

‘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 Kanalimakumamālima
FIFTY-FIFTH DAY

28 ‘Apelila 2015 - Po‘alua - Hola 11:30 A.M.
APRIL 28, 2015-TUESDAY-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 Nos. 232-234

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 232	Letter dated April 23, 2015, transmitting a proposed conference draft (C.D. 1) amending S.B. No. 1080, S.D. 1, H.D. 1, to fund the settlements concerning Collective Bargaining Unit 5.	FILE

[G.M. No. 233](#) Letter dated April 24, 2015, transmitting a proposed conference draft (C.D. 1) amending S.B. No. 1081, S.D. 1, H.D. 1, to fund the settlements concerning Collective Bargaining Unit 10 and United Public Workers Bargaining Unit 1. FILE

[G.M. No. 234](#) Letter dated April 24, 2015, transmitting a proposed conference draft (C.D. 1) amending S.B. No. 1082, S.D. 1, H.D. 1, to fund the settlement concerning Collective Bargaining Unit 11. FILE

Ho‘oka‘a‘ike Mai Nā ‘Oihana
DEPARTMENTAL COMMUNICATIONS: None

Ho‘oka‘a‘ike No Ka Hale
HOUSE COMMUNICATION Nos. 637-643

Informing the Senate that on April 27, 2015, the House reconsidered its action taken on April 20, 2015 and appointed Conferees to the following House Bill: REFERRAL

637 [H.B. No. 1075, H.D. 2, S.D. 2](#) FILE
"RELATING TO HEALTH."(Maui Regional System Facilities; Public-private Collaboration; Transition to New Private Nonprofit Corporation)

Informing the Senate that on April 27, 2015, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

638 [H.B. No. 268, H.D. 2, S.D. 1](#) FILE
"RELATING TO DENTISTRY."(Dentistry; Board of Dental Examiners; Summary Suspension of License)

- 639 [H.B. No. 1007, H.D. 1, S.D. 2](#) FILE
"RELATING TO MOTOR VEHICLE DRIVER LICENSING."(Drivers Safety Act; Motor Vehicle Licensing; Proof of Residency; Proof of Identity; REAL ID Act of 2005)

Informing the Senate that on April 27, 2015, the House discharged all conferees on the following bill:
- 640 [H.B. No. 393, H.D. 2, S.D. 2](#) FILE
"RELATING TO HAWAIIAN FISHPONDS."(Loko i‘a; Hawaiian Fishponds; Waiver; Water Quality Certification)

Informing the Senate that on April 27, 2015, the House appointed Conferees to the following bills:
- 641 [S.B. No. 717, S.D. 2, H.D. 1](#) FILE
"RELATING TO ETHANOL."(Ethanol; Motor Vehicles; Gasoline; Study)

[S.B. No. 756, S.D. 1, H.D. 2](#)
"RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT."(Secure and Fair Enforcement for Mortgage Licensing Act; Seller Exemption)

Returning the following Senate Concurrent Resolutions which were adopted by the House on April 27, 2015, in an amended form:

- | | | |
|-----|--|----------------|
| 642 | <u>S.C.R. No. 57, S.D. 1, H.D. 1</u>
"EXPANDING THE TASK FORCE STUDY OF THE EFFECTS OF THE JANUARY 2014 FUEL TANK LEAK AT THE RED HILL UNDERGROUND FUEL STORAGE FACILITY, ESTABLISHED UNDER SENATE CONCURRENT RESOLUTION NO. 73, H.D. 1, REGULAR SESSION OF 2014, TO INCLUDE AN ADDITIONAL TWENTY-SIX UNDERGROUND FUEL STORAGE TANKS IN THE STATE OWNED BY THE UNITED STATES MILITARY."(DOH; Task Force; Red Hill; Fuel Leak; Report) | AGREE/DISAGREE |
| 643 | <u>S.C.R. No. 107, S.D. 1, H.D. 1</u>
"REQUESTING THE CONVENING OF A LEGISLATIVE FAMILY CAREGIVERS WORKING GROUP TO EXAMINE AND ASSESS ISSUES RELATING TO THE ROLE OF CAREGIVERS OF PATIENTS DISCHARGED FROM HOSPITALS."(Family Caregivers Working Group) | AGREE/DISAGREE |

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 Kūmau
STANDING COMMITTEE REPORT Nos. 1704-1709

[1704](#) (WTL)
(One Day Notice)

[G.M. No. 820](#)
"Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, WILLIAM BALFOUR, JR., for a term to expire 6-30-2019."

