

## FORTY-EIGHTH DAY

Thursday, April 13, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:35 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 Forty-Seventh Day.

At this time, Senator Wakai welcomed a group of fourth-grade students from 'Aliamanu Elementary School, who were present in the gallery with teachers Veronica Garza and Jennifer Teruya, and chaperones Angel Mota, Patty Carter, Wanda Rosarivas, Bernadette Toyama, Jennifer Vinarao, and Momi Gallarde.

Senator Kahele recognized and honored Coach Dave Shoji, and presented the following remarks:

"Colleagues and friends, members and the gallery: It is both an honor and privilege to be able to welcome to the Senate chamber and to introduce to all of you our final honoree of the 29th Legislature. Today's honoree needs no introduction; in Hawai'i, he is a household name. Throughout women's volleyball in our country, he's a living legend who has taken his place in the history books. But on this day, we gather to recognize, to show our appreciation for, and ultimately say mahalo nui loa to a coach, a friend, a role model, a mentor, a champion who has given so much to Hawai'i, to the sport of volleyball, and to the thousands of keiki across this great state. And so it is my honor to introduce the greatest coach in the history of the University of Hawai'i athletic program, Dave Shoji.

"Dave Shoji was born December 4, 1946, in Upland, California. His parents, Chiz and Kobe, met in 1942 at the Poston internment camp in Yuma County, Arizona. Dave's dad was a member of the famed 442nd 'Go for Broke' unit serving in Germany. Dave played collegiate volleyball at the University of California, Santa Barbara, earning All-American honors as a setter in 1968 and 1969. Dave started his coaching career here in Hawai'i, first as a varsity basketball coach at 'Iolani in 1972. He also was an assistant coach to Chris McLachlin at Punahou School, and at the time, UH and its athletic director, Donnis Thompson, was looking for a coach in the era of U.S. Representative Patsy Mink's historic Title IX legislation mandating equal opportunities for female athletes. In 1975, in the fall, at the recommendation of McLachlin, UH offered Dave the head coaching volleyball position, which also included the men's team, and his starting pay at the time was \$1,200. And the rest is history: Dave led the Wahine volleyball team to national championships in 1979, 1982, 1983, and 1987. He is a two-time American Volleyball Coaches Association National Coach of the Year, and Dave's teams at the University of Hawai'i have amassed 1,202 wins, second most in NCAA Division I history, and he has been the head coach for the Rainbow Wahine volleyball team for 42 seasons.

"I think I can speak for our gallery and say they broke the mold when they made Dave Shoji, and we will quite possibly never see here at the University of Hawai'i someone who has brought so much to Hawai'i, athletics, and to keiki all across the state. I have a paddle here for you, Dave, in honor of your contributions. On behalf of the Twenty-Ninth Legislature and the Hawai'i State Senate, we'd like to present this to you and say mahalo nui loa for all you have done for Hawai'i. Thank you so much, Dave; mahalo. I would also like to recognize Dave's cornerstone and his lovely wife, and that would be Mary Shoji. Mahalo, Mr. President."

Senator Kahele then presented the paddle to Dave Shoji, with the thanks of the Senate.

The Chair noted in good humor that since Dave Shoji was retired, there would be no conflict with the gifts disclosure requirement.

Senator Kim rose to present the following remarks:

"I would be remiss if I don't stand and also add my aloha to Dave and Mary. You know, after watching him for decades like we've all done, we had the unique opportunity for my son to be coached by Dave when he joined the Outrigger Canoe Club and played volleyball alongside one of his sons. So he has the honor of saying that he's been coached by the legend Dave Shoji, and that will go down, I'm sure, in history. But I went to many of the practices, watched how Dave coached all of the kids – and he's a wonderful coach. He was very measured and equal in how he treated all of the players, no matter if they were starting or if they were not starting, but he gave all of them his attention. And we traveled to the mainland for Junior Olympics with him and Mary and the rest of the team, and it was a wonderful opportunity to see him up close and personal. And so, Dave and Mary, congratulations to you. Our prayers and our good wishes are with you always. Thank you."

