

JOURNAL
of the
SENATE OF THE
TWENTY - NINTH LEGISLATURE
of the
STATE OF HAWAI‘I

Special Session of 2018

Convened Monday, July 9, 2018
Adjourned Tuesday, July 10, 2018

CERTIFICATE

We hereby certify that the minutes for each day's session as appears in this Senate Journal are true and correct and that a copy is on file in the Archives of the State of Hawai'i.



President of the Senate



Clerk of the Senate

OFFICERS OF THE SENATE

President

HONORABLE RONALD D. KOUCHI Waimea, Hawai'i

Vice President

HONORABLE MICHELLE N. KIDANI Mililani, Hawai'i

Clerk

CAROL T. TANIGUCHI..... Honolulu, Hawai'i

Assistant Clerk

JENNIFER T. CHOW..... Honolulu, Hawai'i

Sergeant-at-Arms

BIENVENIDO C. VILLAFLOR..... Honolulu, Hawai'i

Assistant Sergeant-at-Arms

C. M. PARK KALEIWAHEA..... Honolulu, Hawai'i

LIST OF MEMBERS
of the
SENATE OF THE TWENTY-NINTH LEGISLATURE
of the
STATE OF HAWAI‘I

DISTRICT NO.	NAME	DISTRICT
First	KAHELE, KAIALI‘I (D)	Hilo
Second	RUDERMAN, RUSSELL E. (D)	Puna, Ka‘ū
Third	GREEN, JOSH (D)	Kona, Ka‘ū
Fourth	INOUYE, LORRAINE R. (D)	Hilo, Hāmākua, Kohala, Waimea, Waikoloa, Kona
Fifth	KEITH-AGARAN, GILBERT S.C. (D)	Wailuku, Waihe‘e, Kahului
Sixth	BAKER, ROSALYN H. (D)	South and West Maui
Seventh	ENGLISH, J. KALANI (D)	Hāna, East and Upcountry Maui, Moloka‘i, Lāna‘i, Kaho‘olawe
Eighth	KOUCHI, RONALD D. (D)	Kaua‘i, Ni‘ihau

DISTRICT NO.	NAME	DISTRICT
Ninth	CHANG, STANLEY (D)	Hawai'i Kai, Kuli'ou'ou, Niu, 'Āina Haina, Wai'alae-Kāhala, Diamond Head
Tenth	IHARA, JR., LES (D)	Kaimukī, Kapahulu, Pālolo, St. Louis Heights, Maunalani Heights, Mō'ili'ili, Ala Wai
Eleventh	TANIGUCHI, BRIAN T. (D)	Mānoa, Makiki, Punchbowl, Papakōlea
Twelfth	GALUTERIA, BRICKWOOD (D)	Waikīkī, Ala Moana, Kaka'ako, McCully, Mō'ili'ili
Thirteenth	RHOADS, KARL (D)	Dowsett Highlands, Pu'unui, Nu'uaniu, Pacific Heights, Pauoa, Punchbowl, Pālama, Liliha, Iwilei, Chinatown, and Downtown
Fourteenth	KIM, DONNA MERCADO (D)	Kapālama, 'Ālewa, Kalihi Valley, Ft. Shafter, Moanalua Gardens & Valley, portions of Hālawa and 'Aiea
Fifteenth	WAKAI, GLENN (D)	Kalihi, Māpunapuna, Airport, Salt Lake, Āliamanu, Foster Village, Hickam, Pearl Harbor
Sixteenth	HARIMOTO, BREENE (D)	Pearl City, Momilani, Pearlridge, 'Aiea, Royal Summit, 'Aiea Heights, Newtown, Waimalu, Hālawa, Pearl Harbor

DISTRICT NO.	NAME	DISTRICT
Seventeenth	NISHIHARA, CLARENCE K. (D)	Waipahu, Crestview, Mānana, Pearl City, Pacific Palisades
Eighteenth	KIDANI, MICHELLE N. (D)	Mililani Town, portion of Waipi'o Gentry, Waikele, Village Park, Royal Kunia
Nineteenth	(VACANT) *	‘Ewa Beach, Ocean Pointe, ‘Ewa by Gentry, Iroquois Point, portion of ‘Ewa Villages
Twentieth	GABBARD, MIKE (D)	Kapolei, Makakilo, and portions of ‘Ewa, Kalaeloa, and Waipahu
Twenty-First	SHIMABUKURO, MAILE S.L. (D)	Kalaeloa, Honokai Hale, Ko ‘Olina, Nānākuli, Mā‘ili, Wai‘anae, Mākaha, Mākua
Twenty-Second	DELA CRUZ, DONOVAN M. (D)	Mililani Mauka, Waipi'o Acres, Wheeler, Wahiawā, Whitmore Village, portion of Poamoho
Twenty-Third	RIVIERE, GIL (D)	Kāne‘ohe, Ka‘a‘awa, Hau‘ula, Lā‘ie, Kahuku, Waialua, Hale‘iwa, Wahiawā, Schofield Barracks, Kunia
Twenty-Fourth	TOKUDA, JILL N. (D)	Kāne‘ohe, Kāne‘ohe MCAB, Kailua, He‘eia, ‘Āhuimanu
Twenty-Fifth	THIELEN, LAURA H. (D)	Kailua, Lanikai, Enchanted Lake, Keolu Hills, Maunawili, Waimānalo, Hawai‘i Kai, Portlock

