

‘Aha Kenekoa ‘Aha‘ōlelo Iwakāluakumamāwalu
THE SENATE
OF THE
TWENTY-EIGHTH LEGISLATURE
Moku‘āina ‘O Hawai‘i
STATE OF HAWAII
‘Ākoakoa Kūmau MH 2015
REGULAR SESSION OF 2015

Lā Kanalimakumamāhā
FIFTY-FOURTH DAY

27 ‘Apelila 2015 - Po‘akahi - Hola 11:30 A.M.
APRIL 27, 2015-MONDAY-11:30 O'CLOCK A.M.

Papahana O Ka Lā
ORDER OF BUSINESS

Kāhea Papainoa
ROLL CALL

‘Āpono Mo‘olelo O Ka Puke Hālāwai
APPROVAL OF THE JOURNAL

Ho‘olauna Mea Kipa
INTRODUCTIONS

Ho‘oka‘a‘ike Mai Ke Kia‘āina
MESSAGES FROM THE GOVERNOR: None

Ho‘oka‘a‘ike Mai Nā ‘Oihana
DEPARTMENTAL COMMUNICATION Nos. 84-86

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 84	From the Office of the Auditor, dated April 13, 2015, transmitting the 'Financial and Program Audit of the Deposit Beverage Container Program, June 30, 2014,' Report Number 15-02, pursuant to Section 23-9, HRS.	FILE

[D.C. No. 85](#) From the Office of the Auditor, dated April 14, 2015, transmitting the 2014 Annual Report pursuant to Section 23-9, HRS. FILE

[D.C. No. 86](#) From the Office of the Auditor, dated April 17, 2015, transmitting the Fiscal Year 2014 Financial Statement Audit Reports for the Department of the Attorney General, the Department of Transportation - Highways Division, and the O`ahu Metropolitan Planning Organization, pursuant to Article VII, Section 10, Hawaii State Constitution, and as authorized by Chapter 23, HRS. FILE

Ho`oka`a`ike No Ka Hale
HOUSE COMMUNICATION Nos. 633-636

Informing the Senate that on April 24, 2015, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills: REFERRAL

633 [H.B. No. 354, H.D. 2, S.D. 1](#) FILE
"RELATING TO NURSES."(Practical Nurses; Registered Nurses; Licensure; Continuing Competency Requirements; Learning Activities)

634 [H.B. No. 525, H.D. 2, S.D. 2](#) FILE
"RELATING TO STATE PARKS."(State Park System; Smoking or Use of Tobacco Products Prohibited)

Informing the Senate that on April 24, 2015, the House appointed Conferees to the following bill:

635 [H.B. No. 770, H.D. 1, S.D. 1](#) FILE
"RELATING TO INTOXICATING LIQUOR."(Liquor Licenses; Restaurant; Retail Dealer; Brewpub; Small Craft Producer Pub)

Informing the Senate that on April 24, 2015, the House made changes to conferee assignments to the following bills:

636

[H.B. No. 775, H.D. 1, S.D. 1](#)

FILE

"RELATING TO EDUCATION."(International Marketing and Recruitment; Higher Education; Appropriation)

[S.B. No. 654, S.D. 1, H.D. 2](#)

"RELATING TO CAMPAIGNS."(Anonymous Contributions; Exemption; Campaign Finance)

[S.B. No. 768, S.D. 1, H.D. 1](#)

"RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE."(In Vitro Fertilization Procedure Coverage; Infertility Disability)

Ho‘oka‘a‘ike No Ka ‘Aha Kenekoa
SENATE COMMUNICATIONS: None

Ho‘oka‘a‘ike Mai Ka ‘Ao‘ao Ho‘okolokolo
JUDICIARY COMMUNICATIONS: None

Palapala Hō‘ike Na Nā Kōmike Kūkā
CONFERENCE COMMITTEE REPORT No. 1

[1](#)
(48 Hrs. Notice)

[H.B. No. 952, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW."

(Recommends passage on FINAL READING as amended C.D. 1)