Senator Kidani introduced the following distinguished guests from the University of Hawai'i, who were present in the gallery: Ernie Wilson, University of Hawai'i Board of Regents; David Lassner, University of Hawai'i president and interim Mānoa chancellor; and Stephanie Kim, Elmer Kaai, and Robbie Watland from the university's government affairs team.

Senator Taniguchi introduced the following guests from the University of Hawai'i athletic department, who were seated in the gallery: Dave Matlin, athletic director; Carl Clapp, associate director; Joel Matsunaga, associate athletic director; Marilyn Moniz-Kaho'ohanohano, senior women's athletic director; Lois Manin, assistant athletic director and chief of staff; Derek Inouchi, director of media relations; Jay Metzger, multimedia specialist; Kara Nishimura, administrative assistant for women's volleyball; Kari Ambrozich, academic counselor; Renae Shigemura, athletic trainer; Kaleo Baxter, assistant coach; Robyn Ah Mow-Santos, head coach for Rainbow Wahine volleyball; Stanley Ching, booster chair; Dr. Elizabeth Ignacio, volleyball supporter; and Charlie Wade, head coach for men's volleyball.

The Chair remarked:

"It normally isn't my place to say anything, but in 1987, as the coach of the Waimea High School girls volleyball team, the Rainbow Wahine chose to do their summer camp at the Waimea High School, and they stayed in what is known as the Judge's Quarters, or Courtroom, where they slept on cots. And Dave reported to me that it was wonderful because he had no curfew because there was nowhere for the girls to go in Waimea – at least, nowhere where they could get in trouble.

"As it turned out, from the remarks from Senator Kahele, they were going to become national champions. But they were better champions as people than players. We fed the team every night, with our girls bringing potluck dinners, and Mahina Eleneki and Tita Ahuna would get their plate and sit in the middle of our girls. But they would say how they trained, including weightlifting; and we had a gifted young girl at Waimea, Maile Golden, who refused to lift weights because she didn't want to look like a boy, which was a problem back in those days. And then after listening to Mahina, I said, 'She could be Miss Hawai'i, so tell me what's wrong with lifting weights,' and she started to weight train, walked on for the

University of Hawai'i women's team, earned a scholarship, and, as a senior, started at the University of Hawai'i for Coach Shoji. And that's one of so many stories like this in the 42 years that he has coached, and by bringing the Rainbow Wahine team all around the state to inspire the young women in our state to reach for the stars and their dream of playing for Coach Shoji and the difference you've made in those lives, Coach, I certainly want to echo my thanks. And maybe I'll have my dad back, because no matter what family function we have, if there's a Rainbow Wahine game going on, he gets up, jumps in his car, and he drives home because he's going to watch you and he's not going to stay with me. So congratulations."

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 p.m.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 835 and 836) were read by the Clerk and were placed on file:

Gov. Msg. No. 835, letter dated April 11, 2017, correcting the name of the nominee to the Contractors License Board, under Gov. Msg. No. 806, to ANACLETO ALCANTARA, JR.

Gov. Msg. No. 836, informing the Senate that on April 11, 2017, the Governor withdrew the nomination of DAVID LOVELACE to the Board of Electricians and Plumbers, under Gov. Msg. No. 770, from consideration by the Senate.

In compliance with Gov. Msg. No. 836, the nomination listed under Gov. Msg. No. 770 was returned.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 546 to 584) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 546, returning S.B. No. 26, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 26, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 547, returning S.B. No. 133, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 133, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 548, returning S.B. No. 194, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 194, and requested a conference on the subject matter thereof.