* Vacancy created by the resignation of Will Espero on May 31, 2018.

**MEMBERS OF THE SENATE
TWENTY - NINTH LEGISLATURE
STATE OF HAWAI'I
SPECIAL SESSION OF 2018**



RONALD D. KOUCHI
8th Senatorial District
President



MICHELLE N. KIDANI
18th Senatorial District
Vice President
Chair: Education



J. KALANI ENGLISH
7th Senatorial District
Majority Leader



KAIALI'I KAHELE
1st Senatorial District
Majority Floor Leader
Chair: Higher Education



BRICKWOOD GALUTERIA
12th Senatorial District
Majority Caucus Leader



BRIAN T. TANIGUCHI
11th Senatorial District
Majority Whip
Chair: Judiciary



GILBERT S.C. KEITH-AGARAN
5th Senatorial District
Assistant Majority Whip



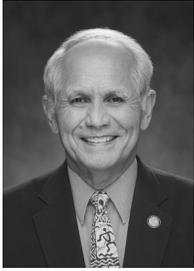
ROSALYN H. BAKER
6th Senatorial District
Chair: Commerce,
Consumer Protection, and Health



STANLEY CHANG
9th Senatorial District



DONOVAN M. DELA CRUZ
22nd Senatorial District
Chair: Ways and Means



MIKE GABBARD
20th Senatorial District
Chair: Agriculture and Environment



JOSH GREEN
3rd Senatorial District
Chair: Human Services



BREENE HARIMOTO
16th Senatorial District



LES IHARA, JR.
10th Senatorial District



LORRAINE R. INOUE
4th Senatorial District
Chair: Transportation and Energy



DONNA MERCADO KIM
14th Senatorial District
Chair: Government Operations



CLARENCE K. NISHIHARA
17th Senatorial District
Chair: Public Safety,
Intergovernmental, and
Military Affairs



KARL RHOADS
13th Senatorial District
Chair: Water and Land



GIL RIVIERE
23rd Senatorial District



RUSSELL E. RUDERMAN
2nd Senatorial District



MAILE S.L. SHIMABUKURO
21st Senatorial District
Chair: Hawaiian Affairs



LAURA H. THIELEN
25th Senatorial District



JILL N. TOKUDA
24th Senatorial District
Chair: Labor



GLENN WAKAI
15th Senatorial District
Chair: Economic Development,
Tourism, and Technology



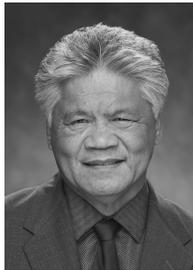
CAROL T. TANIGUCHI
Clerk



JENNIFER T. CHOW
Assistant Clerk



C. M. PARK KALEIWAHEA
Assistant Sergeant-at-Arms



BIENVENIDO C. VILLAFIOR
Sergeant-at-Arms

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THE
 TWENTY-NINTH LEGISLATURE
 STATE OF HAWAII
 SPECIAL SESSION OF 2018
 JOURNAL OF THE SENATE

FIRST DAY

Monday, July 9, 2018

The Senate of the Twenty-Ninth Legislature of the State of Hawaii, Special Session of 2018, was called to order at 10:00 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

July 5, 2018

I, Ronald D. Kouchi, President of the Senate of the Twenty-Ninth Legislature of the State of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, 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 Monday, July 9, 2018, 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 Hawaii.

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

The Roll was called showing all Senators present with the exception of Senators Dela Cruz, Green, Ihara, Keith-Agaran, Ruderman, Shimabukuro, and Tokuda who were excused.

At this time, the Chair welcomed three student interns from Kamehameha Schools and two student interns from Arizona State University, who were present in the gallery with their teachers.