Palapala Hō'ike Na Nā Kōmike Kūmau
STANDING COMMITTEE REPORT Nos. 1693-1703

- | | | |
|----------------------|-----------|--|
| 1693 | (PSM/WAM) | H.C.R. No. 178, H.D. 1, S.D. 1
"URGING THE GOVERNOR TO DEVELOP A MODERNIZED OAHU COMMUNITY CORRECTIONAL CENTER IN THE VICINITY OF THE HALAWA CORRECTIONAL FACILITY THROUGH A PUBLIC-PRIVATE PARTNERSHIP."
(AMENDED TITLE)
(Recommends Adoption) |
| 1694 | (WAM) | H.C.R. No. 185, S.D. 1
"AUTHORIZING THE ISSUANCE OF FOUR TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT STABLE ROAD BEACH, STABLE ROAD, SPRECKELSVILLE, WAILUKU, MAUI, FOR THE USE, MAINTENANCE, AND REPAIR OF FOUR EXISTING ROCK GROINS."
(AMENDED TITLE)
(Recommends Adoption) |
| 1695 | (WAM) | H.C.R. No. 78, S.D. 1
"REQUESTING THE GOVERNOR AND DEPARTMENT OF TRANSPORTATION TO INCLUDE IN THE 2017-2018 SUPPLEMENTAL CAPITAL IMPROVEMENT PROGRAM REQUEST IMPROVEMENTS TO CRUISE SHIP PASSENGER TERMINALS AT NAWILIWILI HARBOR IN KAUAI, HONOLULU HARBOR IN OAHU, KAHULUI HARBOR IN MAUI, AND HILO HARBOR IN HAWAII."
(Recommends Adoption) |

[1696](#)

(WAM)

[H.C.R. No. 73, S.D. 1](#)

"AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI FOR SEAWALL ENCROACHMENT PURPOSES AND AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO USE, MAINTAIN, REPAIR, AND REPLACE AN EXISTING SEAWALL OVER, UNDER, AND ACROSS STATE-OWNED LAND IN LAHAINA, MAUI."
(AMENDED TITLE)
(Recommends Adoption)

[1697](#)

(One Day Notice)

(WAM)

[H.C.R. No. 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."
(Recommends Adoption)

[1698](#)

(One Day Notice)

(WAM)

[H.C.R. No. 182](#)

"REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A TRAFFIC STUDY AND MAKE RECOMMENDATIONS TO ALLEVIATE TRAFFIC CONGESTION ON KAHEKILI HIGHWAY FROM THE LIKELIKE HIGHWAY INTERSECTION TO KAMEHAMEHA HIGHWAY."
(Recommends Adoption)

[1699](#)
(One Day Notice)

(WAM)

[H.C.R. No. 34, H.D. 1](#)

"AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING SEAWALL AND STEPS."

(Recommends Adoption)

[1700](#)
(One Day Notice)

(WAM)

[H.C.R. No. 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."

(Recommends Adoption)

[1701](#)
(One Day Notice)

(AGL)

[G.M. No. 718](#)

"Submitting for consideration and confirmation to the Board of Agriculture, gubernatorial nominee, SIMON RUSSELL, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1702](#)
(One Day Notice)

(AGL)

[G.M. No. 719](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, DENISE ALBANO, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1702](#)
(One Day Notice)

(AGL)

[G.M. No. 720](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, LLOYD HARAGUCHI, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1702](#)
(One Day Notice)

(AGL)

[G.M. No. 721](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, LLOYD HARAGUCHI, for a term to expire 6-30-2019."

(Recommends Senate Consent to Nomination)

[1702](#)
(One Day Notice)

(AGL)

[G.M. No. 722](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, MARGARITA HOPKINS, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1702](#) (AGL)
(One Day Notice)

[G.M. No. 723](#)
"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, YUKIO KITAGAWA, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1703](#) (JDL)
(One Day Notice)

[G.M. No. 844](#)
"Submitting for consideration and confirmation as the Director of the Department of Labor and Industrial Relations, Gubernatorial Nominee, LINDA CHU TAKAYAMA, for a term to expire 12-3-2018."

(Recommends Senate Consent to Nomination)

Papahana O Ka Lā
ORDER OF THE DAY

A‘oa‘o A ‘Ae
ADVISE AND CONSENT

[1678](#) CPN
[Status & Testimony](#)

[G.M. No. 621](#)
"Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, GEORGE DAVIS, for a term to expire 6-30-2019."

1678	CPN	G.M. No. 622
Status & Testimony		"Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, PAULA BEHNKEN, for a term to expire 6-30-2018."
1679	CPN	G.M. No. 624
Status & Testimony		"Submitting for consideration and confirmation to the Board of Veterinary Examiners, Gubernatorial Nominee, JENEE ODANI, for a term to expire 6-30-2019."
1680	CPN	G.M. No. 625
Status & Testimony		"Submitting for consideration and confirmation to the Cable Advisory Board, Gubernatorial Nominee, TIMOTHY O. BRYAN, for a term to expire 6-30-2019. (Cable Advisory Board amended to Cable Advisory Committee by GM756.)"
1681	CPN	G.M. No. 626
Status & Testimony		"Submitting for consideration and confirmation to the State Boxing Commission of Hawaii, Gubernatorial Nominee, NANTE MANANGAN, for a term to expire 6-30-2019 (as amended by GM874)."
1682	CPN	G.M. No. 728
Status & Testimony		"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, MATTHEW BRADY, for a term to expire 6-30-2019."
1682	CPN	G.M. No. 729
Status & Testimony		"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, PHILLIP LUCERO, for a term to expire 6-30-2015."

