

THIRTEENTH DAY

Tuesday, February 7, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:37 a.m. with the President in the Chair.

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

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

At this time, Senator Keith-Agaran recognized ten journalists from leading Philippines news organizations who were on a tour of the United States to explore many facets of the U.S. – Philippines relationship, including U.S. government engagement, diaspora influence, and people-to-people ties. The journalists present in the gallery included: Anna Marie Abellana Aznar, business editor, *SunStar Cebu*; Pia Christine Lee Brago, senior diplomatic reporter, *The Philippine Star*; Antonio IV Llena Colina, reporter, *MindaNews*; Nicolette Kristine Nonna de Leon Dizon, reporter, *Philippine Daily Inquirer*; Paterno II Rosel Esmaquel, multimedia reporter, *Rappler Philippines*; Ron Gaglac, senior political and international reporter, *ABS-CBN Broadcasting Corporation*; Juan Carlo Gotinga, news correspondent, *CNN Philippines*; Harlington Fangsilat Palangchao, editor-in-chief, *Baguio Midland Courier*; John Paul Soriana, senior reporter/news producer, *GMA 7 Network Incorporated*; and Tara Katherine Jalandoni Yap, regional senior reporter, *Manila Bulletin*. The journalists were accompanied in the gallery by Mark Zimmer from the U.S. Department of State Foreign Press Office.

Senator Galuteria welcomed third-grade students from King William C. Lunalilo Elementary School, who were seated in the gallery with their chaperones and teachers Joy Buckland, Lori Towata, and Wendy Gonsalves.

The Chair noted that he had taken a photo with the students prior to the Senate's floor session, and extended an additional welcome to the group.

Senator Tokuda recognized and commended Dr. Ernest James Harris for receiving the Congressional Gold Medal for his service as one of the first African Americans in the United States Marine Corps, and presented the following remarks:

"It is indeed an honor to introduce Dr. Ernest James Harris to the Senate Chamber, a man who is a legend throughout our Windward community and our state, and even throughout our country and our academic and civil rights world. Dr. Harris, if you could please stand to be recognized by all of us today? Joining him today is the other half of this power couple, if you know them well: his wife, Bettye Jo – and you can wave, Bettye Jo, because everyone knows Bettye Jo in our community – and their son, Gregory Harris. I'm so glad the children are here to hear us talk about Dr. Harris and what he has done.

"Today we congratulate Dr. Harris on receiving the Congressional Gold Medal for his service as one of the first African Americans to serve our nation in the United States Marine Corps. This first wave of black enlistees began their training at Camp Montford Point, North Carolina, after President Franklin Roosevelt signed Executive Order 8802, prohibiting the branches of the armed forces from discriminating on the basis of race. After leaving the Marine Corps, Dr. Harris went on to study biology and chemistry at the University of Arkansas at Pine Bluff. He attained his master's degree from the University of Minnesota and a doctorate in entomology from the University of Hawai'i. His work as a researcher for the U.S. Department of Agriculture was nothing

short of groundbreaking. He pioneered new strategies that prevented millions of dollars' worth of crop damage domestically by fruit flies each year, and the controls he developed are common practice in agricultural sectors in over 20 countries worldwide. He received an official commendation from the Chilean government in 1996; they've been fruit fly plague-free since 1975 and, as a result, can ship fruit all over the world as a result of his efforts. He was inducted into the Royal Entomological Society of London and received the NAACP Lifetime Achievement Award – by the way, just like his wife, and we acknowledged her on the floor last year as well.

"It is with a great deal of humility that I consider myself very much a friend of this family and an ardent supporter of this truly exceptional human being. Ladies and gentlemen, let's once again give Dr. Ernest James Harris a round of applause for his accomplishments and contributions to our community."

At 11:45 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 1) was read by the Clerk and was placed on file:

Gov. Msg. No. 1, dated January 27, 2017, transmitting the Office of the Governor's Interim Report on the actions taken pursuant to Act 225, SLH 2016.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 49) was read by the Clerk and was referred to committee:

S.C.R. No. 49 "SENATE CONCURRENT RESOLUTION URGING PRIVATE SCHOOLS IN HAWAII TO CONSIDER OFFERING OR CONTINUE OFFERING HAWAIIAN LANGUAGE INSTRUCTION AS AN OPTION OR AN ELECTIVE IN THEIR ACADEMIC CURRICULUM."

Offered by: Senators Shimabukuro, Dela Cruz, Espero, Kahele, Kidani.

Referred to: Committee on Hawaiian Affairs

SENATE RESOLUTION

The following concurrent resolution (S.R. No. 13) was read by the Clerk and was referred to committee:

S.R. No. 13 "SENATE RESOLUTION URGING PRIVATE SCHOOLS IN HAWAII TO CONSIDER OFFERING OR CONTINUE OFFERING HAWAIIAN LANGUAGE INSTRUCTION AS AN OPTION OR AN ELECTIVE IN THEIR ACADEMIC CURRICULUM."

Offered by: Senators Shimabukuro, Dela Cruz, Espero, Kahele, Kidani, Riviere.

Referred to: Committee on Hawaiian Affairs

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 58) recommending that S.B. No. 222, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and

S.B. No. 222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," 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. 59) recommending that S.B. No. 225, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 225, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES," 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. 60) recommending that S.B. No. 229 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 229, entitled: "A BILL FOR AN ACT RELATING TO VECTOR CONTROL," 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. 61) recommending that S.B. No. 405 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 405, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," 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. 62) recommending that S.B. No. 305 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 305, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 63) recommending that S.B. No. 352 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 352, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL LOAN REVOLVING FUND," 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. 64) recommending that S.B. No. 354 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 354, entitled: "A BILL FOR AN ACT RELATING TO 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. 65) recommending that S.B. No. 623 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 623, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of Senate concurrent resolutions offered on Thursday, February 2, 2017; and Monday, February 6, 2017:

- S.C.R. No.: Referred to:
- S.C.R. No. 47 Committee on Water and Land, then to the Committee on Ways and Means
- S.C.R. No. 48 Committee on Education, then to the Committee on Ways and Means

REFERRAL OF A SENATE RESOLUTION

The President made the following committee assignments of a Senate resolution offered on Monday, February 6, 2017:

- S.R. No.: Referred to:
- S.R. No. 12 Committee on Education, then to the Committee on Ways and Means

RE-REFERRAL OF A SENATE BILL

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

- S.B. No.: Re-referred to:
- S.B. No. 419 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Higher Education, then to the Committee on Judiciary and Labor

ADJOURNMENT

At 11:59 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Thursday, February 9, 2017.