JUDICIARY COMMUNICATIONS

The following communications from the Judiciary (Jud. Com. Nos. 1 to 4) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 1, submitting for consideration and confirmation, the appointment of KRISTINE Y. YOO to the District Court of the First Circuit, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 2, submitting for consideration and confirmation, the appointment of KENNETH J. SHIMOZONO to the District Family Court of the First Circuit, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 3, submitting for consideration and confirmation, the appointment of MAHILANI E.K. HIATT to the District Family Court of the Third Circuit, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 4, submitting for consideration and confirmation, the appointment of WENDY M. DEWEESE to the District Family Court of the Third Circuit, for a term of six years, was referred to the Committee on Judiciary.

At this time, Senator Taniguchi announced that the Committee on Judiciary would be holding a public hearing on Jud. Com. Nos. 1 to 4 at 10:30 a.m. in Conference Room 224.

The following Senate leadership assignments, effective June 1, 2018, were announced by Senate President Kouchi:

Majority Floor Leader:
 Senator Kaiali'i Kahele

Majority Whip:
 Senator Brian T. Taniguchi

STANDING COMMITTEE REPORTS

On motion by Senator Kahele, seconded by Senator English and carried unanimously, the Clerk was authorized to receive standing committee reports on Jud. Com. Nos. 1 to 4. In consequence thereof, and subsequent to its recessing at 10:05 a.m., the Senate took the following actions:

Senator Taniguchi, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1) recommending that the Senate consent to the appointment of KRISTINE Y. YOO to the District Court of the First Circuit, in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Jud. Com. No. 1 was deferred until Tuesday, July 10, 2018.

Senator Taniguchi, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2) recommending that the Senate consent to the appointment of KENNETH J. SHIMOZONO to the District Family Court of the First Circuit, in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2 and Jud. Com. No. 2 was deferred until Tuesday, July 10, 2018.

Senator Taniguchi, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3) recommending that the Senate consent to the appointment of MAHILANI E.K. HIATT to the District Family Court of the Third Circuit, in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3 and Jud. Com. No. 3 was deferred until Tuesday, July 10, 2018.

Senator Taniguchi, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 4) recommending that the Senate consent to the appointment of WENDY M. DEWEESE to the District Family Court of the Third Circuit, in accordance with Jud. Com. No. 4.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 4 and Jud. Com. No. 4 was deferred until Tuesday, July 10, 2018.

ADJOURNMENT

At 4:30 p.m., the Senate adjourned until 10:00 a.m., Tuesday,
July 10, 2018.

SECOND DAY

Tuesday, July 10, 2018

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Special Session of 2018, convened at 10:07 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Green, Ihara, and Tokuda who were excused.

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

At this time, Senator Taniguchi recognized the Honorable Mark E. Recktenwald, Chief Justice, Supreme Court, State of Hawai'i, and Rod Maile, administrative director of the courts and Senator Taniguchi's law school classmate.

Senator Baker introduced Jackie Young, former State Representative and Vice Speaker of the House of Representatives and current chair of the Judicial Selection Commission.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1 (Jud. Com. No. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of KRISTINE Y. YOO to the District Court of the First Circuit, for a term of six years, seconded by Senator Rhoads.

Senator Taniguchi rose to speak in support of Jud. Com. No. 1 as follows:

"Ms. Kristine Y. Yoo earned her bachelor of arts degree in history from the University of California, Berkeley, and her doctorate of jurisprudence from the University of California Hastings College of the Law, where she was the president of the Asian Pacific American Law Student Association. Ms. Yoo was admitted to the California bar in 2000 and the Hawai'i bar in 2003. In her legal career, she has been in private practice; served as an AmeriCorps attorney with the Legal Aid Society on Maui; then for more than 14 years, has served as a deputy prosecuting attorney with the City and County of Honolulu. She presently is the trials division team captain, responsible for supervising four felony deputy prosecuting attorneys while handling her own active trial caseload.

"Ms. Yoo has been actively involved in the legal community throughout her career, including serving as director and officer of the Hawaii Women Lawyers from 2011 to the present; being a leader of the Korean American Bar Association Hawaii; and serving as a mock trial coach at Kalani High School. She has demonstrated an exemplary level of professionalism and integrity, and is well-respected in the legal community.

"Your Judiciary committee finds that Ms. Kristine Yoo is well-qualified to serve as a district court judge of the First Circuit, and recommends that the Senate consent to the appointment. Thank you."

