

TENTH DAY

Friday, February 1, 2019

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019, convened at 11:31 a.m. with the President in the Chair.

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

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

At this time, Senator Taniguchi noted that 2019 marks the fiftieth anniversary of the opening of the State Capitol, and recognized Lucas Solanet, grandson of artist Christian Martinus Sorensen who carved the large wood pineapples located at the base of each set of stairs between the gallery and floor in the Senate and House Chambers. Mr. Solanet was present in the gallery with Donna Isara, a former staff member of Senator Taniguchi's office.

Senator Keohokalole welcomed his parents, Adrian and Marilyn Keohokalole, and his sister Lisa Schauer, who was visiting from Portland, Oregon.

Senator Keith-Agaran introduced relatives who were visiting from Austin, Texas, and were seated in the gallery: mother-in-law Frana Keith, sister-in-law Georgia O. Keith and her friend Rick Westervelt.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 540 to 559) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 540, submitting for consideration and confirmation as Director, Department of Commerce and Consumer Affairs, the nomination of CATHERINE P. AWAKUNI COLÓN, term to expire at noon on December 5, 2022, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 541, submitting for consideration and confirmation as Director, Department of Health, the nomination of BRUCE S. ANDERSON, term to expire at noon on December 5, 2022, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 542, submitting for consideration and confirmation as Deputy Director, Department of Health, the nomination of CATHY Y. ROSS, term to expire at noon on December 5, 2022, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 543, submitting for consideration and confirmation as Director, Department of Public Safety, the nomination of NOLAN P. ESPINDA, term to expire at noon on December 5, 2022, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 544, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of ELIZABETH KENT, term to expire June 30, 2022, was referred to the Committee on Judiciary.

Gov. Msg. No. 545, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of LANI EWART, term to expire June 30, 2021, was referred to the Committee on Judiciary.

Gov. Msg. No. 546, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of BRAD SHIMIZU, term to expire June 30, 2021, was referred to the Committee on Education.

Gov. Msg. No. 547, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of DUSTIN PARK, term to expire June 30, 2021, was referred to the Committee on Human Services.

Gov. Msg. No. 548, submitting for consideration and confirmation to the Enhanced 911 Board, the nomination of ALLISON BLAKE, term to expire June 30, 2020, was referred to the Committee on Government Operations.

Gov. Msg. No. 549, submitting for consideration and confirmation to the Enhanced 911 Board, the nomination of ELLIOTT KE, term to expire June 30, 2020, was referred to the Committee on Government Operations.

Gov. Msg. No. 550, submitting for consideration and confirmation to the Enhanced 911 Board, the nomination of FRANCIS ALUETA, term to expire June 30, 2020, was referred to the Committee on Government Operations.

Gov. Msg. No. 551, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of ANELA EVANS, term to expire June 30, 2020, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 552, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of IAN-JAMES CUSTINO, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 553, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of KALBERT YOUNG, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 554, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i, the nomination of CYD MIYASHIRO, term to expire June 30, 2019, was referred to the Committee on Energy, Economic Development, and Tourism.

Gov. Msg. No. 555, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i, the nomination of CYD MIYASHIRO, term to expire June 30, 2023, was referred to the Committee on Energy, Economic Development, and Tourism.

Gov. Msg. No. 556, submitting for consideration and confirmation to the Board of Registration of the Island of Hawai'i, the nomination of LORRAINE SHIN, term to expire June 30, 2021, was referred to the Committee on Judiciary.

Gov. Msg. No. 557, submitting for consideration and confirmation to the Board of Registration of the Islands of Kaua'i and Ni'ihau, the nomination of ADA HENNE-KOENE, term to expire June 30, 2022, was referred to the Committee on Judiciary.

Gov. Msg. No. 558, submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Moloka'i Lāna'i, and Kaho'olawe, the nomination of HELEN NIELSEN, term to expire June 30, 2021, was referred to the Committee on Judiciary.

Gov. Msg. No. 559, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of JONATHAN SHICK, term to expire June 30, 2022, was referred to the Committee on Energy, Economic Development, and Tourism.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 6) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 6, transmitting H.B. No. 2, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 2019, was placed on file.

On motion by Senator Kahele, seconded by Senator Fevella and carried, H.B. No. 2, 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.

