

ELEVENTH DAY

Monday, February 4, 2019

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019, convened at 11:32 a.m. with the President in the Chair.

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

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

Senator Shimabukuro commended the students and teachers of the 'A'ali'i Program, and presented the following remarks:

"Today, on the first day of Hawaiian Caucus Week here at the State Capitol, we are honoring outstanding 'ōpio, or youth, who have made impactful contributions to their community. Although the 'ōpio are not able to be here with us today, the Senate Hawaiian Caucus is proud to honor the students and teachers from the 'A'ali'i Program at Nānākuli High and Intermediate School.

"The students, with support from their kūmu, Hawaiian Civic Club members, and the Wai'anae community, have been advocating for the restoration of the Wai'anae Kai Forest Reserve and the return of water to the Wai'anae watershed streams for traditional and customary Native Hawaiian practice. These students engage with their local neighborhood boards on the Wai'anae Coast, local farmers, members of the Hawaiian agriculture community, and the Association of Hawaiian Civic Clubs. In their advocacy, the students learn about the legislative process. They learned how to write and present testimony and, more importantly, developed a passion for Native Hawaiian water rights. Although it took three years for the students to pass a resolution through the Annual Convention of Hawaiian Civic Clubs, the students persevered and got a resolution passed at last year's convention on Kaua'i. Kamehameha Schools even highlighted these students in 2018 during the preshow of their 98th annual songfest.

"Many of the students from the 'A'ali'i Program have either graduated, furthered their education, or are new parents, but their hard work, perseverance, and contributions continue to inspire future students. Representing the students here today are Tammy Jones and Tara Ferron. Both Tammy and Tara currently work for the University of Hawai'i at Mānoa. Tammy is a teacher and a strong supporter of place-based education and worked very closely with the cohort of students who submitted the resolution in 2016 to 2018. Tara taught at Nānākuli High and Intermediate School, and was a teacher to these 'ōpio when they were in middle school. It takes a village to raise a child, and I would like to commend the hard-working parents, teachers, and community members from the Wai'anae Coast who fostered these students and their passion to make their community a better place. Colleagues, please join me once again in recognizing and commending the students and teachers of the 'A'ali'i Program from Nānākuli High and Intermediate School. May Tammy Jones and Tara Ferron please stand to be recognized? Thank you."

At 11:36 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 560 to 565) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 560, submitting for consideration and confirmation to the Hawai'i Technology Development Corporation, the nomination of ISABELLA HUGHES, term to expire June 30, 2022, was referred to the Committee on Energy, Economic Development, and Tourism.

Gov. Msg. No. 561, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of BRIAN LEE, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 562, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of KAREN WONG, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 563, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of MIRIAM WHITMAN, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 564, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of ANGELA CHINEN, term to expire June 30, 2022, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 565, submitting for consideration and confirmation to the Board of Directors of the Pacific International Space Center for Exploration Systems, the nomination of GEORGE TAYLOR, term to expire June 30, 2021, was referred to the Committee on Energy, Economic Development, and Tourism.

STANDING COMMITTEE REPORTS

Senators Kidani and Chang, for the Committee on Education and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 11) recommending that S.B. No. 12 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 joint report of the Committees was adopted and S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kidani and Chang, for the Committee on Education and the Committee on Housing, presented a joint report (Stand. Com. Rep. No. 12) recommending that S.B. No. 586 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 joint report of the Committees was adopted and S.B. No. 586, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," 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. 13) recommending that S.B. No. 491, 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. 491, S.D. 1, 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 Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 455, 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. 455, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER MANAGEMENT," 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. 15) recommending that S.B. No. 485 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. 485, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 898, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND RECORDATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 921, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and 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. 921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Kahele, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 489, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK AND RAY PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 810 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 810, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chang and Kidani, for the Committee on Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 20) recommending that S.B. No. 303

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 joint report of the Committees was adopted and S.B. No. 303, entitled: "A BILL FOR AN ACT RELATING TO GARDENS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chang and Kidani, for the Committee on Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 21) recommending that S.B. No. 114 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 joint report of the Committees was adopted and S.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chang and Kidani, for the Committee on Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 22) recommending that S.B. No. 387, 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 joint report of the Committees was adopted and S.B. No. 387, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER RENTAL HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chang and Kidani, for the Committee on Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 23) recommending that S.B. No. 891 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 joint report of the Committees was adopted and S.B. No. 891, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 16, 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. 16, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 17, 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. 17, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 14, 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. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 15, 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. 15, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 516 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. 516, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," 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. 29) recommending that S.B. No. 331 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 331, entitled: "A BILL FOR AN ACT RELATING TO MOVIE THEATERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 733, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 733, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSISTENT NONSUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 214, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 214, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Ruderman, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 479 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.B. No. 479, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," passed Second Reading and was referred to the Committee on Judiciary.

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. 228	Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means
S.B. No. 292	Committee on Labor, Culture and the Arts
S.B. No. 296	Committee on Higher Education, then to the Committee on Judiciary
S.B. No. 329	Committee on Water and Land, then to the Committee on Judiciary
S.B. No. 364	Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Higher Education and the Committee on Water and Land, then to the Committee on Commerce, Consumer Protection, and Health
S.B. No. 422	Committee on Agriculture and Environment, then to the Committee on Ways and Means
S.B. No. 577	Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.B. No. 732	Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Transportation, then to the Committee on Ways and Means
S.B. No. 734	Committee on Human Services, then to the Committee on Judiciary
S.B. No. 736	Committee on Human Services, then to the Committee on Ways and Means
S.B. No. 739	Committee on Transportation, then to the Committee on Commerce, Consumer Protection, and Health
S.B. No. 1376	Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means
S.B. No. 1433	Committee on Ways and Means

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

"In 2013, the Legislature passed Act 28, which designated February as 'Ōlelo Hawai'i Month, to celebrate the enduring legacy of the Hawaiian language. This year, the United Nations General Assembly has declared 2019 the Year of Indigenous Languages in an effort to celebrate and draw attention to the urgent need to support, revitalize, and promote indigenous languages around the world. In conjunction with these efforts, I would like to announce that this week, your legislative Hawaiian Caucus is sponsoring Hawaiian Caucus Week, culminating with Hawaiian Caucus Day this Friday, February 8th, from 9 to 2 p.m. on the Capitol rotunda and fourth-floor balcony. The event will feature food, entertainment, and exhibits that celebrate our host language and culture, and I'd like to invite all of you and your staff to join us. Mahalo."

ADJOURNMENT

At 11:44 a.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 5, 2019.