Senator Shimabukuro rose to speak in support of Jud. Com. No. 1 as follows:

"I've known Kristine Yoo Nakamatsu for about 15 years now, and since that time, I've been consistently impressed with her commitment to helping others on both a professional and a

personal level. In addition to what Chair Taniguchi said, I know she's mentored at-risk youth through the Surfrider Spirit Sessions nonprofit, provided free legal assistance to rural-area residents during the Hawaii State Bar Association's annual Law Day outreach, and, personally, Kristine's the type of friend who truly understands the meaning of 'a friend in need is a friend indeed.' I know of many occasions when Kristine has helped a friend in trouble. She once planned a baby shower for a girl in an abusive relationship who did not have anyone else to help her. We would be very fortunate to have Kristine Yoo as a judge in our state. She has a great sense of humor and will definitely make you laugh. She is a team player who rises to the challenge when a leader is needed, and I highly recommend her. Thank you."

Senator Thielen rose to speak in support of Jud. Com. No. 1 as follows:

"I also have had the pleasure of working with Ms. Yoo, while not as long as the senator from Wai'anae district, through Hawaii Women Lawyers, and I've been very impressed with her commitment to the community and appreciate the hard work she's doing.

"And rather than popping up for each of the other nominees, I just want to say that the quality of all four of these nominees to the district court have been phenomenal, and I would like to recognize the chief justice for sending us such excellent nominations, and the Judicial Selection Commission as well. And I want to appreciate the extra effort that the chief justice has made in making sure that the nominees to the judiciary reflect the population, that they are judging – I think his comments in the newspaper were taken to heart – so I'm really pleased to see the diversity of the bench. Mahalo."

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

Ayes, 21. Noes, none. Excused, 3 (Green, Ihara, Tokuda).

Senator Taniguchi then introduced Judge Kristine Y. Yoo, who was present in the gallery with her husband, Kurt Nakamatsu; her son, Trevor; and her parents-in-law, Ken and Chris Nakamatsu.

Stand. Com. Rep. No. 2 (Jud. Com. No. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of KENNETH J. SHIMOZONO to the District Family Court of the First Circuit, for a term of six years, seconded by Senator Rhoads.

Senator Taniguchi rose to speak in support of Jud. Com. No. 2 as follows:

"Kenneth J. Shimozone received his bachelor of science degree in speech communication from Oregon State University and his doctorate of jurisprudence from Willamette University College of Law, where he was on the national moot court competition team and received honors in legal research and writing. Mr. Shimozone has been licensed to practice law in Hawai'i since 1994, serving first as a law clerk for Hawai'i Supreme Court Associate Justice Paula Nakayama, then as a deputy public defender in the state Office of the Public Defender.

"Since 2005, Mr. Shimozone has been in private practice as a partner at Takemoto & Shimozone, LLC, representing

defendants charged with traffic, misdemeanor, and felony offenses in criminal litigation, including indigent defendants, as a court appointed attorney. He has served as grand jury counsel to the Circuit Court of the First Circuit since 2011, and has been a member of the Hawai'i Board of Examiners of the Hawai'i Supreme Court since 2016. Since October 2017, Mr. Shimozono has served as a per diem judge in the District Family Court of the First Circuit while continuing his private practice.

"Your Judiciary committee finds that Mr. Kenneth Shimozono is well-qualified to serve as a district family court judge of the First Circuit, and recommends that the Senate consent to the appointment. Thank you."

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

Ayes, 21. Noes, none. Excused, 3 (Green, Ihara, Tokuda).

Senator Taniguchi then introduced Judge Kenneth J. Shimozono, who was accompanied in the gallery by his wife, Jamie; his daughter, Kaila; his son, Tyler; his father-in-law, Rodney Nakano; and his law partner, Myron Takemoto.

Stand. Com. Rep. No. 3 (Jud. Com. No. 3):

Senator Taniguchi moved that Stand. Com. Rep. No. 3 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of MAHILANI E.K. HIATT to the District Family Court of the Third Circuit, for a term of six years, seconded by Senator Rhoads.

Senator Taniguchi rose to speak in support of Jud. Com. No. 3 as follows:

"Ms. Mahilani Hiatt received her bachelor of arts in history from the Colorado College and her doctorate of jurisprudence from the William S. Richardson School of Law, where she was managing editor for the University of Hawai'i Law Review and the National Association of Women Lawyers Outstanding Woman Law Graduate from the University of Hawai'i in 1993. Ms. Hiatt has been licensed to practice law in Hawai'i since 1993 and has been in private practice in Honolulu, Kamuela, and, presently, Honoka'a. Since 2010, she has been a partner at Hiatt & Hiatt, Attorneys at Law, and her practice has concentrated on civil and commercial litigation, with a focus on labor and employment law. During the past five years, Ms. Hiatt has been appointed as a Court Annexed Arbitration Program arbitrator in five cases.

