hope, and if we don't give them hope and some ability to recover, then we're not going to be able to help anybody a year from now. Thank you."

The Chair having so ordered, the article is identified as "**ATTACHMENT A**" to the Journal of this day.

Senator Dela Cruz rose to speak in rebuttal as follows:

"I'd just like to point out that I did have a conversation with the director of Labor in seeing how we could advance him some CARES funds. He said there would still be an issue on delaying payments. DLIR has to adjudicate every application to confirm that they're an employee of an eligible business. Should the State advance payments to every applicant prior to being approved, the State would need to track down and request advance payments back from non-eligible recipients. So we did not necessarily ignore the senator from Waimānalo; we did forward her concerns. It would be, I think, not prudent if we provided the money to the department if they're not able to spend the dollars and get it out to the programs that we need. With that being said, I've already listed the amount of programs out there that can provide assistance. Let me be clear that we're providing over \$200 million right now once this bill is passed. Two hundred million—not zero—two hundred million. The other \$630 million we can take up when we come back in three weeks. I'd be very surprised if all the different counties are able to spend that \$200 million within three weeks. Thank you."

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

"I just want to point out that the debate we just had between the other two senators—much of it would've been a moot point if the unemployment insurance situation had been addressed, so I urge, urge, urge the administration to hurry up and get this done because the senator from Waimānalo's correct: There are people who are in a serious personal financial difficulty right now who wouldn't be if they had their UI payments plus the \$600 plus-up. Mahalo."

Senator Wakai rose to speak in support of the measure as follows:

"Members, today the Department of Labor announced that seasonally adjusted unemployment for April is at 22.3 percent. That's one out of every four of our constituents. Keep in mind that just a few months ago, we had the lowest unemployment rate at 2.4 percent, so we went from the lowest to the highest in just a matter of months. The state's GDP in 2019 was \$97.3 billion. What happened? Seventeen percent of that evaporated due to the hemorrhaging of tourism. The situation is far worse on our neighbor islands, and I don't see much light at the end of this tunnel.

"Today we're arguing about how to cut up the pie; I believe, in addition to that discussion, we need to be focusing on baking a new and much bigger pie. It is imperative that we get our economy moving, and the governor and DBEDT really have no plans. Instead, they wanted to throw \$10 million to create a new division in government, with most of that money being spent on a mainland consulting firm. We really have no time to marinate for a year over a business plan with a lack of expectations. Businesses and our people are starving now.

"The airports are pivotal to reopening our economy. As we invite tourists to return, we're going to invite the potential for viruses and diseases to come with them, so it's essential that we assure the public that our airports are as COVID-proof as possible. Due to the exemplary work of Chair Dela Cruz and members of his Special COVID Committee, they've highlighted and we've seen just the opposite: We've seen a Department of Transportation with woeful plans that really depend on being told what the next steps should be. So, instead of leading the

charge on screening and pretty much inventing the wheel for the country on how to operate an airport in 2020, DOT continues to just make excuses, waits for the feds to tell them how to respond. In the meantime, businesses and our people are starving. Outside of temperature checks, our COVID shield comes down to the honor system, and we've seen over the past few weeks there are a lot of dishonorable people on this planet. We need thermal screeners and rapid COVID testing yesterday. DOT is still **looking into** which equipment they might buy for thermal screeners; they're going to go out to RFP, maybe in 45 days get an award, and, according to the Department of Transportation, if we're lucky, we're going to get those thermal screeners in by the end of summer. By the end of summer! Businesses are not going to be around that long. And rapid COVID testing—that's going to be essential. That's off the board, apparently, because the Department of Health doesn't believe it can be done at the airport, only in a laboratory setting, despite the FDA approving Abbott Labs and other forms of testing that can be done quickly and quite accurately.

"The back-and-forth for all of us is very frustrating and exhausting, and as we contemplate how to borrow more money or spend more money, we're not going to spend our way out of this situation. Let's also have a conversation on setting our sights on getting businesses open. Doing nothing will mean businesses and our people will continue to starve. Thank you, Mr. President."

The Chair made the following clarifications:

"We're not the federal government—a balanced budget is not an admirable goal; as a state government entity, we are legally required to adopt a balanced budget.