(Recommends Senate Consent to Nomination)

[1705](#) (HEA)
(One Day Notice)

[G.M. No. 634](#)
"Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, ELIZABETH HOBAN, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1705](#) (HEA)
(One Day Notice)

[G.M. No. 635](#)
"Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, SUSAN LEE, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1706](#)
(One Day Notice)

(HEA)

[G.M. No. 762](#)

"Submitting for consideration and confirmation to the State Foundation on Culture and the Arts, Gubernatorial Nominee, DEAN SAKAMOTO, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1706](#)
(One Day Notice)

(HEA)

[G.M. No. 763](#)

"Submitting for consideration and confirmation to the State Foundation on Culture and the Arts, Gubernatorial Nominee, JANE CLEMENT, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1706](#)
(One Day Notice)

(HEA)

[G.M. No. 764](#)

"Submitting for consideration and confirmation to the State Foundation on Culture and the Arts, Gubernatorial Nominee, KAREN POLIVKA, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1706](#)
(One Day Notice)

(HEA)

[G.M. No. 765](#)

"Submitting for consideration and confirmation to the State Foundation on Culture and the Arts, Gubernatorial Nominee, NOELLE KAHANU, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1706](#) (HEA)
(One Day Notice)

[G.M. No. 766](#)
"Submitting for consideration and confirmation to the State Foundation on Culture and the Arts, Gubernatorial Nominee, PATRICIA HAMAMOTO, for a term to expire 6-30-2019."

(Recommends Senate Consent to Nomination)

[1707](#) (HEA)
(One Day Notice)

[G.M. No. 809](#)
"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, KAI DUPONTE, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[1707](#) (HEA)
(One Day Notice)

[G.M. No. 810](#)
"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, RONALDO MATA, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1708](#) (HEA)
(One Day Notice)

[G.M. No. 811](#)
"Submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, Gubernatorial Nominee, MATT MCDERMOTT, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1708](#)
(One Day Notice)

(HEA)

[G.M. No. 812](#)

"Submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, Gubernatorial Nominee, ZACHARY I. BANTOLINA, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 876](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, GEORGE MASSENGALE for a term to expire 06-30-2016."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 877](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, GWEN KELIIHOOMALU for a term to expire 06-30-2017."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 878](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, MARK TRAVALINO for a term to expire 06-30-2016."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 879](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, MICHELE KU for a term to expire 06-30-2018."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 880](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, RENE BERTHIAUME for a term to expire 06-30-2018."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 881](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, RODERICK MACDONALD for a term to expire 06-30-2016."

(Recommends Senate Consent to Nomination)

[1709](#)
(One Day Notice)

(HSH)

[G.M. No. 882](#)

"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, LANELLE YAMANE for a term to expire 06-30-2016."

(Recommends Senate Consent to Nomination)

[1709](#) (HSH)
(One Day Notice)

[G.M. No. 883](#)
"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, KRISTINE TAKEKAWA for a term to expire 06-30-2017."

(Recommends Senate Consent to Nomination)

Papahana O Ka Lā
ORDER OF THE DAY

A‘oa‘o A ‘Ae
ADVISE AND CONSENT

[1701](#) AGL
[Status & Testimony](#)

[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."

[1702](#) AGL
[Status & Testimony](#)

[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."

[1702](#) AGL
[Status & Testimony](#)

[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."

[1702](#) AGL
[Status & Testimony](#)

[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."

[1702](#) AGL
[Status & Testimony](#)

[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."

[1702](#) AGL
[Status & Testimony](#)

[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."

[1703](#) JDL
[Status & Testimony](#)

[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."

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

1697	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."
Prior Versions/Status & Testimony		
1698	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."
Prior Versions/Status & Testimony		
1699	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."
Prior Versions/Status & Testimony		

[1700](#)

WAM

[Prior Versions/Status &
Testimony](#)

[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."