<u>1682</u>	CPN	<u>G.M. No. 730</u> "Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, PHILLIP LUCERO, for a term to expire 6-30-2018."
<u>Status & Testimony</u>		
<u>1682</u>	CPN	<u>G.M. No. 731</u> "Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, VERNON TA'A, for a term to expire 6-30-2019."
<u>Status & Testimony</u>		
<u>1683</u>	CPN	<u>G.M. No. 732</u> "Submitting for consideration and confirmation to the Board of Examiners in Optometry, Gubernatorial Nominee, GAYLE C. CHANG, for a term to expire 6-30-2019."
<u>Status & Testimony</u>		
<u>1683</u>	CPN	<u>G.M. No. 733</u> "Submitting for consideration and confirmation to the Board of Examiners in Optometry, Gubernatorial Nominee, DR. GEFREY E. REYNOLDS, for a term to expire 6-30-2019. (Nominee's name amended to DR. GEOFFREY E. REYNOLDS by GM755.)"
<u>Status & Testimony</u>		
<u>1683</u>	CPN	<u>G.M. No. 734</u> "Submitting for consideration and confirmation to the Board of Examiners in Optometry, Gubernatorial Nominee, DR. JERE H. E. LOO, for a term to expire 6-30-2019."
<u>Status & Testimony</u>		

1683	CPN	G.M. No. 735 "Submitting for consideration and confirmation to the Board of Examiners in Optometry, Gubernatorial Nominee, DR. SEULYN K.L. AU, for a term to expire 6-30-2019."
Status & Testimony		
1684	CPN	G.M. No. 736 "Submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, Gubernatorial Nominee, LAWRENCE MORINAGA, for a term to expire 6-30-2019."
Status & Testimony		
1685	CPN	G.M. No. 739 "Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, ROBERT FIGAROA, JR., for a term to expire 6-30-2018."
Status & Testimony		
1686	CPN	G.M. No. 773 "Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, ANDREW GARRETT, for a term to expire 6-30-2019."
Status & Testimony		
1686	CPN	G.M. No. 774 "Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, CALVIN L. HUTTON, for a term to expire 6-30-2015."
Status & Testimony		

1686	CPN	G.M. No. 775 "Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, CALVIN L. HUTTON, for a term to expire 6-30-2019."
Status & Testimony		
1686	CPN	G.M. No. 777 "Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, JOANNE H. KEALOHA, for a term to expire 6-30-2018."
Status & Testimony		
1686	CPN	G.M. No. 778 "Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, RICHARD KEENE, for a term to expire 6-30-2018."
Status & Testimony		
1687	CPN	G.M. No. 779 "Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, CAROLYN MA, for a term to expire 6-30-2019."
Status & Testimony		
1688	CPN	G.M. No. 781 "Submitting for consideration and confirmation to the Hawai'i Medical Board, Gubernatorial Nominee, PETER HOLT, MD, for a term to expire 6-30-2018."
Status & Testimony		
1689	CPN	G.M. No. 830 "Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, KATHARYN DAUB, for a term to expire 6-30-2017."
Status & Testimony		

[1690](#)

CPN

[Status & Testimony](#)

[G.M. No. 875](#)

"Submitting for consideration and confirmation to the Board of Naturopathic Medicine, Gubernatorial Nominee, DR. KATHRYN TAKETA-WONG for a term to expire 06-30-2018."

‘Ōlelo Ho‘oholo E Koho Pāloka ‘Ia
ADOPT RESOLUTIONS

[1677](#)

ENE/HTH/PSM

[Prior Versions/Status &
Testimony](#)

[H.C.R. No. 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."

[Prior Versions/Status &
Testimony](#)

[H.C.R. No. 141, H.D. 1, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO IMPROVE PUBLIC BEACH ACCESS FOR PERSONS WITH DISABILITIES IN HAWAII."

(Beach Access; Reasonable Accommodation;
Disabled Persons)

Heluhelu Hope Loa
FINAL READING

[S.B. No. 143, S.D. 1, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO CHANGE THE THRESHOLD VALUE IN CONTROVERSY REQUIREMENT FOR JURY TRIALS IN CIVIL CASES AT COMMON LAW FROM \$5,000 TO \$10,000."

(Constitutional Amendment; Suits at Common Law; Jury Trial; Value in Controversy)

[S.B. No. 148, S.D. 1, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"RELATING TO NUISANCE ABATEMENT."