Hse. Com. No. 549, returning S.B. No. 207, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 207, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 550, returning S.B. No. 224, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 224, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 551, returning S.B. No. 288, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 288, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 552, returning S.B. No. 339, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 339, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 553, returning S.B. No. 369, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 369, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 554, returning S.B. No. 429, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 429, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 555, returning S.B. No. 491, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 491, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 556, returning S.B. No. 501, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 501, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 557, returning S.B. No. 502, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 502, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 558, returning S.B. No. 545, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

Hse. Com. No. 575, returning S.B. No. 1016, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1016, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 576, returning S.B. No. 1163, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1163, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 577, returning S.B. No. 1183, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1183, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 578, returning S.B. No. 1201, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1201, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 579, returning S.B. No. 1244, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1244, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 580, returning S.B. No. 1286, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1286, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 581, returning S.B. No. 1290, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1290, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 582, returning S.B. No. 1294, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1294, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 583, returning S.B. No. 249, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 11, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 249, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 584, informing the Senate that on April 11, 2017, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 90, H.D. 1 (S.D. 2);  
H.B. No. 100, H.D. 1 (S.D. 1);  
H.B. No. 186, H.D. 1 (S.D. 2);  
H.B. No. 209, H.D. 1 (S.D. 1);  
H.B. No. 427, H.D. 2 (S.D. 1);  
H.B. No. 475, H.D. 1 (S.D. 2);  
H.B. No. 492, H.D. 2 (S.D. 1);  
H.B. No. 632, H.D. 1 (S.D. 1);  
H.B. No. 655, H.D. 1 (S.D. 1);  
H.B. No. 832, H.D. 1 (S.D. 1);  
H.B. No. 880, H.D. 1 (S.D. 2);  
H.B. No. 909, H.D. 2 (S.D. 1);  
H.B. No. 918, H.D. 1 (S.D. 1);  
H.B. No. 936 (S.D. 1);  
H.B. No. 937, H.D. 1 (S.D. 1);  
H.B. No. 942, H.D. 1 (S.D. 1);  
H.B. No. 1006, H.D. 1 (S.D. 2);  
H.B. No. 1028, H.D. 2 (S.D. 1);  
H.B. No. 1229, H.D. 1 (S.D. 1);  
H.B. No. 1230, H.D. 1 (S.D. 2);  
H.B. No. 1322, H.D. 2 (S.D. 1);  
H.B. No. 1325, H.D. 1 (S.D. 1);  
H.B. No. 1389, H.D. 1 (S.D. 1);  
H.B. No. 1469, H.D. 1 (S.D. 2); and  
H.B. No. 1498, H.D. 1 (S.D. 1),

was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Kahele, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1600) recommending that the Senate advise and consent to the nomination of CAROL LEE to the Western Interstate Commission for Higher Education, in accordance with Gov. Msg. No. 613.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1600 and Gov. Msg. No. 613 was deferred until Monday, April 17, 2017.

Senator Kahele, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1601) recommending that the Senate advise and consent to the nomination of MARK MUGIISHI to the Hawai'i Medical Education Council, in accordance with Gov. Msg. No. 598.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1601 and Gov. Msg. No. 598 was deferred until Monday, April 17, 2017.

Senator Taniguchi, for the Committee on International Affairs and the Arts, presented a report (Stand. Com. Rep. No. 1602) recommending that the Senate advise and consent to the nominations to the Hawai'i Sister State Committee of the following:

DEBRA NAKAMA, in accordance with Gov. Msg. No. 539;

KAHO'OKELEHOLU HANNAHS, in accordance with Gov. Msg. No. 540; and

KAHO'OKELEHOLU HANNAHS, in accordance with Gov. Msg. No. 541.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1602 and Gov. Msg. Nos. 539, 540, and 541 was deferred until Monday, April 17, 2017.

**ORDER OF THE DAY  
ADVISE AND CONSENT**

Stand. Com. Rep. No. 1597 (Jud. Com. No. 5):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1597 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Keith-Agaran then moved that the Senate consent to the nomination of BRIAN A. COSTA to the District Court of the First Circuit, term to expire in 6 years, seconded by Senator Rhoads.

Senator Keith-Agaran rose to speak in support of the nominee as follows:

“Mr. Costa is, in fact, already Judge Costa as he has already been serving as a per-diem judge for over two years now for the District Family Court of the First Circuit. He has presided over divorce and annulment proceedings, paternity motions and trials, and guardianship and adoption cases, among other matters. Testimony in the committee indicates that he has already achieved the respect of his full-time judicial peers and that he will hit the ground running in good form.