"Second, Senator Dela Cruz, I believe that missing from your list is also assistance from USDA. I believe there was a recent article about grants that have been given to farmers in Hawai'i, and I cannot recite everything off the top of my head; I'm only aware of the \$468,000 grant awarded to a nonprofit in Kilauea on the island of Kaua'i that is, as a requirement of the grant, required to purchase produce from local farmers and then distribute that food to families in need. So if you could have maybe your staff find the article and add that to the list of assistance that is being delivered by the federal government to, not just our people in need, but supporting our farmers and hopefully helping us economically."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 75, S.D. 2, and S.B. No. 75, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Ruderman, Thielen). Excused, 1 (Harimoto).

S.B. No. 3080, S.D. 3, H.D. 1:

Senator Dela Cruz moved that S.B. No. 3080, S.D. 3, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Rhoads rose to speak in support of the measure with reservations as follows:

"I'm concerned about the effects on this current fiscal year—the 2020 fiscal year—and that's the basis for my reservations. Mahalo."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3080, S.D. 3, and S.B. No. 3080, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

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

Ayes, 24; Ayes with Reservations (Rhoads, Thielen). Noes, none. Excused, 1 (Harimoto).

S.B. No. 3139, S.D. 1, H.D. 1:

Senator Dela Cruz moved that S.B. No. 3139, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

The Chair having so ordered, Senator Thielen's remarks, as delivered for S.B. No. 75, S.D. 2, H.D. 1, read as follows:

"I'd like to record my 'no' vote on Senate Bill 75 and then have the remarks that I make on that also be applied to the Journal for Senate Bill 3139 that we're going to vote on. [The Chair so ordered.] Thank you. And if I could have the remarks that I made on the floor on these two bills on the motion to accept the House amendment on May 19th, two days ago, to be inserted in the Journal on both these bills, and also the article that I had posted in today's *Honolulu Civil Beat* with my commentary on why I voted against both these bills, but if I can first preface it with a clarification to the remarks that were just made? [The Chair so ordered.] Thank you, Mr. President.

"So just a point of clarification first: I had never proposed that we use the entire \$650 million to be spent right now in the federal CARES relief funds. The first proposal I made was that we put out a zero-interest loan program to the people who were waiting on the unemployment, requiring them to sign an agreement that once they were approved for unemployment, the first check could repay the state. So that would've used the money for an initial need and then left us free to use it for other purposes as it was repaid. The second proposal I made was for \$30 million to supplement the monies that were going out, and that was based on the extra \$50 million of CARES 3.5 monies that came to us after we had already put together this financial plan. So I never did propose that we spend all of it.

"But I also want to point out that, in an economic collapse at this level, the past three chairpeople of the Federal Reserve Board (Powell, Yellen, Bernanke), appointed by Democrats and Republicans; the Secretaries of the Treasury, again, appointed by Democrats and Republicans after 2009 and to today; the think tanks and most economists that have taken a look at governments, how they recovered from the 2009 crash, have pointed out time and again: Expenditures upfront that can prevent businesses from going bankrupt, expenditures upfront and quickly that can prevent people from going bankrupt, will save governments from increasing burdens and debts from people tapping into their supporting services, and allows governments to recover faster and with less debt. And that's the sense of urgency and the reason why I'm voting 'no.' I support those programs that are going out from the neighbor-island counties from the CARES money that we gave them, but if you put these numbers into household budget figures, we literally gave them tens and twenties when we're dealing with over \$2,000. It's not going to be enough to meet the magnitude, and it's not going to be at the speed, because in the three weeks that we're taking, more people are going to sink into insolvency. However, I look forward to this body and our chamber on the other hand coming forward when we reconvene in June with programs that are going to help the families that are facing bankruptcy and that are going to help our small businesses so that we don't have more of them go insolvent and that we can recover more quickly. Thank you."

The Chair having so ordered, Senator Thielen's remarks, as delivered on the Fortieth Day, Tuesday, May 19, 2020, read as follows:

"Thank you, Mr. President. I rise in opposition to Senate Bill No. 75 and then also Senate Bill No. 3139. The reasons I have are the same ... Mr. President, I had also voted 'no' on the budget bill yesterday, 2200, and just to save time for everybody here, I'm asking that my remarks now be placed in the Journal as my remarks on House Bill 2200 yesterday, the two bills that we are moving to agree to the amendments on today, and then on Thursday, when we make a final vote on those bills, so I only have to say this one time. (The Chair so ordered.) Thank you.

