

TWENTY-EIGHTH DAY

Monday, March 11, 2019

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019, convened at 11:40 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

At this time, Senator Moriwaki congratulated Sara King for receiving the 2019 Milken Educator Award, and presented the following remarks:

"Aloha, members. I'm honored and pleased to introduce Sara King, a teacher at Ala Wai Elementary School, recipient of the 2019 Milken Educator Award. Like the Milken Family Foundation, we believe that teachers are key to our future. If they teach, inspire, love, and nurture students, especially so in our Title I schools, their students will become engaged citizens and leaders who will build a better Hawai'i, nation, and world. Sara is one of 33 national awardees receiving the 2019 Milken Educator Award, called the Oscars of the teaching profession. For 30 years, the Milken family has rewarded inspired excellence in education by honoring top educators in the country. In addition to the national recognition comes a \$25,000 unrestricted award; travel to Washington, D.C., to meet and discuss important issues in education; and membership in a network of over 2,700 top teachers, principals, and specialists to strengthen education. The Milken award sends a strong message to teachers: We recognize you; we value you; we thank you.

"Alexander the Great said, 'I am indebted to my father for living, but to my teacher for living well.' And so does Sara for the Ala Wai Elementary students. Her dedication to and love of her students know no bounds. She spent seven years as a first grade teacher at Ala Wai before heading its Title I compliance program. She took on this challenge only on one condition: that she could continue to teach. A believer in project-based learning, Sara taught students to facilitate their own learning through active questioning and research. She has created inclusive environments for English language learners, pioneered student-led conferences, and developed educational tools that the entire school uses. Sara also goes outside the classroom to coach basketball and softball, and organizes school beautification projects. I recently had the pleasure of visiting Ala Wai Elementary's Leadership Day. Pre-K to fifth-grade students led the program, telling how they live Franklin Covey's seven habits as leaders—very impressive; we could all learn from them! Sara's dedication does not end with her students; she goes way above and beyond: mentoring other teachers, serving on the science committee in aligning curriculum with the Next Generation Science Standards, coordinating professional development on literacy, and even helping an international colleague adjust to her new school and her new country.

"We wish to congratulate and thank Sara for her commitment and outstanding contributions to the students at Ala Wai Elementary School, the Department of Education, and the State. Mr. President, members, please join us in congratulating Sara King, our 2019 Milken Educator awardee. Thank you. Mr. President, I would like to now turn the floor over to the senator from Pālolo."

Senator Ihara rose to present the following remarks:

"Mr. President and fellow senators, in the gallery are some of our honoree's supporters. First, I'd like to introduce Sara's husband, Jason King; with him is their three-year-old son, Jake,

and their eight-month-old daughter, Siena. At the school, honoree Sara King certainly is an inspiration to her school community and state. As Sara would say, her accomplishments are not all of her doing and recognition is also deserving for her fellow educators. I'd like to introduce Ala Wai school principal Michelle DeBusca. Principal DeBusca creates a welcoming atmosphere for those who believe in doing what is right and best for children, and collaborates with community partners to support this mission. Ala Wai school librarian Jennifer Moku and English language coordinator Carla Cunningham: both are key supporters of Ala Wai's culturally diverse student body. From the Department of Education, I'd like to introduce district resource teacher Joyce Luka, deputy superintendent Phyllis Unebasami, and our state Education Superintendent Dr. Christina Kishimoto. Thank you all for joining us today in honoring and recognizing Sara King! Thank you. We appreciate all the work you're doing in caring, loving, and educating our children. Thank you, Mr. President. At this time, I'd like to turn the floor back to the senator from Kaka'ako."

Senator Moriwaki then rose to invite the members to a luncheon that afternoon to honor Sara King.

Senator Dela Cruz acknowledged visitors from the University of Hawai'i at Mānoa College of Tropical Agriculture and Human Resources: Dean Nicholas Comerford and Interim Associate Dean for Extension Kelvin Sewake.

At 11:48 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Labor, Culture and the Arts, presented a report (Stand. Com. Rep. No. 1209) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

BRIAN LEE, in accordance with Gov. Msg. No. 561;

KAREN WONG, in accordance with Gov. Msg. No. 562; and

MIRIAM WHITMAN, in accordance with Gov. Msg. No. 563.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1209 and Gov. Msg. Nos. 561, 562, and 563 was deferred until Tuesday, March 12, 2019.

Senator Taniguchi, for the Committee on Labor, Culture and the Arts, presented a report (Stand. Com. Rep. No. 1210) recommending that the Senate advise and consent to the nomination of ANGELA CHINEN to the Hoisting Machine Operators Advisory Board, in accordance with Gov. Msg. No. 564.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1210 and Gov. Msg. No. 564 was deferred until Tuesday, March 12, 2019.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1205 (Gov. Msg. No. 596):

Senator Gabbard moved that Stand. Com. Rep. No. 1205 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of PHYLLIS SHIMABUKURO as Board Chairperson of the Department of Agriculture, term to expire December 31, 2022 (name amended to PHYLLIS SHIMABUKURO-GEISER by Gov. Msg. No. 634), seconded by Senator Ruderman.