"Since 2017, Ms. Hiatt has also served as a per diem district and family court judge of the Third Circuit while continuing her private practice at Hiatt & Hiatt. Testimony submitted in support of Ms. Hiatt's appointment commend her compassion, fairness, and judicial demeanor in her capacity as a judge.

"Your Judiciary committee finds that Ms. Mahilani Hiatt is well-qualified to serve as a district family court judge of the Third Circuit, and recommends that the Senate consent to the appointment."

Senator Inouye rose to speak in support of Jud. Com. No. 3 as follows:

"Not only is Mahilani a constituent of District 4, but she will be presiding in our district as a family court judge in our Waimea court and will be the first woman judge to live in the district. Since Senator Taniguchi has already covered her academic and legal qualifications, rather than repeat what has already been said, I want to add a bit about her personal background. Mahi grew up in Kāne'ohe, O'ahu, the youngest of six children. Her parents, Edmund and Jacqueline Kellett, raised

five girls and a boy in the family home at the foot of the Koolaus. Mahi attended Kamehameha Schools from kindergarten through the twelfth grade, went on to do her undergraduate work at Colorado College, and then returned to pursue a law degree at the William Richardson School of Law.

"Mahi is married to Jerry Hiatt, a well-respected attorney himself, and they have their own law firm: Hiatt & Hiatt, located in the lush countryside of Āhualoa on the Hāmākua Coast. Mahi has a son, Riley, who will be a senior at HPA next year, and three stepdaughters, Akemi, Michi, and Sachi. Prior to starting his own firm, Jerry was a partner with Bays Deaver Hiatt Lung & Rose. Mahi's sister, Kaliko, knew Jerry and knew that he was a partner. When Mahi, just out of law school, was hired with the firm, Kaliko told Jerry, "You are just going to love her!" and the rest is history.

"Mahi is an involved community member, from coaching Special Olympics aquatics to participating as a team mom for the HPA boys soccer team and board member on the AYSO association, as well as volunteering at the weekly Waimea Homestead farmer's markets. She definitely gives back to her community – in fact, she and her husband, Jerry, created the annual Hiatt Scholarships for Community Service and Academic Creativity and Initiative and have been making awards to deserving students since 2004. As a 20-plus-year resident of the community her appointment will serve, Mahi has a good understanding of the issues and resources we have to offer. I believe she has the knowledge, skills, and character to do well in her new role. Therefore, I urge my colleagues for a favorable decision and welcome their support. Thank you, Mr. President."

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

Ayes, 21. Noes, none. Excused, 3 (Green, Ihara, Tokuda).

Senator Taniguchi then introduced Judge Mahilani E.K. Hiatt, who was present in the gallery with her husband, Jerry Hiatt; her daughter Sachi; her mother, Jacqueline Kellett; her brother Edmund Kellett; her sister-in-law Carol Kellett; her sister Kaliko; her brother-in-law Paco; and her nephew Kalahiki Kellett-Mireles.

Stand. Com. Rep. No. 4 (Jud. Com. No. 4):

Senator Taniguchi moved that Stand. Com. Rep. No. 4 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of WENDY M. DEWEESE to the District Family Court of the Third Circuit, for a term of six years, seconded by Senator Rhoads.

Senator Taniguchi rose to speak in support of Jud. Com. No. 4 as follows:

"Ms. Wendy DeWeese received her bachelor of arts degree in economics and public policy analysis from Pomona College and her doctorate of jurisprudence from Southwestern University School of Law, where she graduated magna cum laude. Admitted to the California bar, Ms. DeWeese was in private practice from 1995 to 2005, handling exclusively family law matters, including divorce, custody, and paternity cases. Soon after arriving in Hawai'i, Ms. DeWeese served as a law clerk to the Honorable Ronald Ibarra, circuit court judge of the Third Circuit, from 2005 until 2007. She has been licensed to practice law in Hawai'i since 2006 and served as a deputy public defender in the Kealakekua Office of the Public Defender since 2007.

"Ms. DeWeese is extensively involved in the community. She volunteers with the judiciary's Self-Help Center as well as

Courts in the Community. In addition, she is involved with Kids First Hawai'i, a mandatory program of the state judiciary to educate families about the impact of divorce and separation on children. Testimony submitted in support of Ms. DeWeese's appointment commend her dedication to the fair and just application of the law and her zealous advocacy for those she represents. In addition, numerous testifiers praised her diligence, knowledge of the law, and strong work ethic.

