

THIRTY-FIRST DAY

Thursday, March 19, 2015

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2015, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators English and Kaele who were excused.

The President announced that she had read and approved the Journal of the Thirtieth Day.

Senator Shimabukuro recognized her classmate Brandon Mitsuda, who was present in the gallery, as well as Uncle Joe Tassill and his wife.

Senator Thielen extended an additional welcome to Uncle Joe Tassill and his wife, Aunty June, as well as Kalani Kalima, a constituent and emerging young leader from Waimānalo.

Senator Kidani introduced students and teachers from Jarrett Middle School, Waialua High and Intermediate School, and Kahuku High and Intermediate School who participate in the R.E.A.C.H. afterschool enrichment program and would be presenting demonstrations in Capitol Rotunda later that afternoon.

Senator Espero honored Edward Oshiro, recipient of the 2014 Masayuki Tokioka Excellence in School Leadership award, and presented the following remarks:

"Thank you, Madam President, Senator Kidani. Colleagues and guests: The Masayuki Tokioka Excellence in School Leadership award is designated by the Island Insurance Foundation and is named after the company's late founder. The award is presented to a public school principal who is a visionary, community-minded, and has an entrepreneurial spirit. In 2014, the award went to Ewa Makai Middle School Principal Edward Oshiro. In total, Principal Oshiro was awarded \$25,000 in prize money, most of which will go directly to benefit the school.

"Principal Oshiro spearheaded the opening of Ewa Makai Middle School in 2010. As its first principal, he believes in his responsibility to ensure technology plays an integral role in the learning process of his students. The school's motto is 'Empower, Explore, Excel Together!' and is a core value that motivated the 21st-century integrated tech program. This program is the first ever school-wide digital media program that pairs technology and students on a daily basis. The program, which was promoted by Mr. Oshiro, makes curriculum relevant to students, who are living in a world fueled by technology.

"Mr. Oshiro plans to use his award money to create a parent-family community center that would serve as a hub for training, work opportunities, volunteer work, and homework assistance. Always at the cutting edge, Mr. Oshiro plans to build private/public partnerships to build on and fund this concept that will further integrate families, students, and the broader community and to build success and a better future for our keiki.

"Principal Edward Oshiro, again, welcome to the Senate chambers and congratulations on your achievement. I look forward to continuing to work with you at Ewa Makai Middle School and the leadership that you have been providing.

"In the gallery, I'd like to introduce his wife, Connie Oshiro, and the Campbell-Kapolei complex area superintendent, Heidi Armstrong."

Senator Chun Oakland recognized Jason Pavia, recipient of the 2014 Voya Unsung Heroes award, and presented the following remarks:

"Thank you, Madam President. Colleagues, in 1995, Voya Financial, formerly known as ING U.S., started the Voya Unsung Heroes award. The award provides grants to K-12 educators who utilize new teaching methods and techniques to improve learning. Each year, 100 finalists are selected to receive a \$2,000 grant payable to both the winning teacher and their school. The year's finalist from Hawai'i is Jason Pavia from Ka'iulani Elementary School.

"Jason's innovative teaching idea is called 'Worms at Work,' which consists of multiple components, including a fruit and vegetable garden, a native Hawaiian garden, a green waste composting system, and a vermicast worm system. The initial phase of this project began in Mr. Pavia's classroom last year, with a small worm bin. This year, Jason is expanding the worm system to allow the participation of approximately 75 third grade students across all three classrooms. The next step will be to create a large capacity worm system capable of recycling all of the vegetative waste produced by the cafeteria. Jason uses the system as a unit study to teach his students about various subject areas, including science, reading, writing, math, social studies, health, and art. Children really, really enjoy his class.

"Congratulations, Jason; we're very proud of you, and we thank you very much for doing what you're doing. Aloha. Thank you."

Senator Kidani congratulated Jana Fukada on being selected as the 2014 Milken Educator, and presented the following remarks:

"Madam President and colleagues, I was fortunate to be invited to an honors assembly at Mililani Uka Elementary School earlier this month. It turned out to be a major event and a major surprise, with the announcement that one of the school's teachers had been selected Hawai'i's 2014 Milken Foundation Educator. School Principal Heather Wilhelm and her team had managed to keep the announcement a secret, and it was a total surprise to Jana Fukada when she was introduced as Hawai'i's Milken Educator. Jana is with us this morning.

"The Milken award is considered the Oscar of teaching, and it comes with a \$25,000 cash award, just one measure of the prestige of the award. Jana has been at Mililani Uka School since she earned her master's degree in 2007, and her colleagues and school administrators recognized right away that she was an all-star. She's working on her doctorate, travels statewide to mentor others in curriculum development and effective teaching techniques, and is passionate about making the student experience as meaningful and productive as possible. And we are so glad that she is at one of our Mililani schools.

