

EIGHTH DAY

Wednesday, January 29, 2014

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2014, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Seventh Day.

At this time, Senator Hee welcomed the following participants of Cattlemen's Day at the State Capitol: a group of students from Maui 4-H, Keoki Wood of Parker Ranch, Louis Cambra of the Maui 4-H Livestock Association, and Jacob Tavares.

Senator Hee also introduced a group from Ni'ihau comprised of Bruce Robinson and his wife, Leiana; their daughter, Briana; Kunia Pahulehua; Enoka Kaohelaulii; Hiwa Kelley-Kanahele; and Napua Niau.

Senator Kidani congratulated the Mililani High School Trojan varsity football team on capturing the 2013 OIA Division I title, and presented the following remarks:

"Madam President and Senate colleagues, thank you for the opportunity to honor the Mililani High School varsity football team, winners of the OIA Division I Championship 2013.

"On their way to the title, the Trojans won all seven games against OIA Red West opponents, undefeated at 7-0 for the first time since 2004. A win over Farrington – my alma mater, sorry Madam President – of the OIA Red East won them the overall OIA title and sent Mililani into the State Championship tournament. There, a win over Campbell at the semifinals propelled the Trojans into the final game of the year against number one-seeded Punahou, the only school to have beaten them during the year.

"In spite of the Trojans' exceptional play and never-give-up spirit, the state title went to Punahou – but wait until next year. Such was the caliber of individual standout performances during the 2013 season that a total of 14 Mililani Trojans were named to the first, second, third, and honorable mention All-Star team, including many of our players and guests who are with us today. It was, of course, the team effort that counted most, and the Trojans succeeded in taking the entire Mililani community with them through their exciting season from start to finish.

"It is my pleasure to introduce our honored guests today: Trojan team captains Dayton Furuta, senior linebacker; Ian Namu, senior slot; Bronsen Ader, senior receiver; Keli'i 'KK' Padello, senior defensive end (and our Defensive Player of the Year); Vavae Malepeai, sophomore running back (that's why I said wait until next year); and their fellow team members McKenzie Milton, sophomore quarterback (wait until next year); Rex Manu, junior defensive tackle (wait until next year); Kaimana Wilson, senior linebacker; Tayler Fernandez-Dizon, senior outside linebacker; and Antonio Ala, junior offensive linebacker.

"These are our Mililani Trojans – wait until next year. Accompanying the team today is varsity football Head Coach Rod York. Coach York was selected 2013 Coach of the Year by the media and coaches statewide.

"Madam President, the Senate prepared a congratulatory certificate for the team and at the appropriate time, I would request a short recess so that we can personally welcome our

honorees and present the certificate to them. Mahalo and congratulations. Yay, champs, Trojans!"

At 11:44 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 a.m.

STANDING COMMITTEE REPORTS

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2002) recommending that S.B. No. 2134 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2134, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2003) recommending that S.B. No. 2425 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2425, entitled: "A BILL FOR AN ACT RELATING TO HAWAII 3R'S," 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. 3014	Committee on Energy and Environment, then jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
S.B. No. 3056	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 3111	Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

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

"I rise to speak in very strong support of the Hawaii Farmers and Ranchers Alliance. The Hawaii Farmers and Ranchers Alliance also included floral and nursery growers who collectively produce more than 80 percent of the agricultural products grown in Hawai'i. They have organized themselves into an alliance and have pledged themselves to these goals and objectives:

- 1) To ensure the viability and sustainability of Hawai'i's farming community for all the benefits agriculture brings, including increased local food availability and the achievement of Hawai'i's food security goals.
- 2) They support public policies that are inclusive of all types of agricultural production so as to ensure the

viability and sustainability of all forms of agricultural enterprises consistent with federal and state laws and regulations and generally accepted agricultural practices.

“There’s a whole list, which I’ll be submitting for the Journal; however, I just would like to expound on a few:

- 3) They are very proud to support Hawai‘i’s rich agricultural heritage and honor the strong men, women, and children who have endured many hardships to create and perpetuate our agricultural culture.

“Madam President, I don’t have to remind you how our agricultural industries in Hawai‘i have suffered severe droughts. My family has farming and ranching experience of over 80 years; our family agribusiness generationally has survived a series of 25 serious droughts here in our Hawai‘i nei.

“Members of this organization will be visiting senators’ offices and House members to discuss the recent legislations referring to the GMO. They are very concerned about the outcome of these GMO legislations that are resting with us today.

