

## TWELFTH DAY

Monday, February 6, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:32 a.m. with the President in the Chair.

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

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

Senator English recognized and honored Lieutenant General Daniel P. Leaf, USAF, Retired, for his service as the director of the Daniel K. Inouye Asia Pacific Center for Security Studies, and presented the following remarks:

"Mr. President, members of the Senate: Today, we have the privilege of honoring a man who has selflessly served our country as a member of the armed forces for over three decades. Lieutenant General Dan Leaf distinguished himself for his exceptional, outstanding service as director of the Daniel K. Inouye Asia-Pacific Center for Security Studies, more commonly known as APCSS, from January 2012 to January 2017.

"Through superb leadership, he expanded the Daniel K. Inouye Asia-Pacific Center's influence in Indo-Asia Pacific security and led an engagement with Burma's emerging democracy and U.S.-Vietnam strategic partnership, amongst many others. The exceptionally meritorious achievements of the Daniel K. Inouye Asia-Pacific Center are a direct result of the superb leadership of Lieutenant General Leaf and reflect great credit upon himself, the State of Hawai'i, and the Department of Defense.

"Prior to APCSS, he worked in the defense industry as vice president of full spectrum initiatives at Northrop Grumman Information Systems. He also served as a deputy commander of the U.S. Pacific Command, from which he retired in 2008 after serving over 33 years in the U.S. Armed Forces.

"Lieutenant General Leaf's dedication to our community, the State of Hawai'i, and our country is embodied in all that he has accomplished over his illustrious career.

"Back in 2015, the entire Senate was welcomed at the Center on a very special retreat and very special briefing, and I want to thank him personally for doing this and helping us with high-level military briefings on big, big issues like pandemics and critical infrastructure. From this collaboration, we have changed course in the Senate and now we do the legislative agenda, which we've produced over the last three years, based on research, based on very, very good real-time data, that we learned from APCSS. So I want to thank Dan Leaf for working collaboratively with us, for all of the great work that he has done, and congratulate him on his retirement. And I just said to him, before we sat down, that retirement does not necessarily mean you stop working – it just means you have more control of your time. So, ladies and gentlemen, members of the Senate, please join me in congratulating and thanking Lieutenant General Leaf on his retirement."

The Chair commented:

"Senator English, I thought you were going to say that in retirement, you work as hard, but most of the offers are without compensation for all of the hard work."

Senator Taniguchi introduced Lynn Corbett, an artist and friend of Ruthadell Anderson, who was seated in the gallery. Ms. Anderson designed and handcrafted the unique tapestries

installed in both the House and Senate Chambers, and Ms. Corbett was on the team of handcrafters that made the tapestries. Senator Taniguchi also introduced Evelyn Giddings, an artist who worked with renowned artist Jean Charlot and cultivated many varieties of kalo and assisted ethnobotanist Beatrice Krauss.

The Chair remarked:

"Before calling the recess, I'd be remiss if I didn't add to Senator English's remarks for the Center. If you are planning an international trip in the Pacific and Asian theater, I've found that if you reach out and go down to the Center, a pre-briefing before you go to the region you're about to visit will make your visit all the more meaningful and allow you to maximize the best use of their time because of the resource that they are."

At 11:39 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 a.m.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 48) was read by the Clerk and was deferred:

S.C.R. No. 48 "SENATE CONCURRENT RESOLUTION REQUESTING ADDITIONAL FUNDING FOR EDUCATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION."

Offered by: Senators Dela Cruz, Chang, Galuteria, Inouye, Kahele, Kidani, Nishihara, Wakai.

## SENATE RESOLUTION

The following resolution (S.R. No. 12) was read by the Clerk and was deferred:

S.R. No. 12 "SENATE RESOLUTION REQUESTING ADDITIONAL FUNDING FOR EDUCATION FROM THE UNITED STATES DEPARTMENT OF EDUCATION."

Offered by: Senators Dela Cruz, Chang, Galuteria, Inouye, Kahele, Kidani, Nishihara, Wakai.

## STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Energy, presented a report (Stand. Com. Rep. No. 46) recommending that S.B. No. 658, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 658, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN AIRPORT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 47) recommending that S.B. No. 776, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 776, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Green and Baker, for the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 48) recommending that S.B. No. 285, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 49) recommending that S.B. No. 194 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 194, entitled: "A BILL FOR AN ACT RELATING TO TUBERCULOSIS TESTING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 50) recommending that S.B. No. 195 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 51) recommending that S.B. No. 197 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 52) recommending that S.B. No. 199 pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 199, entitled: "A BILL FOR AN ACT RELATING TO TEACHER INCENTIVES," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 53) recommending that S.B. No. 215 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 215, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 54) recommending that S.B.

No. 616 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 55) recommending that S.B. No. 711 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 56) recommending that S.B. No. 390, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISAL MANAGEMENT COMPANIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 57) recommending that S.B. No. 518, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 518, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTIMATE PARTNER VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

#### ORDER OF THE DAY

##### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of Senate concurrent resolutions offered on Thursday, February 2, 2017:

- S.C.R. No.: Referred to:  
 S.C.R. No. 45 Committee on Human Services, then to the Committee on Ways and Means  
 S.C.R. No. 46 Committee on Water and Land, then to the Committee on Ways and Means

##### REFERRAL OF A SENATE RESOLUTION

The President made the following committee assignments of a Senate resolution offered on Thursday, February 2, 2017:

- S.R. No.: Referred to:  
 S.R. No. 11 Committee on Human Services, then to the Committee on Ways and Means

##### RE-REFERRAL OF A SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

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

S.B. No. 1105 Committee on Housing, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means

At this time, Senator Baker rose to speak on a point of personal privilege as follows:

“Some of you may know that Friday was my committee clerk’s – my very pregnant committee clerk, Kelli-Rose Hooser Simmons – last day here at the Capitol. She was anticipating that she would go home and have a few days of rest and respite before baby came – baby came over the weekend. So the Simmons household has welcomed an over-eight-pound baby girl named Isabella Juliet, and Isabella is Kelli’s grandma’s name. So both Kelli’s parents – a former colleague of ours, Gary Hooser, and her mom – were there, and Justin, the proud father, was able to watch some of the Super Bowl while waiting for his daughter to arrive. It was a very exhausting experience, I think, for Kelli-Rose, but I know she and everyone are very happy, so I wanted to share the good news with all of you.”

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

“Members, Friday marked a very special day in the development of Hawaiian language in the Senate because the very first committee hearing notice went out in Hawaiian and English on Friday, and I want to congratulate Senator Karl Rhoads for pursuing this and also Senator Maile Shimabukuro, the two committees that are testing out the bilingual, Hawaiian and English, committee hearing notices. I also invite other committees, if they are so moved, to let us know and we’ll help you with translations, and we can start making every committee hearing notice in Hawaiian and English.

“I want to share this very particular story because, when a language is revitalized, one of the key elements in its revitalization is when government starts using it again. And, you know, for many years, we did a bill to require the use of Hawaiian language in government documents and government letterheads. In fact, we passed one in 2012, and Governor Abercrombie vetoed that bill, saying that he would do it internally. He did not; it did not happen, and I took a different approach. I said, ‘You know, let’s just do it.’ So we’re starting to do it. The Senate now does our Order of the Day in Hawaiian and English, and we’re starting to do our committee hearing notices in Hawaiian and English. Hopefully, we’ll do more documents as we move forward. And we put this challenge out to other branches of government, other agencies, other departments, that they, too, can do the same, and all it takes is finding the right help in doing the translations, and there’s plenty people to do that. But once we start using it more, the Hawaiian language will become stronger, more vitalized, and hopefully, in the future, we will be using Hawaiian in all government documents. Thank you, Mr. President.”

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

“I wanted to note that I was there at the 1978 constitutional convention, and we made a major decision in including the Hawaiian language as an official language of the State. And what our Majority Leader is doing is helping to implement that constitutional amendment. Thank you.”

#### ADJOURNMENT

At 11:50 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 7, 2017.