(Offenses Against Public Health and Morals; Nuisance Abatement; Gambling)

[S.B. No. 1208, S.D. 1, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

(Employees' Retirement System; Trustees; Investments; Public Meetings; Closed Meetings)

Ho'ouna Kōmike Ho'olohe A Ho'ouna Hou Paha
REFERRALS AND RE-REFERRALS

Ho'oka'a'ike 'Ē A'e
MISCELLANEOUS COMMUNICATIONS: None

Hana 'Ē A'e
MISCELLANEOUS BUSINESS

- Waiver of Referral; One Day Notice for Adoption of Resolution

H.C.R. No. 138, H.D. 1	EDU, JDL	"URGING THE DEPARTMENT OF EDUCATION TO EXAMINE ALL POSSIBILITIES TO ENABLE STUDENT ATHLETIC TEAMS TO RUN AND TRAIN OFF CAMPUS."(Department of Education; Athletics)
H.C.R. No. 205	ENE/HTH, JDL	"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)

- Reconsideration of Disagreement to House Amendments; Motion to Agree; One Day Notice for Final Reading

S.B. No. 550, S.D. 1, H.D. 2	HTH/PSM, JDL	"RELATING TO HEALTH."(Powdered Alcohol; Prohibition)
S.B. No. 982, S.D. 1, H.D. 2	HTH/PSM, JDL	"RELATING TO MEDICAL AMNESTY."(Good Samaritan Policies; Medical Amnesty; Controlled Substances)

Ho‘olaha
ANNOUNCEMENTS

Papamanawa Ho‘olohe Palapala

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/27/2015 1:00 PM	329
CONF	4/27/2015 1:15 PM	329
CONF	4/27/2015 1:30 PM	309
CONF	4/27/2015 1:30 PM	312
CONF	4/27/2015 1:45 PM	309
CONF	4/27/2015 2:00 PM	423
CONF	4/27/2015 2:05 PM	423
CONF	4/27/2015 2:30 PM	229
CONF	4/27/2015 2:30 PM	309
CONF	4/27/2015 3:00 PM	016
CONF	4/27/2015 3:00 PM	225
CONF	4/27/2015 3:00 PM	309
CONF	4/27/2015 3:05 PM	309
CONF	4/27/2015 3:30 PM	016
CONF	4/27/2015 4:00 PM	325
CONF	4/27/2015 4:15 PM	309
CONF	4/28/2015 8:30 AM	229
CONF	4/28/2015 9:00 AM	229
CONF	4/28/2015 9:30 AM	016
CONF	4/28/2015 9:45 AM	016
CONF	4/28/2015 10:00 AM	312
CONF	4/28/2015 10:00 AM	016
CONF	4/28/2015 10:00 AM	229
CONF	4/28/2015 10:00 AM	423
CONF	4/28/2015 10:05 AM	229
CONF	4/28/2015 10:15 AM	325
CONF	4/28/2015 10:30 AM	309
CONF	4/28/2015 10:30 AM	229
CONF	4/28/2015 1:00 PM	423
CONF	4/28/2015 1:00 PM	329
CONF	4/28/2015 1:00 PM	224
CONF	4/28/2015 1:00 PM	423

CONF	4/28/2015 1:30 PM	312
CONF	4/28/2015 1:30 PM	224
CONF	4/28/2015 1:45 PM	329
CONF	4/28/2015 2:00 PM	309
CONF	4/28/2015 2:00 PM	224
CONF	4/28/2015 2:00 PM	325
CONF	4/28/2015 2:00 PM	329
CONF	4/28/2015 2:05 PM	329
CONF	4/28/2015 2:15 PM	325
CONF	4/28/2015 3:30 PM	229
CONF	4/28/2015 3:30 PM	224
CONF	4/28/2015 4:00 PM	309
CONF	4/29/2015 9:30 AM	016
CONF	4/29/2015 10:00 AM	325
CONF	4/29/2015 10:15 AM	325
CONF	4/29/2015 10:30 AM	325
CONF	4/29/2015 3:30 PM	224
CONF	4/29/2015 3:40 PM	224
CONF	4/29/2015 3:50 PM	224
CONF	4/29/2015 4:00 PM	325
CONF	4/29/2015 4:05 PM	325
CONF	4/29/2015 4:10 PM	325
CONF	4/30/2015 8:30 AM	229
CONF	4/30/2015 8:45 AM	229
CONF	4/30/2015 10:00 AM	325
CONF	4/30/2015 10:30 AM	325
CONF	4/30/2015 1:00 PM	423
CONF	4/30/2015 2:00 PM	325

- Senate Session will convene at 11:30 a.m. on Tuesday, April 28, 2015.

Ke Pani ‘Ana
ADJOURNMENT