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

“Colleagues, Mr. President, your Committee on Agriculture and Environment held a public hearing on G.M. 596 on March 1, 2019, and the committee voted unanimously to recommend that this body advise and consent to this nomination. We received over 100 testimonies in support of Ms. Shimabukuro-Geiser from a broad sector of the agricultural community.

“Ms. Shimabukuro-Geiser earned a bachelor of science in animal science from the University of Hawai‘i at Mānoa. She followed that up with a master of science in avian sciences from UC Davis. She is a lifelong farmer with over 30 years of experience in fresh egg production, management, and poultry feed, which has provided her with a wealth of knowledge of Hawai‘i agriculture. Since 2015, Ms. Shimabukuro-Geiser has served as the deputy chairperson of the Board of Ag and has been instrumental in moving the Department of Ag forward to reach its goals. She has received recognition from the agricultural community as the first female recipient of the Hawai‘i Farm Bureau Federation Outstanding Member award.

“Her mission is to assist all farmers and ranchers to grow more wholesome food, fiber, and energy through coexistence of conventional and organic practices with innovative tools to double local food production. Ms. Shimabukuro-Geiser’s passion for and commitment to sustainability, food resiliency, and quality of life for the people of Hawai‘i make her well-suited to serve as the chairperson of the Board of Agriculture. Colleagues, please join me in supporting G.M. 596.”

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

Ayes, 25. Noes, none.

Senator Gabbard introduced Chair Phyllis Shimabukuro-Geiser, who was present in the gallery with her husband, Andrew Geiser; her mother, Juliet Shimabukuro; Dr. Harry Ako from the University of Hawai‘i at Mānoa College of Tropical Agriculture and Human Resources; Brian Miyamoto from the Hawai‘i Farm Bureau; and staff supporters from the Hawai‘i Department of Agriculture.

Stand. Com. Rep. No. 1206 (Gov. Msg. No. 597):

Senator Gabbard moved that Stand. Com. Rep. No. 1206 be received and placed on file, seconded by Senator Ruderman and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of GLENN K. MURANAKA as Deputy Director of the Department of Agriculture, term to expire at noon on December 5, 2022, seconded by Senator Ruderman.

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

“Mr. President, your Committee on Agriculture and Environment held a public hearing on G.M. 597 on March 1st, and the committee voted unanimously to recommend that this body advise and consent to this nomination. We received no negative testimony on Mr. Muranaka’s nomination and received over 100 testimonies in support from across the agricultural industry.

“Mr. Muranaka is a highly versatile and accomplished business leader in management, strategy, product development, delivery, and operational experience in the complex manufacturing and logistic-focused industry. He was the president and general manager of Meadow Gold Dairies from 1996 until he recently retired. Mr. Muranaka has shown strong leadership skills by leading Meadow Gold Dairies’ personnel and managing the accounting, sales and marketing, and neighbor island divisions. He was inducted into the Hawaii Food Industry Association’s Hall of Fame and McKinley High School Hall of Honor.

“Mr. Muranaka’s commitment to the agricultural industry and the State of Hawai‘i make him well-qualified to serve as the deputy director of the Department of Agriculture. Colleagues, I hope you will please join me in supporting G.M. 597.”

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

Ayes, 25. Noes, none.

Senator Gabbard introduced Deputy Director Glenn Muranaka, who was seated in the gallery with his wife, Sunny Tran.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of Senate concurrent resolutions offered on Friday, March 8, 2019:

S.C.R. No.:	Referred to:
S.C.R. No. 53	Committee on Agriculture and Environment, then to the Committee on Ways and Means
S.C.R. No. 54	Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Government Operations, then to the Committee on Ways and Means
S.C.R. No. 55	Jointly to the Committee on Agriculture and Environment and the Committee on Government Operations, then to the Committee on Ways and Means
S.C.R. No. 56	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 57	Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means
S.C.R. No. 58	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 59	Jointly to the Committee on Transportation and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 60	Committee on Higher Education, then to the Committee on Ways and Means
S.C.R. No. 61	Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 62	Jointly to the Committee on Human Services and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means