"This is my eighth year here, and every year, I've voted in support of the budget. I haven't done it 'with reservations,' even though I haven't agreed to a hundred percent of the budget, because I know every budget—like every bill, but especially every budget—reflects a compromise. Sometimes, some people get what they want; sometimes, they don't. Usually everybody gets a little bit less than what they want.

"The reason I have a problem this year is that there are huge groups of Hawai'i residents that are getting nothing despite an unprecedented emergency and economic crisis that our state is facing, and I cannot in good conscience support this choice. I don't think my words today are going to change anybody's mind on their votes on the bills in front of you, but I want to walk through why I have the reasons for voting against this and why I think we should be doing something different, because we will be recessing and coming back in June and making a decision then about what to do with the approximately \$1.8 billion that we're putting into the rainy day fund.

"There is a sense of urgency that I feel is lacking, both in the executive and in this legislature, about what our population is facing. According to unemployment statistics in DBEDT, nearly a quarter of a million Hawai'i residents have filed for unemployment. This has happened in just less than two months. We went from under 3 percent unemployment—we're waiting for the figures now—but somewhere between 25 to maybe close to 40 percent unemployment in a two-month period. Twelve thousand people filed for unemployment last week. We have been among the worst, if not the worst, state in the nation at getting unemployed people their entitled unemployment benefits. Forty-four states began making the federal \$600 plus-up payments that were in addition to the regular state unemployment before we did. Thirty-five states began making the PUA federal payments to self-employed, independent contractor, gig workers, and other people who were not eligible for regular unemployment beginning back in April. One state even began in March. We have yet to make a single payment—today is May 19th. Between 100,000 to 130,000 Hawai'i residents still have not had their application approved. Either they're stuck in the regular unemployment system or they've finally been rejected from that system and they've been allowed to apply for PUA, which has just begun starting to process applications. Most of these workers are low-wage service-level workers in our tourism industry and in our restaurant industry. This is the perfect storm. It's the highest cost-of-living state, it's workers with the lowest wages and the least amount of savings, and it's the state that's among the slowest to deliver employment payments to them. Even today, I got an email this morning from a woman who filed her application for unemployment 10 weeks ago and has yet to see anything—two and a half months. Many of these people also lost their health insurance. And it's not just the people who filed for unemployment: It's their spouses, it's their kids, it's their parents. It's nearly half a million people or more in Hawai'i that have been economically hit by this.

"Their employers have been hit, too—hard. University of Hawai'i partnered up with the Chamber of Commerce and a number of other business associations, and they surveyed 623 businesses across the state: 24 percent of those businesses surveyed said they will not survive without additional

assistance. Even those who were fortunate enough to get the federal PPP loan, 75 percent of that has to go toward payroll. They have rent, they have utilities, they have to struggle with figuring out how do they reinvent their business to act when they are allowed to open up in an era where they cannot do business as usual and they have to have social distancing and measures in place to protect their employees as well as their customers. They need help with these expenses. Every business that shuts down is one less that we're going to have to help us with an economic recovery.

"So, when there's a sudden economic collapse—and this is more sudden than we've had in a long time, and it's also unusual and, unlike the Great Depression, it's due to this virus that's come in—but when you have a sudden economic collapse, and we've had them before (2009, other periods), all of the experts say government needs to increase its spending. And the studies after the 2009 collapse show that the governments that did increase their spending in a way that got the best returns on those investments had shorter downturns and less debts and faster recovery. The biggest bang for the buck: spending on newly unemployed and lower-income—programs that help them. The last three chairpeople of the Federal Reserve have said the important thing is to prevent businesses and individuals from going bankrupt, keeping people housed, keeping local businesses open or alive.

"We received nearly a billion dollars in federal CARES Act money, either CARES relief or those recent CARES 3.5. Part of what we were doing this session and in some of these bills in front of us is to assert our legislative authority over appropriations over these fundings. It's to move them out of the governor's control and into the rainy day fund, to say that the Legislature can make better decisions.