“Judge Costa is originally from New York but has developed strong ties and roots in Hawai‘i over the last 20 years, beginning at Hawai‘i Pacific University and later at William S. Richardson School of Law at the University of Hawai‘i at Mānoa, from which he graduated magna cum laude in 2001. After a brief stint as a prosecuting attorney, he then served as a law clerk to former justice Simeon Acoba at the Hawai‘i Supreme Court. Since 2003, he has managed his own small practice specializing in traffic and criminal defense matters in district court, where he has represented hundreds of clients. He’s also experienced in proceedings before the Administrative Driver’s License Revocation Office. Combined with his recent experience as a per-diem judge, he is clearly well-qualified to serve as a district court judge in the First Circuit.

“Mr. President, it is the recommendation of your Committee on Judiciary and Labor that Brian Costa possesses the requisite skills and demeanor to serve full-time as a district court judge, and I urge my colleagues to support his nomination.”

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

Ayes, 25. Noes, none.

At this time, Senator Keith-Agaran introduced Judge Brian A. Costa, who was present in the gallery with his wife, Thuan Costa.

Stand. Com. Rep. No. 1598 (Jud. Com. No. 6):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1598 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Keith-Agaran then moved that the Senate consent to the nomination of DAROLYN LENDIO HEIM to the District Court of the First Circuit, term to expire in 6 years, seconded by Senator Rhoads.

Senator Keith-Agaran rose to speak in support of the nominee as follows:

“Ms. Heim grew up in Waialua, where her mother and father taught their family the values of plantation life: hard work, integrity, and respect. She experienced the plantation as a teenaged field worker before she graduated from Waialua High School, where she was the Bulldog of the Year – she remains a bulldog. Ms. Heim attended a school in southern California – well, she did go to USC – where she received her degree in

journalism/political science. Ms. Heim wanted to be a reporter covering the United States Supreme Court, and as a step toward that goal, she became an intern with the Los Angeles bureau of the *Wall Street Journal*. But working at the *Wall Street Journal* sparked her lifelong interest in the law, and before too long, Ms. Heim entered Boalt Hall, the University of California, Berkeley, where she earned her law degree.

“Returning home, Ms. Heim was one of a small group of women lawyers in the 1980s who, with the help of their mentors, began to make great strides as litigators in the often-male dominated legal culture of Bishop Street. Although she began her career with Goodsill Anderson Quinn & Stifel, three years later, Ms. Heim was a founding partner with McCorriston Miho & Miller. In 1994, she left McCorriston for a two-year stint as corporation counsel with the City and County of Honolulu, becoming the first Filipina to hold this position. She then returned to McCorriston in 1996. Ten years later, in 2006, she was hired as vice president of legal affairs at the University of Hawai‘i. In 2015, she again returned to McCorriston, where she’s still a partner. Never satisfied with remaining at McCorriston, although she’s very qualified for this position, her years of private litigation practice and public service gives her an unusually broad perspective of legal issues that affect the people of Hawai‘i, and she’s eager to continue her public service in the people’s court. Therefore, I recommend that the full Senate vote to consent to Ms. Heim’s appointment.”

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

“I just want to note for the record that we have the rare opportunity today to confirm two very well-qualified women to the bench, and I know that they will be excellent role models for other qualified women lawyers out in the community who, when judicial appointments become available, will offer themselves for judicial service. We need to have more gender equity at all levels in our court system, and I’m delighted that these two women have stepped to the plate, and we will confirm them today. Mahalo.”

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

Ayes, 25. Noes, none.

At this time, Senator Keith-Agaran introduced Judge Darolyn Lendio Heim, who was present in the gallery with her father, Pedro Lendio; her mother, Chieko Lendio; her sister, Lori Lendio McKeown; and her son, Alex Heim.

Stand. Com. Rep. No. 1599 (Jud. Com. No. 7):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1599 be received and placed on file, seconded by Senator Rhoads and carried.

Senator Keith-Agaran then moved that the Senate consent to the nomination of TRISH K. MORIKAWA to the District Court of the First Circuit, term to expire in 6 years, seconded by Senator Rhoads.

