

THIRTIETH DAY

Wednesday, March 16, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 11:33 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 Twenty-Ninth Day.

At this time, Senator Nishihara introduced the following students from Pearl City Elementary School, who were visiting the State Capitol with their parents and teacher, Mr. Russell Minobe: Mikaela Scarborough and her mother, Monika Scarborough; Rayna Aaron and her mother, Melissa Aaron; Kayla Calvo and her father, Mark Calvo; and Aaron Scroggins and his father, Johnny Scroggins.

Senator Dela Cruz congratulated and recognized the 'Iolani School boys varsity wrestling team for winning the 2016 state championship, and presented the following remarks:

"Thank you, Mr. President. It's rare that we honor anyone from a private school, just because most of us come from public schools. That just goes to show what an honor it is for us to have 'Iolani in the chamber today. Today we recognize the 'Iolani School varsity boys wrestling team on winning both the Interscholastic League of Honolulu and Hawaii High School Athletic Association championships for 2016, something not accomplished in over a decade.

"They won the state championship with a combined score of 166 points, almost 30 points more than the second-place team, over the course of a grueling two-day tournament and remained undefeated in dual meets.

"This team is a shining example of what can be achieved through hard work and placing the good of the team before the individuals, following the school motto 'One Team.' (You guys are supposed to, like, shout it!) Team members and coaches, several who are alumni and competed on the last championship team, formed a lifelong commitment to each other that strengthened the program and brought them to their rightful place.

"We have with us today team captains Jake Nakasone; James Mizota, who, as many of you know, is Representative Ken Ito's grandson, and Joyce Ito is up in the gallery; KJ Pascua; Dane Yamashiro; and Sai Fautanu; and head coach Walden Au. In the gallery are other team members. Will everyone please rise? Let's give them a round of applause.

"So, despite the fact that everyone's used to hearing from Senator Kidani about Mililani, we extend our congratulations to the 'Iolani boys varsity wrestling team for winning both the Interscholastic League of Honolulu and Hawaii High School Athletic Association 2016 championships, and further extend our best wishes for the continued success in all their future endeavors."

The Chair noted that head coach Walden Au served as a staff member for former State Senator Clayton Hee, and welcomed him back to the Senate Chamber.

Senator Espero rose to extend an additional welcome to the students from Pearl City Elementary School, noting that they won a competition for their best behavior, and thanked them for visiting the Senate on that honor.

The Chair remarked, in good humor, that the students were visiting the more well-behaved house.

At 11:38 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 663 to 695) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 663, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of KYOKO KIMURA, term to expire June 30, 2020, was referred to the Committee on Economic Development, Environment, and Technology.

Gov. Msg. No. 664, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of JUSTIN MEW, term to expire June 30, 2019, was referred to the Committee on Education.

Gov. Msg. No. 665, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of FELICIA VILLALOBOS, term to expire June 30, 2019, was referred to the Committee on Education.

Gov. Msg. No. 666, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of LISA DELONG, term to expire June 30, 2019, was referred to the Committee on Education.

Gov. Msg. No. 667, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of LOUISE CAYETANO, term to expire June 30, 2019, was referred to the Committee on Education.

Gov. Msg. No. 668, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of STEVE NAKASATO, term to expire June 30, 2019, was referred to the Committee on Education.

Gov. Msg. No. 669, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of ALEXANDER HARRIS, term to expire June 30, 2019, was referred to the Committee on Human Services.

Gov. Msg. No. 670, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of JAMES KAWIKA RILEY, term to expire June 30, 2019, was referred to the Committee on Human Services.

Gov. Msg. No. 671, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of GENE ROSS DAVIS, term to expire June 30, 2020, was referred to the Committee on Hawaiian Affairs.