"Thank you, Jana, for your contribution to your school, the public school system, and to future generations of Hawai'i leaders in your classroom. Also with us today in the gallery are members of Jana's family. Her mother, Patti, serves with me on the Japanese Women's Society Foundation, so I was very pleasantly surprised, as much surprised as Jana was, that day she received the award. Also with us is Jana's dad, Edward; and grandmother Elaine. Welcome to the Capitol, and congratulations again."

Senator Thielen recognized Ryan Kagami for being selected as the 2014 Milken Teacher of Promise, and presented the following remarks:

“Thank you, Madam President. The Milken Foundation also honors the Teachers of Promise award, and this award goes to the very best young educators in our nation who demonstrate tremendous potential as educational leaders and serve as inspirations to us all. In 2014, Mr. Ryan Kagami, a Kailua Intermediate School teacher, was honored as the national Milken Educators of Hawaii Teacher of Promise.

“Ryan Kagami is a graduate of Castle High School and began teaching at Kailua Intermediate in January of 2012. He teaches seventh- and eighth-grade science. He believes that in order for students to understand the world of science, they must become a part of it. To make his lessons come alive, Ryan Kagami wrote and received grants to fund a classroom aquaponics system. The miniature lab draws students’ interest in complex topics such as water and nitrogen cycles, plant biology, fish anatomy, and the role microbial communities play in the earth’s ecosystem and the human ecosystem. Plus, they get to eat the results.

“Ryan Kagami is currently partnering with parents, local businesses, community leaders, and military neighbors to submit a Repair, Remodel, Restore Our Schools – or a 3Rs – grant to build and house a larger structure on the campus.

“Ryan, thank you very much for all that you do in serving as an inspiration to our students, our parents, our teachers, and our school communities, and the rest of us in the State of Hawai‘i. Mahalo. Joining Ryan today are six guests up in the gallery: Ellen Kagami, David Kagami, Joanne Kwan, Brandon Kwan, Cameron Kwan, and Jaime Miyasato. Thank you again, Ryan, for all that you do.”

Senator Harimoto honored Baron Baroza, 2014 Librarian of the Year, and presented the following remarks:

“Thank you. Madam President and colleagues, it is my privilege today to introduce the 2014 Librarian of the Year, Mr. Baron Baroza. Mr. Baroza has been the branch manager of the ‘Aiea Public Library since 2011. With nearly a decade of experience serving in various capacities in other libraries, he truly understands that libraries can serve the community best when it becomes the center of its community.

“Mr. Baroza has had the unique opportunity of opening a brand-new library. The old ‘Aiea Library was very old and very small and could no longer meet the needs of the large community that ‘Aiea had become. Through the good graces of this body, and together with the leadership of the Hawai‘i State Public Library System, a new library was built and opened last year. This new library sits on the site of the old historic ‘Aiea sugar mill and has a commanding view of Pearl Harbor. This new library is the pride of our community, and through the efforts of Mr. Baroza and his predecessors, strong relationships with community groups were built. The community was heavily involved with the planning of this new library, so when it opened last year, thousands of area residents came to be part of the celebration.

“Mr. Baroza is much-loved in the community. Always pleasant, always professional and courteous, his attentiveness to the community needs makes residents feel valued and important. By developing meaningful relationships with surrounding neighborhoods, schools, and civic organizations, Mr. Baroza has fostered a stronger sense of pride and unity in the community. Under his leadership, the ‘Aiea Public Library will continue to thrive and innovate to remain the center of our community. Thank you, Mr. Baroza, for being such a blessing to our community. With us today in the gallery are Mr. Baroza’s wife, Hilda, and son Lukas.”

Senator Riviere congratulated Don Ramos, recipient of the 2014 Librarian Excellence in Service award, and presented the following remarks:

“Good morning, Madam President and colleagues. It’s my honor to welcome to the Capitol today Mr. Don Ramos, the 2014 Friends of the Library of Hawai‘i Excellence in Service award recipient. Beginning his career in the library system, Don Ramos started as a summer youth worker at Kahuku Public & School Library in 1975 through 1980, and was hired as a library assistant III in 1981, with dual responsibilities at the circulation desk and the media production room. In 1983, he trained recently retired State Librarian Richard Burns to become a library assistant IV.

“While extremely dedicated to his work at the library, Don Ramos is strongly committed to his family and church. He’s also known to be exceptionally resourceful and creative; he’s always the go-to guy for assistance with displays and programs, particularly graphic displays, graphic projects, and 3D displays.