"I'd like to point out what some of the other states are doing because I contacted NCSL and looked online. They're realizing that they need to get money out to their local businesses and to the families and individuals who are hurting in order to keep them afloat because it's those people that are going to help them get out of the economic problems that they're in, and by helping keep them afloat, it'll reduce the amount of support that they're going to have to provide in the future:

- Montana: \$133 million in emergency grants for small businesses to adapt, for senior care homes to keep kūpuna connected, for emergency housing and food and childcare so people can go back to work;
- New Hampshire: \$490 million: small business relief, early child care, family support, food bank, nonprofits for social services;
- Ohio: \$174 million to expand who is eligible for food stamps because they don't want to have that strict income requirement when they know so many people are struggling with severely reduced household incomes, and expanding food banks and school food programs;
- Vermont: \$300 million for economic relief for local businesses;
- North Carolina: \$125 million for small-business loan program, operated by two NGOs (they're not trying to retain control—they're trying to help);
- Alaska: \$290 million for small-business relief grants.

"We called ourselves back into session because we wanted to assert control. We gave out small amounts of money to the neighbor-island counties, which I think we needed to do for their CARES Act relief so they could start the programs that City and County of Honolulu was able to do because it got its appropriation directly. And we put in a small amount of money

to shore up some of our state operations to respond to COVID, which, again, we should do. But out of two billion-plus dollars, we chose to put about \$1.8 billion into the rainy day fund, to recess later this week, and to take three weeks (maybe more) to decide what to do. The reason that was given by the House Finance chair for putting this amount of money in the rainy day fund, I'm a little perplexed about.

"One of the reasons was our unemployment fund is running out of money. Well, we knew that. We've known that for some time. The director of the Department of Labor over two months ago notified us about that, and had applied to the U.S. Treasury for a no-interest line of credit, and in the Ways and Means memo to the members of the Senate dated May 15, 2020, we've been notified that we've been approved for \$1.3 billion in a line of credit from the unemployment trust fund. According to the Congressional Research Service, we can have up to 34 months with no interest to pay back that line of credit to the unemployment trust fund, but we can't tap into that line of credit until our unemployment state funds go down to zero. So if we use some of this CARES Relief Act money to put it into the unemployment fund, that's the longer we're going to have to wait to tap into this zero-interest line of credit, and unlike the municipal liquidity bond funds, if it takes us longer than 34 months to pay back this credit, we have longer. There's just a very, very small interest rate that's added on top of that, and many states have tapped into this fund back in 2009 and took many years to pay it back. We're passing another bill that's encouraging the governor to take out loans under the municipal liquidity fund, so we are encouraging the state to take advantage of programs that offer zero-interest money. I do not understand why we would say we cannot give out any of these CARES Relief Act funds to our residents or our small businesses because our unemployment money is going to run out. It's not going to run out. The federal government, again, according to Congressional Research Service, cannot let the states' unemployment funds run out because it is an entitlement with money that was paid for by the businesses. They will back us up just like they will back every other state up that has record unemployment, and if we're looking for the hope of whether we have a Republican or Democratic administration after the next election, Republicans are more likely to bail out businesses and to help states that are struggling with repayments to the unemployment trust fund than just about any other program.

"I don't find the reasons given to be compelling, to say that we can do nothing for our citizens and our small businesses that are struggling now, particularly because we had come up with this plan apparently before we called ourselves back into session. And after we called ourselves back into session, we found that we received an extra \$50 million from the federal CARES 3.5. We could have taken some of that \$50 million to provide emergency grants. We have nonprofit partners out there that had people on the ground on every island that can screen applicants to make sure that we were getting money to the people who are still waiting on their unemployment application or still waiting for PUA to make some type of decision and issue any money; to small businesses that were turned down for the PPP, that are on the list of businesses that can open up but they need to make the adaptations in order to keep their customers and their employees safe. There was no reason why we couldn't act like so many of these other states to take some of this federal money to help people who are in serious pain now, and it would've been the smart thing to do as well, because it would reduce the amount of time that we're going to be in this economic pit.

"I want to share one more story before closing. Our youngest daughter—my husband and I, we started doing this tradition about 10 years ago. On Friday mornings, just as a treat, we would go to Like Like Drive Inn for breakfast before we dropped her off at school. And I don't know how many of you

have gone there, but it's one of the great Hawai'i diners, and it's one of those great Hawai'i restaurants where all the waitresses are women of a certain age—you know, fifties up to their seventies—and they get to know you really quickly. And even after our daughter graduated from high school, my husband and I would go there every few months just for old times' sake, and they'd always say, 'Oh, how's Emma? How's she doing?' They'd always welcome you; they were always friendly. In 2009, after the crash hit, one of our favorite waitresses told us that that was her last day. She had all the lei on; I was asking if it was her birthday, and she said, 'No, just, we're having to cut back, and, you know, some of the girls here can't afford cutback hours, and I can afford to retire, so I'm gonna retire because I want to make sure that they can take care of their families.' Like Like Drive Inn announced a little while ago it's closed; it's not surviving COVID. I think about all those women and the busboys and the line cooks, everybody there: how many of them are waiting still on their unemployment checks? That business is not going to be able to open up. We talked earlier about how we had to do job creation and business development. In this crisis, we have to make sure more businesses don't close their doors like Like Like and never reopen.