"Your Judiciary committee finds that Ms. Wendy DeWeese is well-qualified to serve as a district family court judge of the Third Circuit, and recommends that the Senate consent to the appointment. Thank you."

Senator Inouye rose to speak in strong support of Jud. Com. No. 4 as follows:

"It has been a pleasure to get to know Wendy and learn about her journey to the Aloha State. Without friends or family, Wendy uprooted her life from the mainland and set her eyes on Hawai'i and, not just anywhere in Hawai'i, but the Big Island especially. I am so impressed with her fearless decision to uproot and start anew, and I thank you for all of your contributions to the Kona and Big Island community.

"With over 25 years of experience in California, New York, and Washington, D.C., and spending over a decade as a public defender in Kona, Wendy knows our Big Island community well and understands the value we have for family, our children's future, and the well-being of our community. From volunteering as a judge and participant in the 'We the People' competition at Kealakehe High School to mentoring students for the Courts in the Community program, which helps students participate and get experience in the judicial system.

"Today, by confirming Wendy, we will make history on the Big Island, as Wendy will join Judge Margaret Masunaga, which is the first time two women will serve in the Kona Courthouse.

"As a Kona litigator and deputy public defender, Wendy has been known as the most prepared person in the room with her knowledge of the law, devotion to family law, compassion for others, and an unwavering commitment to justice and fairness. Wendy is a wonderful aunt to her sister Sara's children, an active participant in the Ironman World Championship in Kona, and devoted to her family – the Big Island community. Therefore, Mr. President, colleagues, I ask for your favorable decision and welcome your support. Thank you, Mr. President."

Senator Baker rose to speak in support of Jud. Com. No. 4 as follows:

"I rise in support of this nominee and chose this last nominee to advise my colleagues that, once we confirm Ms. DeWeese, the number of women on the bench will rise to 41 percent, and this is a significant increase since it was only 36 percent in 2004. So I think it's a testament to the quality of women lawyers that we have in our state who have offered themselves to serve on the bench and, of course, to our Chief Justice, who has determined that it's important to have diversity on our bench, and I wanted to congratulate our nominees and our new judges and to encourage my colleagues to continue this trend by confirming Ms. DeWeese. Thank you."

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

Ayes, 21. Noes, none. Excused, 3 (Green, Ihara, Tokuda).

Senator Taniguchi introduced Judge Wendy M. DeWeese, who was accompanied in the gallery by her husband, Layne Howard.

The Chair then directed the Sergeant-at-Arms to escort the newly confirmed judges, their families, the chief justice, and Jackie Young to the floor following the session's adjournment.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Clerk and was disposed of as follows:

S.R. No. 1 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2018."

Offered by: Senator English.

On motion by Senator Kahele, seconded by Senator English and carried, S.R. No. 1 was adopted.

At this time, the Chair introduced Davis Lau, an intern volunteering in his office who would be a senior at Punahou School in the fall.

The Chair then stated:

"Before adjourning, I'd simply echo my colleagues' comments to Chief Justice Recktenwald: I know this now brings to 48 percent, I believe, the amount of women you've nominated to the bench; to Jackie Young, as the chair of the commission, for getting the names; but most importantly, to the women who have put their names forward: That has been part of the challenge. You serve as incredible role models, and we hope that you will continue to talk to your colleagues and let them know about the positive experience that was this confirmation process, that it wasn't something to be feared – if you are talented and you're capable, then you will be considered fairly and, hopefully, we'll see even more women applying for the judicial posts, so thank you very much."

ADJOURNMENT

Senator Kahele moved that the Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Special Session of 2018, adjourn Sine Die, seconded by Senator English and carried.

At 10:33 a.m., the President rapped his gavel and declared the Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Special Session of 2018, adjourned Sine Die.

STANDING COMMITTEE REPORTS

SCRep. 1 Judiciary on Jud. Com. No. 1

Recommending that the Senate consent to the appointment of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 1 KRISTINE Y. YOO, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Kristine Y. Yoo for service on the District Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Kristine Y. Yoo from the Public Defender's Office; Kalani High School; Korean American Bar Association Hawaii; Hawaii Women Lawyers; Manage Hawaii, LLC; and fifty individuals. Your Committee received comments on the appointment of Kristine Y. Yoo from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified".

Kristine Y. Yoo received her Bachelor of Arts degree in history from the University of California, Berkeley, in 1997. In 2000, she received her Doctorate of Jurisprudence from the University of California, Hastings College of the Law, where she was the notes editor of the *Hastings Women's Law Journal* and president of the Asian Pacific American Law Student Association.