“I’d like to comment on the value of this library to Kahuku. Kahuku’s a small town; the library is built within the school. Tuesday nights, it’s actually something that’s a gathering place, so this library in Kahuku, small as it may be in a small community, is part of that community, as mentioned in a previous comment. So, Don is one of the backbones that drive this great facility for our community.

“His workers have described Don Ramos as an amazing human being, extremely nice, kind, courteous, friendly to everyone, professional, hardworking, generous, and talented. Don was already hard at work committing his time and energy to the library system from his high school days as a student helper, and after graduation, as a production room assistant, and now, as that awesome library assistant III.

“Thank you, Don, for your service, for your talent, creativity, commitment, and dedication to the excellence of the Kahuku community and the wider library system, and congratulations on being the 2014 Friends of the Library of Hawai‘i Excellence in Service award recipient. Congratulations.

“Also with us today in the gallery are Don’s family: his lovely wife, Myrna Ramos; their daughter, Andrina Ramos, and her boyfriend, Blaise Kise; his sister-in-law, Nancy Manuel; and friends Don Tarampi, who nominated Don for this excellent award, and his wife, Jenn Litman. Everybody from Kahuku – go Red Raiders! Aloha and welcome.”

Senator Dela Cruz welcomed R.E.A.C.H. students who were present in the gallery; as well as Kathryn Matayoshi, superintendent of the Department of Education; his sister, Donalyn Dela Cruz, director of communications for the Department of Education; and Jill Puleasi, principal of Princess Victoria Ka‘iulani Elementary School.

Senator Kidani acknowledged the Mililani High School football team, and presented the following remarks:

“Thank you, Madam President. Colleagues, yesterday we recognized the state champion varsity girls and boys soccer teams from Mililani High School. We tried very hard to get the Trojans’ football coaches here as well, but during the spring break, Coach of the Year Rod York is participating in a clinic in Utah, and Athletic Director Glenn Nitta is also traveling. Likewise, many of the team’s players are otherwise occupied with training. But we are pleased to have with us this morning Principal Fred Murphy.

“Principal Murphy returned to his alma mater to become principal just a few years ago, and I’m sure he is grateful that the academic and athletic stars have all aligned to bring a lot of attention to his campus since then.

“Senator Dela Cruz and I recognized the football team on a previous occasion at their team banquet, but since the soccer champs were here this week, we felt compelled to honor our Mililani football team as a reminder that our Trojan Nation excelled during the fall sports season as well. The 2014 championship game at Aloha Stadium last November is widely regarded as the best game since the state tournament was established, and probably the best game since the Governors of Farrington High School – our alma mater, Madam President, yours and mine – beat Kamehameha in the turkey game of 1965. Our Central O’ahu families and fans have relished the Mililani victory in the succeeding months – very hard to forget.

“So thank you, Principal Murphy, for your leadership and for being with us today to acknowledge our football champions. Mahalo.”

Senator Green welcomed visitors from the American Cancer Society Cancer Action Network, including: Lani Almanza, Janice Bond, Daveline Ching, Jill Courtney, Alaina Cunningham, Christine Hinds, Kehau Matsumoto, Mona McNamara, Gay Okada, Curt Palmer, Wanda Kau Shibata, Daniel Shockey, Shirleen Sturla, Younna Tamura, Val Toro, Mark Vasconcellos, and Penny Young. The group was present at the Capitol to raise awareness about Colorectal Cancer Awareness Month; Senator Green noted that colorectal cancer is the third most common cancer in men and women in the United States and the third leading cause of cancer death, and that deaths can be prevented by regular screenings.

Senator Kouchi extended additional acknowledgement to the American Cancer Society members from Kaua’i: Cory Chun, Janice Bond, Wanda Kau Shibata, and Penny Young.

Senator Riviere recognized the Waialua High School robotics program, Team 359 – The Hawaiian Kids, who have won numerous international competitions and had most recently returned from a competition in Australia.

At 12:00 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 337 to 339) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 337, transmitting H.B. No. 209, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 2015, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 209, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS,” passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 338, transmitting H.B. No. 290, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 2015, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 290, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE JUDICIARY,” passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 339, transmitting H.B. No. 500, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 2015, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 500, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” passed First Reading by title and was referred to the Committee on Ways and Means.

JUDICIARY COMMUNICATION

The following communication from the Judiciary (Jud. Com. No. 4) was read by the Clerk and was placed on file:

Jud. Com. No. 4, dated February 18, 2015, transmitting a report relating to wire, oral, or electronic communications and reports concerning pen registers and trap and trace devices pursuant to Section 803-47(b), HRS.

