

THE SENATE
OF THE
TWENTY-EIGHTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2015

FORTY-SIXTH DAY

APRIL 14, 2015-TUESDAY

SUPPLEMENT NO. 1

ORDER OF BUSINESS

1. Messages from the Governor Nos. 862-868

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 862	Letter dated April 10, 2015, correcting the seat position on GM601.	FILE
G.M. No. 863	Informing the Senate that on April 10, 2015, the Governor has withdrawn DAVID PETERS, Gubernatorial Nominee to the Board of Directors of the Hawai'i Health Systems Corporation, from consideration by the Senate (GM791).	FILE
G.M. No. 864	Informing the Senate that on April 10, 2015, the Governor has withdrawn MELISSA PAVLICEK, Gubernatorial Nominee to the Procurement Policy Nominating Committee, from consideration by the Senate (GM794).	FILE
G.M. No. 865	Informing the Senate that on April 10, 2015, the Governor has withdrawn DEXTER ARTIENDA, Gubernatorial Nominee to the Juvenile Justice State Advisory Council, from consideration by the Senate (GM795).	FILE

[G.M. No. 866](#) Informing the Senate that on April 10, 2015, the Governor has withdrawn NOA EMMETT ALULI, MD, Gubernatorial Nominee to the Kaho'olawe Island Reserve Commission, from consideration by the Senate (GM835). FILE

[G.M. No. 867](#) Informing the Senate that on April 9, 2015, the Governor has withdrawn LAURA CHOCK, Gubernatorial Nominee to the Board of Acupuncture, from consideration by the Senate (GM555). FILE

[G.M. No. 868](#) Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, JONATHAN SCHEUER, for a term to expire 6-30-2016. WTL

2. Departmental Communications: None
3. House Communication Nos. 436-467

Informing the Senate that on April 10, 2015, the House disagreed to the amendments proposed by the Senate to the following House bills:

REFERRAL

436 [H.B. No. 79, H.D. 1, S.D. 1](#) FILE
"RELATING TO NON-GENERAL FUNDS."(Non-General Funds; Reclassification; Repeal)

[H.B. No. 140, H.D. 1, S.D. 1](#)
"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY OF HONOLULU."(Special Purpose Revenue Bonds; Chaminade University of Honolulu)

[H.B. No. 171, H.D. 1, S.D. 1](#)

"MAKING AN APPROPRIATION TO THE HURRICANE RESERVE TRUST FUND."(Hurricane Reserve Trust Fund; Appropriation)

[H.B. No. 172, H.D. 1, S.D. 1](#)

"MAKING AN APPROPRIATION TO THE EMERGENCY AND BUDGET RESERVE FUND."(Emergency and Budget Reserve Fund; Deposit; Appropriation)

[H.B. No. 241, S.D. 1](#)

"RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU."(SPRB; Honolulu Seawater Air Conditioning LLC)

[H.B. No. 623, H.D. 2, S.D. 2](#)

"RELATING TO RENEWABLE STANDARDS."(Renewable Portfolio Standards; Clean Energy Initiative; Public Utilities Commission)

[H.B. No. 707, S.D. 1](#)

"RELATING TO NON-GENERAL FUNDS."(Non-General Funds; Repeal; Transfer of Balances)

[H.B. No. 715, H.D. 1, S.D. 2](#)

"RELATING TO LOW-SPEED ELECTRIC BICYCLES."(Low-speed Electric Bicycles; Bicycles)

[H.B. No. 1186, H.D. 2, S.D. 1](#)

"RELATING TO GENERAL OBLIGATION BONDS."(Public Finance; General Obligation Bonds)

[H.B. No. 1219, H.D. 1, S.D. 1](#)

"RELATING TO CONSUMER PROTECTION."(Commissioners of Deeds; Rules; Fees; Administrative Fines; Commissioner of Deeds Revolving Fund; Office of the Lieutenant Governor)

[H.B. No. 1273, H.D. 2, S.D. 2](#)

"RELATING TO RENEWABLE ENERGY."(Agricultural Land; Permissible Use; Hydroelectric Facilities)

[H.B. No. 1286, H.D. 2, S.D. 2](#)

"RELATING TO ENERGY."(Hawaii State Planning Act; Energy Facility Systems; Natural Gas)

[H.B. No. 1368, S.D. 1](#)

"RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION."(King Kamehameha Celebration Commission; Appropriation; Department of Accounting and General Services)

[H.B. No. 1497, H.D. 1, S.D. 2](#)

"RELATING TO LABOR."(Labor; Professional Employer Organizations; Employers; Records)

Returning the following Senate Bills which passed Third Reading in the House on April 10, 2015:

437

[S.B. No. 114, S.D. 1](#)

