

THE
THIRTY-FIRST LEGISLATURE
STATE OF HAWAII
THIRD SPECIAL SESSION OF 2021
JOURNAL OF THE SENATE

FIRST DAY

Thursday, October 28, 2021

The Senate of the Thirty-First Legislature of the State of Hawai'i, Third Special Session of 2021, was called to order at 10:01 a.m., by Senator Ronald D. Kouchi, President of the Senate, in accordance with the following Proclamation, which was read by the Clerk and was placed on file:

“Proclamation

October 27, 2021

I, Ronald D. Kouchi, President of the Senate of the Thirty-First Legislature of the State of Hawai'i, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawai'i, and at the written request of two-thirds of the members to which the Senate is entitled, do hereby convene the Senate in Special Session as sought in the petition at 10:00 a.m. on Thursday, October 28, 2021, in the State Capitol Senate Chambers, for the purpose of carrying out its responsibilities established by Section 3, Article VI of the Constitution of the State of Hawai'i.

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

At this time, the President made the following announcement:

“Before we proceed further, I would also like to note for the record that the ongoing COVID-19 pandemic qualifies as a ‘catastrophic disaster’ as defined in Senate Rule 38.5 and there is ‘good cause’ for authorizing Senate members to continue participating in any meeting of members via virtual attendance as set forth in Senate Rule 38.5 for the duration of this Special Session.”

The Roll was then called showing all Senators present, with Senators Acasio, Chang, Dela Cruz, Gabbard, Ihara, Keohokalole, Kim, Lee, Rhoads, Taniguchi, and Wakai present and participating via videoconference, and with the exception of Senators Kidani, Riviere, and Shimabukuro who were excused.

MESSAGES FROM THE GOVERNOR

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

Gov. Msg. No. 1, submitting for consideration and confirmation, the appointment of CLARISSA Y. MALINAO as Judge of the State of Hawai'i First Circuit Court, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 2, submitting for consideration and confirmation, the appointment of KEVIN T. MORIKONE as Judge of the State of Hawai'i First Circuit Court, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 3, submitting for consideration and confirmation, the appointment of SHANLYN A. S. PARK as

Judge of the State of Hawai'i First Circuit Court, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 4, submitting for consideration and confirmation, the appointment of KIRSTIN M. HAMMAN as Judge of the State of Hawai'i Second Circuit Court, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 5, submitting for consideration and confirmation, the appointment of WENDY M. DEWEESE as Judge of the State of Hawai'i Third Circuit Court, for a term of ten years, was referred to the Committee on Judiciary.

JUDICIARY COMMUNICATION

The following communication from the Judiciary (Jud. Com. No. 1) was read by the Clerk and was disposed of as follows:

Jud. Com. No. 1, submitting for consideration and confirmation, the appointment of KIMBERLY B.M. TANIYAMA to the District Court of the Third Circuit, for a term of six years, was referred to the Committee on Judiciary.

At this time, Senator Rhoads announced that the Committee on Judiciary would be holding a decision-making meeting on Gov. Msg. Nos. 1 to 5 and Jud. Com. No. 1 at 10:30 a.m.

The Chair then made the following announcement:

“The deadline to file standing committee reports on Gov. Msg. Nos. 1 to 5 and Jud. Com. No. 1 is 4:30 p.m. this afternoon.”

STANDING COMMITTEE REPORTS

On motion by Senator DeCoite, seconded by Senator Fevella and carried unanimously, the Clerk was authorized to receive standing committee reports on Gov. Msg. Nos. 1 to 5 and Jud. Com. No. 1. In consequence thereof, and subsequent to its recessing at 10:07 a.m., the Senate took the following actions:

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

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Gov. Msg. No. 1 was deferred until Friday, October 29, 2021.

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

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2 and Gov. Msg. No. 2 was deferred until Friday, October 29, 2021.

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

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3 and Gov. Msg. No. 3 was deferred until Friday, October 29, 2021.

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

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 4 and Gov. Msg. No. 4 was deferred until Friday, October 29, 2021.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 5) recommending that the Senate consent to the appointment of WENDY M. DEWEESE as Judge of the Circuit Court of the Third Circuit, in accordance with Gov. Msg. No. 5.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 5 and Gov. Msg. No. 5 was deferred until Friday, October 29, 2021.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 6) recommending that the Senate consent to the appointment of KIMBERLY B.M. TANIYAMA to the District Court of the Third Circuit, in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 6 and Jud. Com. No. 1 was deferred until Friday, October 29, 2021.

ADJOURNMENT

At 4:30 p.m., the Senate adjourned until 11:00 a.m., Friday, October 29, 2021.