Gov. Msg. No. 672, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of MALIA PRUETT, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 673, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of SCOTT DANIELS, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 674, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of ANNE TRYGSTAD, term to expire June 30,

2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 675, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of KAREN HOLT, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 676, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of KATHLEEN HAGAN, term to expire June 30, 2017, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 677, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of MARY CATIEL, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 678, submitting for consideration and confirmation to the Health Planning Council, West O'ahu Subarea, the nomination of JAY ALAN RAYMUNDO, term to expire June 30, 2017, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 679, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawai'i Service Area Board, the nomination of JEAN PAMMER, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 680, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawai'i Service Area Board, the nomination of SUSAN MCCREE, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 681, submitting for consideration and confirmation to the Mental Health and Substance Abuse, O'ahu Service Area Board, the nomination of MICHAEL STEWART, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 682, submitting for consideration and confirmation to the Mental Health and Substance Abuse, O'ahu Service Area Board, the nomination of TRENNA SYKES-HEBERT, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 683, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JACQUELINE INDREGINAL, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 684, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of LOUISE IWAISHI, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 685, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of SARAH AHINA, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 686, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of SOL RAY DUNCAN, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 687, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of CREIGHTON LIU, term to expire June 30, 2016, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 688, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of CREIGHTON LIU, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 689, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of ELAINE SLAVINSKY, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 690, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of JONAGUSTINE LIM, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 691, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of LAURA COLBERT, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 692, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of LEONARD LICINA, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 693, submitting for consideration and confirmation to the Corrections Population Management Commission, the nomination of EDMUND HYUN, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 694, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of JULIO ZAMARRIPA, term to expire June 30, 2019, was referred to the Committee on Higher Education and the Arts.

Gov. Msg. No. 695, submitting for consideration and confirmation to the Center for Nursing Advisory, the nomination of SUSAN YOUNG, term to expire June 30, 2020, was referred to the Committee on Higher Education and the Arts.

SENATE COMMUNICATION

The following communication (Sen. Com. No. 2) was read by the Clerk and was placed on file:

Sen. Com. No. 2, notice to Governor dated March 15, 2016, transmitting S.B. No. 2418, which proposes amendments to the Hawai'i State Constitution.

By unanimous consent, the following notice was sent to the Governor:

"March 15, 2016

The Honorable David Y. Ige
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Ige:

In accordance with the provisions of Article XVII, Section 3 of the Hawai'i State Constitution, written notice is hereby given

of the final form of the following bill, a copy of which is attached hereto:

S.B. NO. 2418

“PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII.”

Respectfully,

/s/Carol Taniguchi
CAROL T. TANIGUCHI
Clerk of the Senate”

STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 2869) recommending that the Senate advise and consent to the nominations to the Board of Regents of the University of Hawai‘i of the following:

JAN SULLIVAN, in accordance with Gov. Msg. No. 586; and

WAYNE HIGAKI, in accordance with Gov. Msg. No. 587.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2869 and Gov. Msg. Nos. 586 and 587 was deferred until Thursday, March 17, 2016.

Senator Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 2870) recommending that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

KARI LUM, in accordance with Gov. Msg. No. 588; and

LYNN MILLIGAN, in accordance with Gov. Msg. No. 589.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2870 and Gov. Msg. Nos. 588 and 589 was deferred until Thursday, March 17, 2016.

Senator Inouye, for the Committee on Transportation and Energy, presented a report (Stand. Com. Rep. No. 2871) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Natural Energy Laboratory of Hawai‘i Authority of the following:

LINDA ROSEHILL, in accordance with Gov. Msg. No. 623; and

LINDA ROSEHILL, in accordance with Gov. Msg. No. 624.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2871 and Gov. Msg. Nos. 623 and 624 was deferred until Thursday, March 17, 2016.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2872) recommending that S.C.R. No. 41, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Green, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 41, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO LANDSCAPE HAWAII’S PUBLIC HIGHWAYS AND ROADS BY PLANTING MORE TREES,” was referred to the Committee on Ways and Means.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2873) recommending that S.R. No. 19, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Green, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 19, S.D. 1, entitled: “SENATE RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO LANDSCAPE HAWAII’S PUBLIC HIGHWAYS AND ROADS BY PLANTING MORE TREES,” was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 2102, S.D. 1:

Senator Tokuda moved that S.B. No. 2102, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda rose to speak in support of the measure as follows:

“Thank you. Just brief remarks, Mr. President: I’d like to thank our dedicated and hardworking Ways and Means team for the work that went into preparing the Senate supplemental budget for the Judiciary. In addition to all the other work that they are doing on bills as well as to prepare our Senate draft of the supplemental budget, they did a herculean effort in putting this draft together. They are simply amazing; that’s the best way that I can describe them.