Ms. Yoo has been a deputy prosecuting attorney at the City and County of Honolulu Department of the Prosecuting Attorney since August 2016, after having previously worked as a deputy prosecuting attorney in the same office from September 2003 to December 2015. She serves as the trials division team captain, where she supervises four felony deputy prosecuting attorneys and is responsible for case assignments and other managerial duties while handling an active trial caseload. She has tried approximately one hundred criminal cases as lead counsel, including high publicity cases that required individual voir dire. Prior to her time as a deputy prosecuting attorney, Ms. Yoo was an AmeriCorps attorney at the Legal Aid Society of Hawai'i, where she represented clients in court and at administrative hearings and advised clients and community workers regarding compliance with various state and federal regulations.

Ms. Yoo has been actively involved in the legal community throughout her career, including serving as director, treasurer, and vice president of Hawaii Women Lawyers from July 2011 to the present. She has also served as a mock trial coach at Kalani High School from 2012 to 2017. In addition, she has been a surf mentor and secretary of the Surfrider Spirit Sessions.

Testimony submitted in support of Ms. Yoo's appointment commend her wealth of trial experience, vigorous advocacy for her position, and awareness of her duty to ensure justice is served. She has repeatedly demonstrated an exemplary level of professionalism, and is well respected in the legal community. Numerous testifiers also praised her intelligence, temperament, and integrity.

Your Committee finds that based on the testimony submitted on her behalf, Ms. Yoo has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Court of the First Circuit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2 Judiciary on Jud. Com. No. 2

Recommending that the Senate consent to the appointment of the following:

DISTRICT FAMILY COURT OF THE FIRST CIRCUIT

J.C. No. 2 KENNETH J. SHIMOZONO, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Kenneth J. Shimozono for service on the District Family Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Kenneth J. Shimozono from the Office of the Public Defender, the Honorable David W. Lo (retired), and twenty-four individuals. Your Committee received comments on the appointment of Kenneth J. Shimozono from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Family Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified".

Kenneth J. Shimozone received his Bachelor of Science degree in speech communication from Oregon State University, where he was on the honor roll. He later earned his Doctorate of Jurisprudence from Willamette University College of Law, where he was on the national moot court competition team and received honors in legal research and writing. Since October 2017, he has served as a per diem Judge in the District Family Court of the First Circuit while continuing his private practice at Takemoto and Shimozone, LLC.

Mr. Shimozone has been a partner at Takemoto and Shimozone, LLC, since 2005 and has represented defendants charged with traffic, misdemeanor, and felony offenses in criminal litigation including indigent defendants as a court appointed attorney. He has also represented clients in civil litigation cases involving temporary restraining orders. Prior to entering private practice, he served as a deputy public defender in the state Office of the Public Defender from 1995 until 2005. Throughout his career, Mr. Shimozone has vigorously represented his clients in a manner that preserves and advances the fundamental integrity of the law, as well as takes the specific circumstances of his clients' individual situations into account.

Mr. Shimozone has been involved with the legal community throughout his career. He has served as grand jury counsel to the Circuit Court of the First Circuit since 2011, and has been a member of the Hawaii Board of Examiners of the Hawaii Supreme Court since 2016. In addition, he participated in free legal clinics on the Island of Hawaii while serving as the West Hawaii Director of the Hawaii State Bar Association Young Lawyers Division from 1995 until 1996.

Testimony submitted in support of Mr. Shimozone's appointment describes his legal expertise, strong work ethic, and tireless advocacy for justice on behalf of every person he has represented. He has earned the respect of judges before whom he has appeared for his service to his clients, preparedness of his arguments before the court, and respectful conduct toward the court, court staff, and other parties. He has also demonstrated a kind and thoughtful demeanor, impartiality, and sound legal judgment in his capacity as a per diem District Family Court Judge.

Your Committee finds that based on the testimony submitted on his behalf, Mr. Shimozone has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Family Court of the First Circuit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3 Judiciary on Jud. Com. No. 3

Recommending that the Senate consent to the appointment of the following:

DISTRICT FAMILY COURT OF THE THIRD CIRCUIT

J.C. No. 3 MAHILANI E.K. HIATT, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Mahilani E.K. Hiatt for service on the District Family Court of the Third Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Mahilani E.K. Hiatt from the Office of the Public Defender, Hawaii Women Lawyers, the Honorable James E. Duffy Jr. (retired), and twenty-one individuals. Your Committee received comments on the appointment of Mahilani E.K. Hiatt from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Family Court Judge of the Third Circuit based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified".