“They will be sharing a resolution that I also speak in very strong support of, and I will be submitting it to be placed into the Journal. This resolution supports our Hawai‘i State Constitution and the Right to Farm statute, as contained in Chapter 165 and provides a solid foundation to ensure and sustain a vibrant agricultural sector in Hawai‘i. Madam President, many of us sitting on this floor were very much a part of the creation of this statute and legislation.

“I would like to end with a very famous song, and this song is entitled ‘Kilakila Nā Rough Rider.’ It’s a traditional mele, and it says:

Hanohano wale nā cowboy (Glorious are the cowboys)
 E maku‘u noho i ka lio (Proudly mounting their horses)
 Halena pono ‘oe i kaula ‘ili (Pull taut now your lassos)
 I ka lae o ka pipi ‘ahui (Hold the brow of the plunging cattle)

“I’m asking all of my colleagues to please welcome these members of the alliance into your offices so that they can express their mana‘o of how they feel about their agricultural situations and the legislations that we are considering today, and how it affects their future, their life, and ours. Thank you so much. Mahalo.”

The Chair having so ordered, the list of goals of the Hawaii Farmers and Ranchers Alliance is identified as “**ATTACHMENT A**” to the Journal of this day, and the Hawaii Cattlemen’s Council resolution is identified as “**ATTACHMENT B**” to the Journal of this day.

Senator Gabbard rose to make the following remarks:

“Madam President, I would like to request that the Senate adjourn on a rising vote and observe a moment of silence in honor and memory of Chief Warrant Officer 2 Edward Balli. He died last week on January 20 in Kandahar Province in southern Afghanistan from small-arms fire when he was attacked by insurgents. He was raised in Salinas, California, but called Kapolei home. He was described as an outstanding leader with a kind heart and smile who aimed to please those that he worked with. Our heartfelt condolences and prayers go out to his family and friends. Mahalo.” (The Chair so ordered.)

Senator Hee rose to speak on a point of personal privilege as follows:

“Thank you, Madam President; it’s also an announcement. Tomorrow, your Committee on Judiciary and Labor will be holding a hearing at 9:30 in Conference Room 016 on Senate Bill 2609, which is the minimum wage. Normally, I wouldn’t have made that announcement because it’s distributed to everyone, but for the fact that last night a local boy gave some remarks to the country. So, I want to read some of his remarks as it relates to Senate Bill 2609. The local boy said:

Today, women make up about half of our workforce, but they still make 77 cents for every dollar a man earns. That is wrong, and in 2014, it is an embarrassment. A woman deserves equal pay for equal work.

Today, women hold a majority of lower-wage jobs, but they’re not the only ones stifled by stagnant wages. Americans understand that some people will earn more than others, and we don’t resent those who, by virtue of their efforts, achieve incredible success. But Americans overwhelmingly agree that no one who works full-time should ever have to raise a family in poverty.

In the year since I asked this Congress to raise the minimum wage, five states have passed laws to raise theirs. In the coming weeks, I will issue an executive order requiring federal contractors to pay their federally funded employees a fair wage of at least \$10.10 an hour, because if you cook our troops’ meals or wash their dishes, you shouldn’t have to live in poverty.

Of course, to reach millions more, Congress needs to get on board. Today, the federal minimum wage is worth about 20 percent less than it was when Ronald Reagan first stood here. Tom Harkin and George Miller have a bill to fix that by lifting the minimum wage to \$10.10. This will help families. It will give businesses customers with more money to spend. It doesn’t involve any new bureaucratic program. So join the rest of the country. Say ‘yes.’ Give America a raise.

“Senate Bill 2609, which we will hear tomorrow at 9:30, coincidentally proposes to raise the minimum wage to – you guessed it – \$10.10. Thank you, Madam President.”

ADJOURNMENT

At 12:00 p.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, January 30, 2014, on a rising vote, observing a moment of silence for U.S. Army Chief Warrant Officer 2 Edward Balli.

ATTACHMENT A**HAWAII FARMERS AND RANCHERS ALLIANCE****Who we are**

We are Hawaii's farmers & ranchers and floral & nursery growers who collectively produce more than 80% of the agricultural products, including food, grown in Hawaii. Additionally we are supported by community groups, agricultural support groups and key individuals and individual farmers and ranchers, large and small.

Goal

Ensure the viability and sustainability of Hawaii's farming community for all the benefits Agriculture brings, including increased local food availability and the achievement of Hawaii's Food Security goals.

