

THIRTY-THIRD DAY

Friday, March 19, 2021

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021, convened at 11:30 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with Senators Chang, Ihara, Keohokalole, Lee, Moriwaki, Rhoads, and Shimabukuro present and participating via videoconference, and with the exception of Senator Dela Cruz who was excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

STANDING COMMITTEE REPORTS

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 989) recommending that S.C.R. No. 8, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 989 and S.C.R. No. 8, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS," was deferred until Monday, March 22, 2021.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 990) recommending that S.R. No. 60, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 990 and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE YEAR 2022 BE DESIGNATED AS THE YEAR OF THE LIMU," was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 991) recommending that the Senate advise and consent to the nominations to the Hawai'i Medical Board of the following:

GERI YOUNG, in accordance with Gov. Msg. No. 611; and

GARY BELCHER, in accordance with Gov. Msg. No. 612.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 991 and Gov. Msg. Nos. 611 and 612 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 992) recommending that the Senate advise and consent to the nominations to the Motor Vehicle Industry Licensing Board of the following:

MARIE WEITE, in accordance with Gov. Msg. No. 624; and

STEVEN CHOW, in accordance with Gov. Msg. No. 625.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 992 and Gov. Msg. Nos. 624 and 625 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 993) recommending that the Senate advise and consent to the nominations to the Pest Control Board of the following:

WILLIAM LEE, in accordance with Gov. Msg. No. 613; and

JOHN SPEED, in accordance with Gov. Msg. No. 614.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 993 and Gov. Msg. Nos. 613 and 614 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 994) recommending that the Senate advise and consent to the nominations to the Hawai'i Board of Veterinary Medicine of the following:

ROBERT JORDAN, in accordance with Gov. Msg. No. 656; and

AILEEN WADA, in accordance with Gov. Msg. No. 657.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 994 and Gov. Msg. Nos. 656 and 657 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 995) recommending that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

TONY LAU, in accordance with Gov. Msg. No. 621;

KEVIN KATAYAMA, in accordance with Gov. Msg. No. 622; and

DAN HIROTA, in accordance with Gov. Msg. No. 623.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 995 and Gov. Msg. Nos. 621, 622, and 623 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 996) recommending that the Senate advise and consent to the nominations to the State Boxing Commission of Hawai'i of the following:

MARK OZAKI, in accordance with Gov. Msg. No. 542;

MICHAEL YADAO, in accordance with Gov. Msg. No. 543;

JOEL KIM, in accordance with Gov. Msg. No. 544; and

MICHAEL FREITAS, in accordance with Gov. Msg. No. 545.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 996 and Gov. Msg. Nos. 542, 543, 544, and 545 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 997) recommending that the Senate advise and consent to the nomination of ERIN FIRMIN to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 540.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 997 and Gov. Msg. No. 540 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 998) recommending that the Senate advise and consent to the nomination of RAYNETTE HALL to the State Board of Barbering and Cosmetology, in accordance with Gov. Msg. No. 615.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 998 and Gov. Msg. No. 615 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 999) recommending that the Senate advise and consent to the nominations to the Board of Dentistry of the following:

PAUL GUEVARA, in accordance with Gov. Msg. No. 534; and

PAUL GUEVARA, in accordance with Gov. Msg. No. 535.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 999 and Gov. Msg. Nos. 534 and 535 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1000) recommending that the Senate advise and consent to the nominations to the Board of Acupuncture of the following:

BROOKE FOREMAN, in accordance with Gov. Msg. No. 532; and

BROOKE FOREMAN, in accordance with Gov. Msg. No. 533.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1000 and Gov. Msg. Nos. 532 and 533 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1001) recommending that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

SCOTT COLLINS, in accordance with Gov. Msg. No. 538; and

SCOTT COLLINS, in accordance with Gov. Msg. No. 539.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1001 and Gov. Msg. Nos. 538 and 539 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1002) recommending that the Senate advise and consent to the nomination of P. DENISE LA COSTA to the Real Estate Commission, in accordance with Gov. Msg. No. 541.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1002 and Gov. Msg. No. 541 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1003) recommending that the Senate advise and consent to the nomination of KENT KIKUCHI to the Board of Pharmacy, in accordance with Gov. Msg. No. 608.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1003 and Gov. Msg. No. 608 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1004) recommending that the Senate advise and consent to the nomination of MARK BAKER to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 609.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1004 and Gov. Msg. No. 609 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1005) recommending that the Senate advise and consent to the nomination of PETER SEARL to the Hawai'i Board of Optometry, in accordance with Gov. Msg. No. 610.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1005 and Gov. Msg. No. 610 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1006) recommending that the Senate advise and consent to the nomination of AMY OKURA to the Board of Massage Therapy, in accordance with Gov. Msg. No. 536.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1006 and Gov. Msg. No. 536 was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1007) recommending that the Senate advise and consent to the nomination of JOANNE ZAZZERA to the Board of Physical Therapy, in accordance with Gov. Msg. No. 537.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1007 and Gov. Msg. No. 537 was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1008) recommending that the Senate advise and consent to the nomination of CAROL LOVELL to the Island Burial Council, Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 691.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1008 and Gov. Msg. No. 691 was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1009) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Island of Hawai'i of the following:

NORMAN KAIMULOA, in accordance with Gov. Msg. No. 688;

SCOTT MAHONEY, in accordance with Gov. Msg. No. 689; and

CAYLA CRIVELLO, in accordance with Gov. Msg. No. 690.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1009 and Gov. Msg. Nos. 688, 689, and 690 was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1010) recommending that S.C.R. No. 59, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1010 and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAIIAN HOMES COMMISSION TO APPROPRIATE ONE HUNDRED PER CENT OF LEASE REVENUES FROM COMMERCIAL PROPERTY USES TO HOMELAND LOT DEVELOPMENT," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1011)

recommending that S.R. No. 41, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1011 and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION URGING THE HAWAIIAN HOMES COMMISSION TO APPROPRIATE ONE HUNDRED PER CENT OF LEASE REVENUES FROM COMMERCIAL PROPERTY USES TO HOMELAND LOT DEVELOPMENT," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1012) recommending that S.C.R. No. 55, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1012 and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES TO STREAMLINE THE PROCESS FOR ALLOWING TRADITIONAL HAWAIIAN FARMING SYSTEMS ON CONSERVATION LANDS," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1013) recommending that S.R. No. 37, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1013 and S.R. No. 37, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT ADMINISTRATIVE RULES TO STREAMLINE THE PROCESS FOR ALLOWING TRADITIONAL HAWAIIAN FARMING SYSTEMS ON CONSERVATION LANDS," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1014) recommending that S.C.R. No. 54, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1014 and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT AN ANALYSIS AND PROVIDE DATA ON THE NUMBER OF DEPARTMENT OF HAWAIIAN HOME LANDS BENEFICIARIES WHO HAVE APPLIED FOR AND NEED HOUSING IN EACH COUNTY, BY INCOME CLASSIFICATION, AND UNIT TYPE," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1015) recommending that S.R. No. 36, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1015 and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT AN ANALYSIS AND PROVIDE DATA ON THE NUMBER OF DEPARTMENT OF HAWAIIAN HOME LANDS BENEFICIARIES WHO HAVE APPLIED FOR AND NEED HOUSING IN EACH COUNTY, BY INCOME CLASSIFICATION, AND UNIT TYPE," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1016) recommending that S.C.R. No. 30, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1016 and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS, IN CONJUNCTION WITH THE COUNTY OF HAWAII DEPARTMENT OF WATER SUPPLY, TO PROVIDE A PROGRESS REPORT REGARDING THE DEVELOPMENT OF THE KA'Ū WATER SYSTEM," was deferred until Monday, March 22, 2021.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1017) recommending that S.R. No. 19, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1017 and S.R. No. 19, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS, IN CONJUNCTION WITH THE COUNTY OF HAWAII DEPARTMENT OF WATER SUPPLY, TO PROVIDE A PROGRESS REPORT REGARDING THE DEVELOPMENT OF THE KA'Ū WATER SYSTEM," was deferred until Monday, March 22, 2021.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 149, 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 Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 943, 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 Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 943, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONDEPOSITORY TRUSTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 941, 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 Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 941, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF ELECTRONIC FILING BY THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1021) recommending that H.B. No. 352, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 352, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS," passed

Second Reading and was referred to the Committee on Judiciary.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1022) recommending that H.B. No. 204, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 776, 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 Keohokalole, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 776, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PUEO DEVELOPMENT, LLC," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 988 (Gov. Msg. Nos. 567 and 568):

Senator Lee moved that Stand. Com. Rep. No. 988 be received and placed on file, seconded by Senator Inouye and carried.

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

ANTHONY KATRAS, term to expire June 30, 2025 (Gov. Msg. No. 567); and

CHRISTOPHER TORTORA, term to expire June 30, 2025 (Gov. Msg. No. 568),

seconded by Senator Inouye.

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

Ayes, 23. Noes, none. Excused, 2 (Dela Cruz, Shimabukuro).

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. 433, Jointly to the Committee on Agriculture and
H.D. 1 Environment and the Committee on Water
and Land and the Committee on
Transportation and the Committee on
Energy, Economic Development, and
Tourism, then to the Committee on Ways and
Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following Senate concurrent resolutions that were offered:

S.C.R. No.: Re-referred to:

S.C.R. No. 90 Committee on Transportation

S.C.R. No. 94 Committee on Agriculture and Environment

S.C.R. No. 127 Committee on Public Safety,
Intergovernmental, and Military Affairs

S.C.R. No. 192 Committee on Judiciary

S.C.R. No. 194 Committee on Commerce and Consumer
Protection

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following Senate resolutions that were offered:

S.R. No.: Re-referred to:

S.R. No. 69 Committee on Transportation

S.R. No. 73 Committee on Agriculture and Environment

S.R. No. 101 Committee on Public Safety,
Intergovernmental, and Military Affairs

S.R. No. 157 Committee on Judiciary

S.R. No. 159 Committee on Commerce and Consumer
Protection

ADJOURNMENT

At 11:33 a.m., on motion by Senator Keohokalole, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Monday, March 22, 2021.