STANDING COMMITTEE REPORTS

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2) recommending that S.B. No. 276 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 276, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 3) recommending that S.B. No. 284 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 284, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 595, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 596, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report

(Stand. Com. Rep. No. 6) recommending that S.B. No. 597, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 598, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE," 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. 8) recommending that S.B. No. 233 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 233, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 216, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 216, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 427, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RANKED CHOICE VOTING," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 33	Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means
S.B. No. 37	Committee on Education, then to the Committee on Ways and Means

S.B. No. 431	Committee on Human Services, then to the Committee on Ways and Means		Affairs, then to the Committee on Ways and Means
S.B. No. 432	Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 1383	Committee on Commerce, Consumer Protection, and Health
S.B. No. 436	Committee on Agriculture and Environment, then to the Committee on Ways and Means	S.B. No. 1401	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.B. No. 467	Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 1462	Committee on Judiciary, then to the Committee on Ways and Means
S.B. No. 481	Jointly to the Committee on Judiciary and the Committee on Ways and Means	S.B. No. 1541	Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.B. No. 506	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Transportation, then to the Committee on Judiciary		
S.B. No. 526	Committee on Human Services, then to the Committee on Ways and Means		
S.B. No. 527	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means		
S.B. No. 534	Committee on Human Services, then to the Committee on Ways and Means		
S.B. No. 573	Committee on Commerce, Consumer Protection, and Health		
S.B. No. 638	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary		
S.B. No. 736	Jointly to the Committee on Human Services and the Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means		
S.B. No. 794	Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means		
S.B. No. 822	Committee on Transportation, then to the Committee on Commerce, Consumer Protection, and Health		
S.B. No. 829	Committee on Water and Land, then to the Committee on Ways and Means		
S.B. No. 950	Committee on Human Services, then to the Committee on Ways and Means		
S.B. No. 999	Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means		
S.B. No. 1161	Committee on Transportation, then to the Committee on Commerce, Consumer Protection, and Health		
S.B. No. 1263	Committee on Commerce, Consumer Protection, and Health		
S.B. No. 1287	Committee on Water and Land, then to the Committee on Ways and Means		
S.B. No. 1309	Jointly to the Committee on Housing and the Committee on Water and Land, then to the Committee on Ways and Means		
S.B. No. 1329	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means		
S.B. No. 1370	Jointly to the Committee on Agriculture and Environment and the Committee on Hawaiian		

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

“Colleagues, today is the 15th annual Go Red for Women Day, and I would like to read just a few quick facts that highlight the importance of the American Heart Association’s work. First, heart disease is the number one killer of women, taking more lives than all forms of cancer. Physical activity reduces a woman’s risk for heart disease and stroke, but in the U.S. only one in five women are getting the recommended amount of physical activity. (I think I fall in that category, unfortunately.) Third, healthy eating is critical to managing the weight and preventing cardiovascular disease in women, but poor dietary habits are the cause of about 45 percent of the U.S. deaths by heart disease, stroke, and type 2 diabetes. Smoking is the leading cause of preventable heart disease and stroke death, and high blood pressure is the second leading cause. Nearly half of the United States adults have high blood pressure.

“As you can see, heart disease affects many women in Hawai’i and around the world. However, the American Heart Association’s Go Red for Women campaign has led a nearly 90 percent increase in awareness among women, but we still have a long way to go. But I’d like to thank the American Heart Association for its hard work, and I’d like to thank all of our colleagues who found some kind of red to wear today, and I’d like to recognize in the gallery the director of government relations and communications for the American Heart Association of Hawaii, Mr. Don Weisman. And he is joined by community impact senior director Aly Hite. So, thank you to all of the colleagues for finding some red, and for you, Mr. President: You look fabulous in your red jacket, and I’ll send that email to confirm.

“I would also just like to add to my point of personal privilege that I appreciate seeing those governor’s messages on our OD. Mahalo.”

Senator Thielen rose to appreciate Senator Baker as a champion of Go Red for Women Day, and said that she looked forward to seeing her in the stairwell to push for women’s health.

Senator Kahele shared that the number two nationally-ranked University of Hawai’i men’s volleyball team would be playing number seven-ranked Stanford that evening at 7:00 p.m. at the Stan Sheriff Center, and invited the members to watch the game.

Senator Rhoads commented, in good humor, that if the members should go to the volleyball game, then they shouldn’t wear red.

ADJOURNMENT

At 11:39 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Monday, February 4, 2019.