Mission Statement

The Hawaii Farmers and Ranchers Alliance will support public policies that are inclusive of all types of agricultural production so as to ensure the viability and sustainability of all forms of agricultural enterprises consistent with Federal and State Laws and Regulations and Generally Accepted Agricultural Practices.

Vision

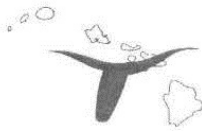
The Hawaii Farmers and Ranchers Alliance recognizes and affirms that a vibrant and sustainable agricultural sector is of supreme benefit to current and future generations of Hawaii Residents and supports policies that promote commercial agricultural operations as a valued economic sector in Hawaii.

- We support public policies that are inclusive of all types of agricultural production so as to ensure the viability and sustainability of all forms of agricultural enterprises consistent with Federal and State Laws and Regulations and Generally Accepted Agricultural Practices;
- We support uniform and consistent, national and statewide public policies that encourage investment in infrastructure and the continued viability of agriculture in the State so as to provide Hawaii producers the capacity to compete globally;
- We pledge a policy of indivisibility and commit to working with all Hawaii producers, residents, elected public officials, and regulatory bodies to promote and foster a vibrant and sustainable Hawaii agriculture in an atmosphere of positive coexistence, for the benefit of current and future generations;
- We are committed to products with transparency, identity and local flavor;
- We understand there is strength in the differences between us, yet our agricultural community can only exist with positive communication and common understanding;
- We are proud to support Hawaii's rich agricultural heritage and honor the strong men, women and children who have endured many hardships to create and perpetuate our agricultural culture;
- We are proud that our Farmers and Ranchers are the Stewards of Hawaii's Environment ~ many of our family farms & ranches have received stewardship awards for their efforts.

Farming & Ranching is not what we do ~ It's Who We Are

Please visit us on-line: <http://4agohawaii.org/HawaiiFarmersRanchersAlliance.html>

Jan 24 2014

ATTACHMENT B**Hawaii Cattlemen's Council, Inc.**

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Hawaii Cattlemen's Council Freedom To Farm Resolution

SEPTEMBER 26, 2013

WHEREAS Hawaii's Food Security is arguably the most fragile in the nation and Hawaii is especially vulnerable, due to the importation of nearly 90 percent of the food consumed in the State and has an estimated 7-day food supply in the event of any interruption of shipping;

WHEREAS a sustainable and affordable food supply is essential to the health and well being of Hawaii residents;

WHEREAS it is in the best interest of current and future generations of Hawaii Residents to conserve Hawaii's precious and unique natural resources, especially land and water;

WHEREAS Hawaii's Farmers and Ranchers serve as resource managers, helping to conserve these precious natural resources, while providing food and other products for Hawaii's people;

WHEREAS current State Policy in the form of Article XI of the Hawaii State Constitution and the Right to Farm statute contained in Chapter 165 of Hawaii Revised Statutes provides a solid foundation upon which to ensure and sustain a vibrant Agricultural Sector in Hawaii;

NOW THEREFORE BE IT RESOLVED that the Hawaii Cattlemen's Council recognizes and affirms that a vibrant and sustainable agricultural sector is of supreme benefit to current and future generations of Hawaii Residents and supports policies that promote commercial agricultural operations as a valued economic sector in Hawaii;

BE IT FURTHER RESOLVED that the Hawaii Cattlemen's Council supports public policies that are inclusive of all types of agricultural production so as to ensure the viability and sustainability of all forms of agricultural enterprises consistent with Federal and State Laws and Regulations and Generally Accepted Agricultural Practices.

BE IT FURTHER RESOLVED that the Hawaii Cattlemen's Council supports uniform and consistent, national and statewide public policies that encourage investment in infrastructure and the continued viability of agriculture in the State so as to provide Hawaii producers the capacity to compete globally;

FINALLY BE IT RESOLVED the Hawaii Cattlemen's Council pledges a policy of indivisibility and commits to working with all Hawaii producers, residents, elected public officials, and regulatory bodies to promote and foster a vibrant and sustainable Hawaii agriculture in an atmosphere of positive coexistence, for the benefit of current and future generations.

Adopted unanimously by HCC delegates in attendance at its meeting of September 26, 2013, Honolulu Hawaii.

UNIFIED AFFILIATE OF THE NATIONAL CATTLEMEN'S BEEF ASSOCIATION
 Hawaii Cattlemen's Association • Kauai Cattlemen's Association • Maui Cattlemen's Association
 Molokai Graziere's Association • Oahu Cattlemen's Association