"RELATING TO DENTISTRY."(Dentistry; Dentists; Continuing Education; Ethics; Board of Dental Examiners)

FILE

438

[S.B. No. 729](#)

"RELATING TO ADVANCED PRACTICE REGISTERED NURSES."(Mental Health; Advanced Practice Registered Nurse; Emergency Hospitalization; Involuntary Treatment)

FILE

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| 439 | S.B. No. 1098, S.D. 1
"RELATING TO LIBRARIES."(Hawaii State
Public Library System; State Librarian) | FILE |
| 440 | S.B. No. 1106, S.D. 2
"RELATING TO THE MEDICAID MANAGED
CARE PROGRAM."(Medicaid Managed Care
Program) | FILE |
| 441 | S.B. No. 1118, S.D. 1
"MAKING AN EMERGENCY
APPROPRIATION TO THE DEPARTMENT
OF HEALTH FOR HAZARD EVALUATION
AND EMERGENCY RESPONSE
PREPAREDNESS."(Emergency Appropriation;
Hazard Evaluation and Emergency Response
Preparedness.) | FILE |
| 442 | S.B. No. 1141, S.D. 1
"RELATING TO
TRANSPORTATION."(Aeronautics; Department
of Transportation Rules; Dillingham Airfield) | FILE |
| | Returning the following Senate Bills which
passed Third Reading in the House on April 10,
2015, in an amended form: | |
| 443 | S.B. No. 139, S.D. 1, H.D. 1
"RELATING TO CIVIL SERVICE
EXEMPTIONS."(Civil Service; Exemptions) | AGREE/DISAGREE |
| 444 | S.B. No. 233, S.D. 1, H.D. 1
"RELATING TO MOTOR VEHICLE
REGISTRATION."(Motor Vehicle Registration;
County Directors of Finance; Used Motor
Vehicles) | AGREE/DISAGREE |
| 445 | S.B. No. 283, S.D. 1, H.D. 1
"RELATING TO THE HAWAII TOURISM
AUTHORITY."(Hawaii Tourism Authority;
Board of Directors; Qualifications; Term Limits) | AGREE/DISAGREE |

446	<u>S.B. No. 569, S.D. 1, H.D. 1</u> "RELATING TO THEFT."(Theft in the Second Degree; Value of Property or Services)	AGREE/DISAGREE
447	<u>S.B. No. 589, S.D. 2, H.D. 2</u> "RELATING TO INSURANCE."(Property Insurance; Hawaii Property Insurance Association; Policies; Non-renewal; Lava Zone; State of Emergency; Moratorium)	AGREE/DISAGREE
448	<u>S.B. No. 611, S.D. 1, H.D. 2</u> "RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE."(Operating a Vehicle; License; Ignition Interlock Permit)	AGREE/DISAGREE
449	<u>S.B. No. 841, S.D. 2, H.D. 2</u> "RELATING TO SCHOOL HEALTH."(Interagency Working Group; School Health Program)	AGREE/DISAGREE
450	<u>S.B. No. 971, S.D. 1, H.D. 1</u> "RELATING TO TAXATION."(General Excise Tax Exemptions for Certified or Approved Housing Projects)	AGREE/DISAGREE
451	<u>S.B. No. 974, S.D. 1, H.D. 1</u> "RELATING TO THE RENTAL HOUSING TRUST FUND."(Rental Housing Trust Fund; Mixed-use Rental Projects)	AGREE/DISAGREE
452	<u>S.B. No. 982, S.D. 1, H.D. 2</u> "RELATING TO MEDICAL AMNESTY."(Good Samaritan Policies; Medical Amnesty; Controlled Substances)	AGREE/DISAGREE
453	<u>S.B. No. 1062, S.D. 2, H.D. 1</u> "RELATING TO THE BIOSECURITY PROGRAM."(Biosecurity; Private-Public Partnerships; Appropriation)	AGREE/DISAGREE
454	<u>S.B. No. 1074, S.D. 1, H.D. 1</u> "RELATING TO STATE PLANNING."(State Planning Act; Office of Planning; Appropriation)	AGREE/DISAGREE

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| 455 | <u>S.B. No. 1076, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 456 | <u>S.B. No. 1077, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 457 | <u>S.B. No. 1078, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 458 | <u>S.B. No. 1079, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 459 | <u>S.B. No. 1080, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 460 | <u>S.B. No. 1081, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |
| 461 | <u>S.B. No. 1082, S.D. 1, H.D. 1</u>
"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items) | AGREE/DISAGREE |