- S.C.R. No. 63 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.C.R. No. 64 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.C.R. No. 65 Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
- S.C.R. No. 66 Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Technology, then to the Committee on Ways and Means
- S.C.R. No. 67 Committee on Commerce, Consumer Protection, and Health
- S.C.R. No. 68 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary
- S.C.R. No. 69 Jointly to the Committee on Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Health
- S.C.R. No. 70 Committee on Hawaiian Affairs, then to the Committee on Ways and Means
- S.C.R. No. 71 Committee on Education, then to the Committee on Ways and Means
- S.C.R. No. 72 Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
- S.C.R. No. 73 Jointly to the Committee on Agriculture and Environment and the Committee on Education and the Committee on Higher Education
- S.C.R. No. 74 Committee on Education, then to the Committee on Judiciary
- S.C.R. No. 75 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 76 Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means
- S.C.R. No. 77 Committee on Higher Education, then to the Committee on Ways and Means
- S.C.R. No. 78 Committee on Transportation, then to the Committee on Ways and Means
- S.C.R. No. 79 Jointly to the Committee on Government Operations and the Committee on Housing and the Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means
- S.C.R. No. 80 Jointly to the Committee on Government Operations and the Committee on Commerce, Consumer Protection, and Health
- S.C.R. No. 81 Committee on Education, then to the Committee on Ways and Means
- S.C.R. No. 82 Committee on Higher Education, then to the Committee on Ways and Means
- S.C.R. No. 83 Committee on Water and Land, then to the Committee on Ways and Means

- S.C.R. No. 84 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.C.R. No. 85 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary
- S.C.R. No. 86 Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate resolutions offered on Friday, March 8, 2019:

- S.R. No.: Referred to:
- S.R. No. 40 Committee on Higher Education, then to the Committee on Ways and Means
- S.R. No. 41 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.R. No. 42 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.R. No. 43 Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
- S.R. No. 44 Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Technology, then to the Committee on Ways and Means
- S.R. No. 45 Committee on Commerce, Consumer Protection, and Health
- S.R. No. 46 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary
- S.R. No. 47 Jointly to the Committee on Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Health
- S.R. No. 48 Committee on Hawaiian Affairs, then to the Committee on Ways and Means
- S.R. No. 49 Committee on Education, then to the Committee on Ways and Means
- S.R. No. 50 Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
- S.R. No. 51 Jointly to the Committee on Agriculture and Environment and the Committee on Education and the Committee on Higher Education
- S.R. No. 52 Committee on Education, then to the Committee on Judiciary
- S.R. No. 53 Committee on Water and Land, then to the Committee on Ways and Means
- S.R. No. 54 Committee on Higher Education, then to the Committee on Ways and Means
- S.R. No. 55 Committee on Transportation, then to the Committee on Ways and Means

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| S.R. No. 56 | Jointly to the Committee on Government Operations and the Committee on Housing and the Committee on Labor, Culture and the Arts, then to the Committee on Ways and Means | then to the Committee on Ways and Means |
| S.R. No. 57 | Jointly to the Committee on Government Operations and the Committee on Commerce, Consumer Protection, and Health | H.B. No. 1349, Committee on Housing, then to the Committee on Ways and Means
H.D. 1 |
| S.R. No. 58 | Committee on Education, then to the Committee on Ways and Means | H.B. No. 1426, Jointly to the Committee on Government Operations and the Committee on Technology, then to the Committee on Ways and Means
H.D. 1 |
| S.R. No. 59 | Committee on Higher Education, then to the Committee on Ways and Means | H.B. No. 1553, Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Technology, then to the Committee on Ways and Means
H.D. 1 |
| S.R. No. 60 | Committee on Water and Land, then to the Committee on Ways and Means | H.B. No. 1584, Jointly to the Committee on Higher Education and the Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means
H.D. 2 |
| S.R. No. 61 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | |
| S.R. No. 62 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary | |
| S.R. No. 63 | Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means | |

At this time, Senator Rhoads recognized Eloise Kuniyoshi, who was seated in the gallery.

ADJOURNMENT

At 12:07 p.m., on motion by Senator Kahele, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 12, 2019.

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

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| H.B. No.: | Re-referred to: |
| H.B. No. 290,
H.D. 1 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary |
| H.B. No. 316,
H.D. 1 | Committee on Judiciary |
| H.B. No. 363 | Jointly to the Committee on Government Operations and the Committee on Judiciary, then to the Committee on Ways and Means |
| H.B. No. 389,
H.D. 1 | Jointly to the Committee on Labor, Culture and the Arts and the Committee on Commerce, Consumer Protection, and Health |
| H.B. No. 449,
H.D. 1 | Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Water and Land and the Committee on Government Operations, then to the Committee on Ways and Means |
| H.B. No. 481,
H.D. 2 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means |
| H.B. No. 861,
H.D. 2 | Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary |
| H.B. No. 910,
H.D. 1 | Committee on Water and Land, then to the Committee on Ways and Means |
| H.B. No. 1209,
H.D. 2 | Committee on Housing, then to the Committee on Ways and Means |
| H.B. No. 1263 | Jointly to the Committee on Government Operations and the Committee on Judiciary, |