STANDING COMMITTEE REPORT

Senator Chun Oakland, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 917) recommending that the Senate advise and consent to the nomination of RACHAEL WONG as Director of the Department of Human Services, in accordance with Gov. Msg. No. 511.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 917 and Gov. Msg. No. 511 was deferred until Friday, March 20, 2015.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 915 (Gov. Msg. No. 504):

Senator Wakai moved that Stand. Com. Rep. No. 915 be received and placed on file, seconded by Senator Slom and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of LUIS SALAVERIA as Director of the Department of Business, Economic Development and Tourism, term to expire December 3, 2018, seconded by Senator Slom.

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

“Thank you, members and Madam President. Our economy is in good hands with Luis Salaveria as director of the Department of Business, Economic Development, and Tourism. During his nomination hearing, dozens of supporters from all corners of our community voiced their unanimous support for Mr. Salaveria. He has the intelligence, background, and demeanor to launch our economy into new areas of profitability.

“He has more than 20 years in both public and private sectors. After graduating from the University of Hawai’i at Mānoa with degrees in economics, Mr. Salaveria started his number-crunching career right here in the State Capitol. He was a budget analyst for the Senate Committee on Ways and Means from 1993 to 1994. Most recently, he served as a deputy director of the Department of Budget and Finance, helping guide our state through a difficult economic recovery. During this time, Mr. Salaveria managed the state’s multi-year financial plan, resulting in a turnaround of more than \$1 billion in three years, with an ending balance of more than \$844 million. He also conducted the largest bond transaction of \$1.2 billion – that’s with a ‘B’ – and achieved the lowest bond interest rate in state history; truly amazing.

“In a previous job, Luis ‘Bond’ Salaveria worked at Kaiser Permanente as a finance manager for 10 years, providing financial and accounting oversight of Kaiser Permanente’s national facility services in Hawai’i. He oversaw an annual

\$30 million operational and \$60 million capital investment budget for Kaiser.

“Throughout his career, Mr. Salaveria has been an active member of the community. He is currently on the Filipino Community Center board as its treasurer and is the current chairman of the Employer-Union Trust Fund Board of Trustees.

“During our EDT hearing, Mr. Salaveria conveyed his goals of growing jobs, raising salaries, and cultivating innovation. He conveyed some of the initiatives that the department will undertake; they include expanding the state’s broadband capacity, increasing the availability of affordable housing units, establishing new tech parks and innovation clusters, enhancing the state’s economic reporting capabilities, and promoting the workforce of our future. Sounds like a solid plan, and, members, I offer to you a very solid candidate. I encourage you to vote in favor of confirming Luis Salaveria to be our next director of DBEDT.”

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

Ayes, 23. Noes, none. Excused, 2 (English, Kahele).

Senator Wakai introduced newly confirmed Director Luis Salaveria, who was present in the gallery.

Stand. Com. Rep. No. 916 (Gov. Msg. No. 505):

Senator Wakai moved that Stand. Com. Rep. No. 916 be received and placed on file, seconded by Senator Slom and carried.

Senator Wakai then moved that the Senate advise and consent to the nomination of MARY ALICE EVANS as Deputy Director of the Department of Business, Economic Development and Tourism, term to expire December 3, 2018, seconded by Senator Slom.

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

“Thank you, Madam President and members. Just as Batman needs Robin, Mr. Salaveria needs Mary Alice Evans, nominee for DBEDT deputy director. She is not new to this role; in fact, she’s had it since 2011.

“After graduating from UC Santa Barbara with a degree in sociology, she went on to the University of Hawai’i at Mānoa, where she got a master’s degree in urban and regional planning. With those skills, Ms. Evans began her four decades of public service, starting as a student intern in the Office of the Governor. Ms. Evans went on to work on the Government Performance Accounting Task Force, and as department legislative coordinator, federal grants administrator, and departmental grievance hearing officer.

“During her time at DBEDT, Ms. Evans worked with the department’s core divisions and attached agencies to improve the efficiency of its internal administrative services. She did this by speeding up approval times for all required control documents with no loss of accountability.

“Madam President, after hearing the overwhelming positive feedback in the EDT committee, I urge you and our colleagues to support Mary Alice Evans as the new deputy director of DBEDT.”

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

Ayes, 23. Noes, none. Excused, 2 (English, Kahele).

Senator Wakai introduced newly confirmed Deputy Director Mary Alice Evans, who was present in the gallery with supporters and coworkers.

At 12:16 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 p.m.

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. 290, H.D. 2	Jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means

Senator Kidani announced that Education Week would conclude the following day with an informational session by the Hawaii Public Charter Schools Network and presentations honoring outstanding principals and Blue Ribbon Schools.

The Chair thanked Senator Kidani for her hard work during Education Week.

ADJOURNMENT

At 12:23 p.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 20, 2015.