Mahilani E.K. Hiatt received her Bachelor of Arts in History from the Colorado College in 1984. In 1993, she earned her Doctorate of Jurisprudence from the William S. Richardson School of Law, where she was managing editor for the University of Hawai'i Law Review and the National Association of Women Lawyers Outstanding Woman Law Graduate from the University of Hawai'i 1993. Since 2017, she has served as a per diem District and Family Court Judge of the Third Circuit while continuing her private practice at Hiatt and Hiatt, Attorneys at Law.

Ms. Hiatt has been a partner at Hiatt and Hiatt, Attorneys at Law, since 2010, and her practice has concentrated on civil and commercial litigation, with a focus on labor and employment law. She was recognized in Hawaii's Best Lawyers in the area of employment and labor for 2016 and 2017. Her cases have involved claims for employment discrimination, wrongful termination, medical malpractice, personal injury, construction, real property, and partnership disputes. As a per diem District and Family Court Judge of the Third Circuit, Ms. Hiatt has presided over traffic, criminal, and family cases including one divorce trial, three civil traffic infraction trials, and one criminal trial. In addition, during the last five years, she has been appointed as a Court Annexed Arbitration Program Arbitrator in five cases, four in which the parties settled prior to hearing and one in which she issued a final award.

Ms. Hiatt has been involved in the legal community, as well as being a member of numerous service and civic organizations, throughout her career. She was a member of the Committee on Lawyer Competence and Specialization of the Hawaii State Bar Association from 1993 until 1997, and president of the William S. Richardson School of Law Alumni Association from 1996 until 1998. Additionally, she was an aquatics coach for the Hawai'i Special Olympics from 1992 until 2000, and a board member of the American Youth Soccer Association from 2011 until 2012.

Testimony submitted in support of Ms. Hiatt's appointment commend her compassion, fairness, and judicial demeanor in her capacity as a per diem District and Family Court Judge. Throughout her career, she has demonstrated diligence in the pursuit of justice, considerable legal expertise, and decisive problem solving abilities. Numerous testifiers also praised her outstanding integrity and high ethical standards.

Your Committee finds that based on the testimony submitted on her behalf, Ms. Hiatt has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Family Court of the Third Circuit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4 Judiciary on Jud. Com. No. 4

Recommending that the Senate consent to the appointment of the following:

DISTRICT FAMILY COURT OF THE THIRD CIRCUIT

J.C. No. 4 WENDY M. DEWEESE, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Wendy M. DeWeese for service on the District Family Court of the Third Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Wendy M. DeWeese from the Office of the Public Defender, Hawaii Women Lawyers, and thirteen individuals. Your Committee received comments on the appointment of Wendy M. DeWeese from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Family Court Judge of the Third Circuit based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified".

Wendy M. DeWeese received her Bachelor of Arts degree in Economics and Public Policy Analysis from Pomona College, and her Doctorate of Jurisprudence from the Southwestern University School of Law, where she graduated magna cum laude.

Ms. DeWeese has served as a deputy public defender in the Kealahakua, Hawaii Office of the Public Defender since 2007. In her capacity as a deputy public defender, she primarily represents indigent persons charged with crimes. In addition to being responsible for all aspects of misdemeanor and felony cases, including negotiating plea agreements, contested evidentiary motions, and jury trials, she supervises five attorneys and two clerical staff members. She was a law clerk to the Honorable Ronald Ibarra, Circuit Court Judge of the Third Circuit, from 2005 until 2007, and worked as an attorney in private practice prior to that, focusing exclusively on family law, including divorce, custody, and paternity cases.

Ms. DeWeese is extensively involved in the community. She volunteers with the Judiciary's Self-Help Center as well as Courts in the Community. In addition, she is involved with Kids First Hawai'i, a mandatory program of the state Judiciary to educate families about the impact of divorce and separation on children.

Testimony submitted in support of Ms. DeWeese's appointment commend her dedication to the fair and just application of the law. Her zealous advocacy for those she represents as well as her professional and civil demeanor demonstrate that while the justice system is adversarial in nature, it does not require sacrificing ethics or professionalism. In addition, numerous testifiers praised her diligence, knowledge of the law, and strong work ethic.

Your Committee finds that based on the testimony submitted on her behalf, Ms. DeWeese has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Family Court of the Third Circuit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

NUMBER AND TITLE	Offered	Referred	Report of Committee	Adoption
S.R. No. 1 AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2018.	5			5