“The budget before you reflects our efforts to be fiscally conservative and seriously consider those cost items we felt could and should be maintained and sustained. We increased the Judiciary budget by over a million dollars and, in doing so, provided them with the latitude to establish one of the three judgeships and courts they requested, continued support for civil legal services through purchase of service contracts, and aided their mental health court efforts in positions and funds.

“While there are no additional CIP funds in our draft, I would remind the body that we are still early on in the process considering our overall CIP plan, with Vice Chair Dela Cruz at the helm. And we should further note that last session, we did give the Judiciary their Kona courthouse, which totals \$90 million and was the one thing they wanted in the budget. Again, this is our efforts to put forward a fiscally responsible supplemental budget for the Judiciary, and I ask for your support on this measure. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2102, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE JUDICIARY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of Senate concurrent resolutions offered on Tuesday, March 8, 2016; Thursday, March 10, 2016; and Friday, March 11, 2016:

S.C.R. No.: Referred to:

S.C.R. No. 70 Committee on Judiciary and Labor

S.C.R. No. 71 Committee on Judiciary and Labor

S.C.R. No. 72	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	S.C.R. No. 91	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 73	Committee on Education, then to the Committee on Ways and Means	S.C.R. No. 92	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 74	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 93	Committee on Tourism and International Affairs, then to the Committee on Judiciary and Labor
S.C.R. No. 75	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Public Safety, Intergovernmental, and Military Affairs	S.C.R. No. 94	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 76	Committee on Transportation and Energy, then to the Committee on Ways and Means	S.C.R. No. 95	Committee on Higher Education and the Arts, then to the Committee on Ways and Means
S.C.R. No. 77	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Public Safety, Intergovernmental, and Military Affairs	S.C.R. No. 96	Jointly to the Committee on Hawaiian Affairs and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means
S.C.R. No. 78	Committee on Education, then to the Committee on Ways and Means	S.C.R. No. 97	Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 79	Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 98	Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 80	Committee on Education, then to the Committee on Ways and Means	S.C.R. No. 99	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 81	Jointly to the Committee on Higher Education and the Arts and the Committee on Government Operations, then to the Committee on Ways and Means	S.C.R. No. 100	Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.C.R. No. 82	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.C.R. No. 101	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means
S.C.R. No. 83	Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means	S.C.R. No. 102	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor
S.C.R. No. 84	Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.C.R. No. 103	Jointly to the Committee on Higher Education and the Arts and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 85	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary and Labor	S.C.R. No. 104	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 86	Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 105	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 87	Committee on Housing, then to the Committee on Commerce, Consumer Protection, and Health	S.C.R. No. 106	Committee on Higher Education and the Arts, then to the Committee on Commerce, Consumer Protection, and Health
S.C.R. No. 88	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 107	Committee on Higher Education and the Arts, then to the Committee on Ways and Means
S.C.R. No. 89	Jointly to the Committee on Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 108	Committee on Ways and Means
S.C.R. No. 90	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.C.R. No. 109	Jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means