"I am ashamed that we did nothing with the money that we had. At the end of the day, I was just asking, out of that extra \$50 million, could we just take \$30 million, give it out to partners like the Hawai'i Community Foundation, have them do the reporting, come back to us when we reconvene in June; if all the money wasn't spent, we pull it back. But even that was turned down. Again, I don't expect that I'm going to be changing anybody's vote here today, but I'm speaking up about this because we can't come back here in June and have a repeat of this. In the three weeks it's going to take us to come back (or more), we're already going to see more people going into bankruptcies, more businesses closing their doors. The small amounts that we gave to the neighbor islands are not going to be enough for our state to recover. Even the middle-size amount that the City and County of Honolulu has and already has started to get out the door is not going to be enough for our state to recover. We need to take some of that \$1.7 billion and get it out to the people and the businesses because we rely on them, and they rely on us for their hope, and if we don't give them hope and some ability to recover, then we're not going to be able to help anybody a year from now. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3139, S.D. 1, and S.B. No. 3139, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Thielen). Excused, 1 (Harimoto).

RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.: Re-referred to:

H.B. No. 2675, Jointly to the Committee on Judiciary and
H.D. 1 the Committee on Ways and Means

At this time, Senator Gabbard rose on a point of personal privilege to extend congratulations to Senator Nishihara on his upcoming birthday the following day.

Senator Dela Cruz reminded the members that the Committee on Ways and Means and Committee on Energy, Economic Development, and Tourism would be holding an informational briefing that afternoon to talk about the loss of revenues, economic development, and the state's ability to create jobs. Senator Dela Cruz also noted that they were

planning on hearing directly from the different agencies of the Department of Business, Economic Development, and Tourism, who were planning on showing up, but he had just received a text that they were recalled and asked to join in via videoconference, and that he hoped that they do get participation from the administration, that they reconsider and attend the briefing so they can have a much more fruitful dialogue.

Senator Nishihara rose to speak on a point of personal privilege as follows:

"I'd just like to set the record straight and also my apologies to the entire Senate body for the pilikia I caused when it was reported that I had tested positive, but just to set the record straight, I've had three antibody tests: one done by Dr. Miscovich's group, one by Clinical Labs, and the last one was through the Blood Bank when I gave plasma. All three came back negative, so the view by Dr. Miscovich as well as the Blood Bank is that perhaps I never had it; it was a false positive. So with that thought in mind, I just want to make sure that that's clear for all of you, which probably would explain why none of you came down with it. Neither did my family. Again, I'd just like to set that record straight. Thank you, Mr. President."

ADJOURNMENT

At 1:15 p.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned, pursuant to S.C.R. No. 244, Relating to the Recess of the Thirtieth Legislature, Regular Session of 2020, until a date and time jointly declared by the Speaker of the House of Representatives and the President of the Senate.

ATTACHMENT A



The Hawaii Legislature reconvened on May 11 but with COVID-19 restrictions that prevented the public and media from entering the building. As it ramps up business for now, a state senator says lawmakers could have done far more to help those most in need because of the pandemic.

Twenty-four percent of local businesses surveyed say they will not survive without help. Most didn't get federal Paycheck Protection Program loans; those that did can only use a fraction on rent or costs to revamp operations to meet social distancing.

The state has money to help now. The feds gave us \$1.25 billion with only two strings attached: Spend it on COVID-19 response (not budget shortfalls); and, spend it by Dec. 31. Honolulu received its share directly; the state got nearly \$900 million.

Governor Ige should have sent the neighbor island counties their share and helped people stuck in the state unemployment mess. But when he didn't, the Legislature chose to assert our control over the money.

'Not One Dime'

So, what did we do when we came back into session this week?

We identified over \$2 billion in the state budget that could be used for budget shortfalls and emergency needs: \$900 million of federal COVID-19 money, about \$700 million in cuts and transfers, and nearly \$400 million in savings.