Senator Keith-Agaran rose to speak in support of the nominee as follows:

“Ms. Morikawa can also be addressed as ‘Judge Morikawa’ as she also has served as a per-diem Family Court judge since 2015. She’s been handling temporary restraining orders for protective order hearings and trials, petitions for guardianships and adoptions, and divorce motions of trials. She’s a graduate of Kamehameha Schools, the University of Pennsylvania, and the William S. Richardson School of Law.

“Although in the last several years, she has been in private practice, Ms. Morikawa has extensive public service

experience. For a total of nearly 13 years, she was a deputy prosecuting attorney for the city. She also spent three years as deputy attorney general for the state. At one time, she was also the county housing coordinator for the City and County of Honolulu and has also served as a volunteer commissioner for the Department of Hawaiian Home Lands. In those last two roles, she developed a reputation for dealing fairly and firmly with people in difficult situations directly affecting their possessions and land rights. Testimony indicates that, throughout her career, Trish K. Morikawa has exhibited enthusiasm, compassion, and common sense in approaching complicated legal issues that affected the lives of real people. Your Committee on Judiciary and Labor recognizes that these traits, along with her demeanor and work ethic, will make her an excellent full-time addition to the District Court of the First Circuit, and I urge my colleagues to support the nomination.”

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

“I just want to note for the record that we have the rare opportunity today to confirm two very well-qualified women to the bench, and I know that they will be excellent role models for other qualified women lawyers out in the community who, when judicial appointments become available, will offer themselves for judicial service. We need to have more gender equity at all levels in our court system, and I’m delighted that these two women have stepped to the plate, and we will confirm them today. Mahalo.”

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

Ayes, 25. Noes, none.

At this time, Senator Keith-Agaran introduced Judge Trish K. Morikawa, who was present in the gallery with her father, Arvid Hara; her husband, Jon Morikawa; her mother-in-law, Rena Morikawa; her sister-in-law, Jaye Maher; and her children, Kalau Morikawa and Konane Morikawa.

At 12:12 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 p.m.

### THIRD READING

H.B. No. 425, H.D. 1, S.D. 3:

Senator Kahele moved that H.B. No. 425, H.D. 1, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Ihara rose to speak in support of the measure with reservations as follows:

“Mr. President, I understand and support allowing the University of Hawai‘i to customize ethics protocols for their technology transfer process. However, I would like to request that, in conference, our Senate co-chairs consider adding three important safeguards to allow exemptions to the State Ethics Code for university technology transfer activities. I join the State Ethics Commission in requesting the following safeguards be added to House Bill 425, including: 1) requiring final approval by the governor – this would be one approval outside the University of Hawai‘i; 2) specifying criteria on whether the technology transfer will adversely affect research and other state interests; and 3) adding quarterly reports and recording the project approvals in Board of Regents meetings. I believe these safeguards are necessary to ensure the university’s own technology transfer needs are balanced and aligned with the state’s broader interests. Thank you, Mr. President.”

The motion was put by the Chair and carried, H.B. No. 425, H.D. 1, S.D. 3, entitled: “A BILL FOR AN ACT RELATING

TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Gabbard, Ihara). Noes, none. Excused, 1 (Tokuda).

### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

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

H.C.R. No.:	Re-referred to:
H.C.R. No. 28	Committee on Education
H.C.R. No. 80, H.D. 1	Jointly to the Committee on Hawaiian Affairs and the Committee on Water and Land
H.C.R. No. 125, H.D. 1	Committee on Judiciary and Labor
H.C.R. No. 159	Jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
H.C.R. No. 198	Jointly to the Committee on Hawaiian Affairs and the Committee on Public Safety, Intergovernmental, and Military Affairs

At this time, Senator Baker thanked the members for their contributions to the Easter basket donation drive, and invited the members to join the Easter bunny for photos and to load the baskets into the Institute for Human Services’ van.

Senator Green announced that the 26th Annual Honolulu AIDS Walk would be taking place that weekend at Kapi‘olani Park, and invited the members to participate.

### ADJOURNMENT

At 12:29 p.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Monday, April 17, 2017.