EDU, JDL

[Prior Versions/Status &
Testimony](#)

[H.C.R. No. 138, H.D. 1](#)

"URGING THE DEPARTMENT OF EDUCATION TO EXAMINE ALL POSSIBILITIES TO ENABLE STUDENT ATHLETIC TEAMS TO RUN AND TRAIN OFF CAMPUS."

(Department of Education; Athletics)

ENE/HTH, JDL

[Prior Versions/Status &
Testimony](#)

[H.C.R. No. 205, S.D. 1](#)

"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)

Heluhelu Hope Loa
FINAL READING

[S.B. No. 550, S.D. 1, H.D. 2](#)

"RELATING TO HEALTH."

[Prior Versions/Status & Testimony](#)

(Powdered Alcohol; Prohibition)

[S.B. No. 982, S.D. 1, H.D. 2](#)

"RELATING TO MEDICAL AMNESTY."

[Prior Versions/Status & Testimony](#)

(Good Samaritan Policies; Medical Amnesty;
Controlled Substances)

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

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

[S.B. No. 961, S.D. 2, H.D. 3](#)

HTH/HSB,
JDL/WAM

"RELATING TO MENTAL
HEALTH TREATMENT."(Mental
Health; Assisted Community
Treatment)

Ho‘olaha
ANNOUNCEMENTS

Papamanawa Ho‘olohe Palapala

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
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 1:10 PM	224
CONF	4/28/2015 1:15 PM	312
CONF	4/28/2015 1:30 PM	312
CONF	4/28/2015 1:30 PM	224
CONF	4/28/2015 1:30 PM	423
CONF	4/28/2015 1:45 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	329
CONF	4/28/2015 2:00 PM	325
CONF	4/28/2015 2:05 PM	329
CONF	4/28/2015 2:15 PM	325
CONF	4/28/2015 3:05 PM	325
CONF	4/28/2015 3:15 PM	325
CONF	4/28/2015 3:30 PM	224
CONF	4/28/2015 3:30 PM	229
CONF	4/28/2015 4:00 PM	309
CONF	4/28/2015 4:30 PM	309
CONF	4/28/2015 5:00 PM	229
CONF	4/29/2015 8:20 AM	229
CONF	4/29/2015 8:45 AM	229
CONF	4/29/2015 9:15 AM	016
CONF	4/29/2015 9:20 AM	016
CONF	4/29/2015 9:30 AM	423
CONF	4/29/2015 9:30 AM	016
CONF	4/29/2015 10:00 AM	325
CONF	4/29/2015 10:00 AM	312
CONF	4/29/2015 10:15 AM	325
CONF	4/29/2015 10:30 AM	325
CONF	4/29/2015 11:00 AM	225
CONF	4/29/2015 11:05 AM	225
CONF	4/29/2015 11:10 AM	225
CONF	4/29/2015 1:30 PM	309

CONF	4/29/2015 1:30 PM	312
CONF	4/29/2015 1:30 PM	309
CONF	4/29/2015 1:35 PM	309
CONF	4/29/2015 1:45 PM	309
CONF	4/29/2015 2:00 PM	309
CONF	4/29/2015 2:30 PM	423
CONF	4/29/2015 2:30 PM	224
CONF	4/29/2015 3:00 PM	225
CONF	4/29/2015 3:30 PM	016
CONF	4/29/2015 3:30 PM	224
CONF	4/29/2015 3:40 PM	224
CONF	4/29/2015 3:45 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	4/29/2015 4:15 PM	309
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 10:00 AM	225
CONF	4/30/2015 10:30 AM	225
CONF	4/30/2015 10:30 AM	325
CONF	4/30/2015 11:30 AM	225
CONF	4/30/2015 1:00 PM	329
CONF	4/30/2015 1:00 PM	423
CONF	4/30/2015 1:15 PM	329
CONF	4/30/2015 2:00 PM	325
CONF	5/1/2015 2:05 PM	423

- Senate Session will convene at 11:30 a.m. on Wednesday, April 29, 2015.

Ke Pani ‘Ana
ADJOURNMENT