462	<u>S.B. No. 1083, S.D. 1, H.D. 1</u> "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items)	AGREE/DISAGREE
463	<u>S.B. No. 1084, S.D. 1, H.D. 1</u> "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."(Appropriations for Collective Bargaining Cost Items)	AGREE/DISAGREE
464	<u>S.B. No. 1090, S.D. 2, H.D. 1</u> "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."(Employees' Retirement System; Payroll and Personnel Transactions)	AGREE/DISAGREE
465	<u>S.B. No. 1107, H.D. 2</u> "MAKING AN EMERGENCY APPROPRIATION FOR GENERAL ASSISTANCE."(General Support for General Assistance Payments (HMS 204); Emergency Appropriation)	AGREE/DISAGREE
466	<u>S.B. No. 1156, S.D. 1, H.D. 1</u> "RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."(Revision Bill)	AGREE/DISAGREE
467	<u>S.B. No. 1166, S.D. 2, H.D. 2</u> "RELATING TO THE PENAL CODE."(Abuse of a Corpse; Traditional Hawaiian Cultural Customs and Practices)	AGREE/DISAGREE

4. Senate Communications: None

5. Judiciary Communications: None
6. Standing Committee Report Nos. 1561-1563

<u>1561</u> (One Day Notice)	(WAM)	<u>S.R. No. 126, S.D. 1</u> "ENCOURAGING THE DEPARTMENT OF EDUCATION TO ESTABLISH A VOLUNTARY FARM TO SCHOOL PROGRAM." (Recommends Adoption)
<u>1562</u> (One Day Notice)	(AGL)	<u>G.M. No. 501</u> "Submitting for consideration and confirmation as the Chairperson of the Department of Agriculture, Gubernatorial Nominee, SCOTT ENRIGHT, for a term to expire 12-31-2018." (Recommends Senate Consent to Nomination)
<u>1563</u> (One Day Notice)	(AGL)	<u>G.M. No. 502</u> "Submitting for consideration and confirmation as the Deputy Chairperson of the Department of Agriculture, Gubernatorial Nominee, PHYLLIS SHIMABUKURO-GEISER, for a term to expire 12-3-2018." (Recommends Senate Consent to Nomination)

7. Referrals

REFERRALS FOR TUESDAY, APRIL 14, 2015

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
H.C.R. 7, H.D. 2	AUTHORIZING THE FORMATION OF A TASK FORCE TO STUDY THE ISSUE OF A CANCER PRESUMPTIVE STATUTE RELATING TO FIREFIGHTERS. (State Fire Council Package; Firefighters; Cancer; Task Force; Establishment)	HTH/PSM, JDL/WAM
H.C.R. 29	REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AFTER CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, TO DETERMINE THE COST OF PLACING AN OVERPASS OVER THE H-1 FREEWAY TO EXTEND BETWEEN NUUANU STREAM AND QUEEN EMMA STREET THAT WOULD REDUCE TRAFFIC NOISE POLLUTION AND BE USED AS A PARK OR OTHER COMMUNITY USE PURPOSE. (H-1 Bridge)	WAM
H.C.R. 42, H.D. 1	URGING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH THE COMMISSION FOR HAWAII'S FUTURE TO GUIDE AND PREPARE HAWAII FOR REDUCED MILITARY SPENDING. (Military Spending Cuts; Economic; Commission; Report)	EDT/PSM, WAM
H.C.R. 48, H.D. 1	REQUESTING THE AUDITOR TO CONDUCT AN ANALYSIS OF THE NEED FOR THE LICENSING AND REGULATION OF TRANSIENT VACATION RENTALS. (Sunrise Analysis; Transient Vacation Rentals; Auditor)	TSI/CPN, WAM

H.C.R. 55	REQUESTING THE UNITED STATES CONGRESS AND THE BARACK OBAMA FOUNDATION TO SUPPORT AND RECOMMEND HAWAII AS THE SITE FOR THE BARACK OBAMA PRESIDENTIAL LIBRARY AND CENTER. (Presidential Library; Hawaii site selection)	GVO, WAM
H.C.R. 59, H.D. 1	URGING THE HAWAII TOURISM AUTHORITY TO COORDINATE WITH THE HOSPITALITY INDUSTRY TO CREATE A MORE WELCOMING ENVIRONMENT FOR CHINESE VISITORS. (Hospitality Industry; Chinese Visitors; Hawaii Tourism Authority)	TSI, WAM
H.C.R. 66	REQUESTING AN EMPHASIS ON COLLABORATION, OPENNESS, AND STRENGTHENING OF THE LONG TERM RELATIONSHIP BETWEEN THE STATE AND UNITED STATES NAVY IN ADDRESSING AND RESOLVING ISSUES RELATING TO THE LEAKAGE OF FUEL FROM THE NAVY'S RED HILL UNDERGROUND FUEL STORAGE FACILITY. (Red Hill Fuel Storage Leak; U.S. Navy; Collaborative Resolution)	ENE/HTH/PSM
H.C.R. 76	REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII INVASIVE SPECIES COUNCIL. (Financial and Management Audit, Hawaii Invasive Species Council)	WTL, WAM

[H.C.R. 86, H.D. 1](#)

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER DEVELOPING PERMITTING PROVISIONS TO REQUIRE THAT EMPLOYEES OF WATERSPORT EXCURSION COMPANIES WHO TAKE CUSTOMERS ON WATERSPORT EXCURSIONS ARE TRAINED IN BASIC SAFETY MEASURES.