Then we did three things with that money:

Community Voice

Sen. Laura Thielen: The Hawaii Legislature Failed To Do Its Job

The state has money to help people who are hurting now, but lawmakers won't use it.

By Laura Thielen  / About 16 hours ago
 Reading time: 5 minutes.

20



We blew it when we came back into session. We needlessly left many residents and local businesses to sink further into insolvency, we're prolonging economic pain, and we're making our recovery slower.



Federal Reserve chairs, Treasury secretaries, most economists and studies of the 2009 recession agree: In economic recessions, governments that spend money to help people avoid bankruptcy, help businesses stay open, and keep people housed, have faster recoveries with less debt. Governments that do not prolong the damage and end up deeper in debt.

In two months, over 225,000 Hawaii residents filed for unemployment. About 100,000 of them have yet to get a dime. The director says the backlog will go into June.

Three months with no income, many losing health insurance in the middle of a pandemic.

ATTACHMENT A

- We earmarked \$1 billion for budget shortfalls in 2020 and 2021 to avoid furloughs and cuts;
- We gave neighbor islands their share of COVID relief and a bit for state COVID response; and
- We put about \$650 million COVID relief into the rainy day fund, where the governor can't touch it.

Not one dime for people waiting on unemployment. Not one dime for local businesses inching closer to shutting forever.

Our plan: We will recess today, go home, and think over what to do.

We're pretty sure we'll come back in mid-June.

I am utterly mystified at the lack of urgency.

The money committee chairs said it's unfortunate I'm not looking at the whole CARES Act funding; they gave some to the neighbor islands, and the state must take care of hospitals and food stamps.

I am looking at the whole federal funding. In addition to the \$1.25 billion in CARES Relief, the state also got hundreds of millions more to help hospitals and schools. Food stamps are federal money. The whole federal package makes the state more able than the counties to provide direct assistance to residents and businesses.

The counties can't make the level of government investment needed with what we gave them. They got tens and twenties, while we banked nearly two thousand, plus several hundred more earmarked for state services.

The state must put some skin in the game. That includes help for people and businesses on Oahu, because its economy subsidizes the other counties.

Other states are putting skin into their games, so we have models to follow:

- Montana — \$133 million in emergency grants for small businesses to adapt; senior care homes to keep kupuna connected; emergency housing, food and childcare;
- New Hampshire — \$490 million small business relief; early childcare and family support; food bank; non-profits for social services;
- Ohio — \$174 million to expand SNAP (food stamps), food banks and school food programs;
- Vermont — \$300 million for economic relief for local businesses;
- North Carolina — \$125 million for small business loan program;
- Alaska — \$290 million for small business relief grants.

I proposed zero-interest loans for people waiting on unemployment insurance — \$600 a week, provided they sign an agreement that once approved, the state would repay itself first. As the repayments came in, we could put those funds elsewhere to help.

That was shot down.

Last week we found out the state was getting yet another \$50 million of federal money. I proposed we put \$30 million with non-profit partners to distribute emergency grants for people waiting on unemployment, or who could return to work but needed childcare or kupuna care.

Again, no.

The state must put some skin in the game.

The House Finance Committee chair stated we needed to bank money because we're about to run out of unemployment funds.

We are not about to run out of unemployment funds.

We've received a \$1.3 billion, interest-free line of credit from the Unemployment Trust Fund. The Legislature is passing another bill encouraging the governor to take out interest free loans, so we're obviously not against borrowing money.

The Legislature blew it this week by not putting some of our emergency response funds into programs to directly help newly unemployed and local businesses.

I'm speaking out now in the hopes that more people will do the same, so that when we come back in June, we don't blow it again.

Community Voices aims to encourage broad discussion on many topics of community interest. It's kind of a cross between Letters to the Editor and op-eds. This is your space to talk about important issues or interesting people who are making a difference in our world. Column lengths should be no more than 800 words and we need a photo of the author and a bio. We welcome video commentary and other multimedia formats. Send to news@civilbeat.org. The opinions and information expressed in Community Voices are solely those of the authors and not Civil Beat.

About the Author



Laura Thielen

Laura Thielen is a former chair of the state Department of Land and Natural Resources and current state senator for District 25 (Kailua, Waimanalo, Hawaii Kai and Papahānaumokuākea).

Use the RSS feed to subscribe to Laura Thielen's posts today