(Watersport Excursion Companies; Safety Training)

WTL/EDT

[H.C.R. 112](#)

ENCOURAGING THE CITY AND COUNTY OF HONOLULU TO EXPAND THE NUMBER OF REFUSE CONVENIENCE CENTERS AND TRANSFER STATIONS ACCEPTING BULKY ITEMS.

(Refuse bulky item pick-up and convenience centers.)

ENE/PSM

[H.C.R. 126](#)

REQUESTING THE DIRECTOR OF HEALTH TO EXTEND THE TASK FORCE STUDYING THE EFFECTS OF THE JANUARY 2014 FUEL TANK LEAK AT THE RED HILL UNDERGROUND FUEL STORAGE FACILITY.

(Department of Health; Task Force; Red Hill; Fuel Leak)

ENE/HTH/PSM

[H.C.R. 130](#)

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH ROYAL HAWAIIAN GOLF CLUB TO DEVELOP A PLAN FOR THE MANAGEMENT AND MAINTENANCE OF OLD GOVERNMENT ROAD.

(Old Government Road; Royal Hawaiian Golf Club; Maunawili)

WTL/TRA

[H.C.R. 149, H.D. 1](#)

REQUESTING THE DEPARTMENT OF HEALTH TO REVISE ITS ADMINISTRATIVE RULES AND POLICIES TO FACILITATE AND ENCOURAGE TRADITIONAL HAWAIIAN BURIALS.
(Traditional Hawaiian Burials; Department of Health; Rules and Regulations)

HWN, JDL

[H.C.R. 154](#)

REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES A PROPERTY TAX REDUCTION, TAX CREDIT, OR ALTERNATE METHOD OF COMPENSATION OR REIMBURSEMENT.
(Requesting the City and County of Honolulu to provide a property tax reduction, or tax credit, or some other method of compensation to county real property taxpayers who pay for their own trash collection services.)

PSM, WAM

[H.C.R. 167, H.D. 1](#)

REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A MENTAL HEALTH WORKFORCE ASSESSMENT OF MENTAL HEALTH PROFESSIONALS AND MENTAL HEALTH FACILITIES TO IDENTIFY SHORTAGES AND AID IN PROPOSING SOLUTIONS TO ADDRESS THOSE SHORTAGES.
(Mental Health Workforce Assessment)

HTH, WAM

[H.C.R. 193, H.D. 1](#)

URGING THE CITY AND COUNTY OF HONOLULU TO INCREASE PEDESTRIAN SAFETY IN THE AREA SURROUNDING HONOWAI ELEMENTARY SCHOOL, MAUKA LANI ELEMENTARY SCHOOL, AND KALEŌPUʻU ELEMENTARY SCHOOL IN DISTRICT 39.
(Honowai Elementary School; Pedestrian Safety)

TRA

[H.C.R. 205](#)

REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY AND FAIRLY AND EQUALLY ENFORCE APPLICABLE LAWS AND REGULATIONS FOR ALL COMPANIES.
(Department of Health; Solid Waste Recycling Industry)

ENE/HTH, JDL

[H.C.R. 212](#)

REQUESTING FEDERAL AND STATE AGENCIES TO CONSULT WITH HAWAII SMALL SCALE FARMERS, HAWAII SMALL SCALE PRODUCERS, AND AFFECTED PARTIES ON THE OFFSETTING OF COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE FOOD SAFETY MODERNIZATION ACT.
(FDA; Food Safety Modernization Act; Hawaii Small Scale Farmers)

AGL/HWN, WAM

[H.C.R. 217, H.D. 1](#)

REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO EXAMINE ESTABLISHING HAWAIIAN LANGUAGE RESOURCES FOR THE STATE OF HAWAII JUDICIARY.
(Judiciary Website; Hawaiian Language Translation)

HWN/JDL

[H.C.R. 226](#)

REQUESTING THE AUDITOR TO EVALUATE THE IMPACTS THAT THE NEXTERA ENERGY MERGER MAY HAVE ON HAWAII WORKERS IN THE ENERGY INDUSTRIES.
(Auditor; Renewable Portfolio Standards)

JDL/CPN, WAM