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| S.C.R. No. 110 | Committee on Education, then to the Committee on Judiciary and Labor | S.C.R. No. 129 | Committee on Water, Land, and Agriculture, then to the Committee on Commerce, Consumer Protection, and Health |
| S.C.R. No. 111 | Committee on Higher Education and the Arts, then to the Committee on Ways and Means | S.C.R. No. 130 | Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means |
| S.C.R. No. 112 | Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | S.C.R. No. 131 | Jointly to the Committee on Education and the Committee on Water, Land, and Agriculture |
| S.C.R. No. 113 | Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means | S.C.R. No. 132 | Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor |
| S.C.R. No. 114 | Committee on Judiciary and Labor | S.C.R. No. 133 | Jointly to the Committee on Tourism and International Affairs and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means |
| S.C.R. No. 115 | Jointly to the Committee on Education and the Committee on Judiciary and Labor, then to the Committee on Ways and Means | S.C.R. No. 134 | Jointly to the Committee on Higher Education and the Arts and the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means |
| S.C.R. No. 116 | Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means | S.C.R. No. 135 | Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means |
| S.C.R. No. 117 | Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development, Environment, and Technology | S.C.R. No. 136 | Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means |
| S.C.R. No. 118 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | S.C.R. No. 137 | Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means |
| S.C.R. No. 119 | Committee on Higher Education and the Arts, then to the Committee on Ways and Means | S.C.R. No. 138 | Committee on Ways and Means |
| S.C.R. No. 120 | Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means | S.C.R. No. 139 | Committee on Ways and Means |
| S.C.R. No. 121 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | S.C.R. No. 140 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means |
| S.C.R. No. 122 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | S.C.R. No. 141 | Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means |
| S.C.R. No. 123 | Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor | S.C.R. No. 142 | Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means |
| S.C.R. No. 124 | Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means | S.C.R. No. 143 | Committee on Education, then to the Committee on Ways and Means |
| S.C.R. No. 125 | Committee on Water, Land, and Agriculture | S.C.R. No. 144 | Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Transportation and Energy, then to the Committee on Ways and Means |
| S.C.R. No. 126 | Committee on Judiciary and Labor, then to the Committee on Ways and Means | S.C.R. No. 145 | Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means |
| S.C.R. No. 127 | Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Housing, then jointly to the Committee on Transportation and Energy and the Committee on Water, Land, and Agriculture | S.C.R. No. 146 | Committee on Education, then to the Committee on Ways and Means |
| S.C.R. No. 128 | Committee on Transportation and Energy, then to the Committee on Ways and Means | | |

S.C.R. No. 147	Jointly to the Committee on Education and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means	S.R. No.:	Referred to:
		S.R. No. 41	Committee on Judiciary and Labor
		S.R. No. 42	Committee on Judiciary and Labor
S.C.R. No. 148	Committee on Tourism and International Affairs, then to the Committee on Ways and Means	S.R. No. 43	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
S.C.R. No. 149	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 44	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 150	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 45	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 151	Committee on Public Safety, Intergovernmental, and Military Affairs	S.R. No. 46	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Public Safety, Intergovernmental, and Military Affairs
S.C.R. No. 152	Jointly to the Committee on Housing and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means	S.R. No. 47	Committee on Transportation and Energy, then to the Committee on Ways and Means
S.C.R. No. 153	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Ways and Means	S.R. No. 48	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Public Safety, Intergovernmental, and Military Affairs
S.C.R. No. 154	Committee on Education, then to the Committee on Ways and Means	S.R. No. 49	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 155	Jointly to the Committee on Education and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 50	Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 156	Committee on Education, then to the Committee on Ways and Means	S.R. No. 51	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 157	Committee on Education, then to the Committee on Ways and Means	S.R. No. 52	Jointly to the Committee on Higher Education and the Arts and the Committee on Government Operations, then to the Committee on Ways and Means
S.C.R. No. 158	Committee on Education, then to the Committee on Ways and Means	S.R. No. 53	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.C.R. No. 159	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 54	Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means
S.C.R. No. 160	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs	S.R. No. 55	Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.C.R. No. 161	Committee on Higher Education and the Arts	S.R. No. 56	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary and Labor
S.C.R. No. 162	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means	S.R. No. 57	Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 163	Committee on Hawaiian Affairs	S.R. No. 58	Committee on Housing, then to the Committee on Commerce, Consumer Protection, and Health
S.C.R. No. 164	Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means	S.R. No. 59	Jointly to the Committee on Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.C.R. No. 165	Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	S.R. No. 60	Committee on Tourism and International Affairs, then to the Committee on Judiciary and Labor

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate resolutions offered on Tuesday, March 8, 2016; Thursday, March 10, 2016; and Friday, March 11, 2016:

S.R. No. 61	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means	S.R. No. 79	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
S.R. No. 62	Jointly to the Committee on Education and the Committee on Transportation and Energy, then to the Committee on Ways and Means	S.R. No. 80	Committee on Judiciary and Labor
S.R. No. 63	Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 81	Committee on Ways and Means
S.R. No. 64	Jointly to the Committee on Hawaiian Affairs and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 82	Committee on Human Services, then to the Committee on Ways and Means
S.R. No. 65	Committee on Hawaiian Affairs, then to the Committee on Ways and Means	S.R. No. 83	Jointly to the Committee on Education and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.R. No. 66	Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 84	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.R. No. 67	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 85	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development, Environment, and Technology
S.R. No. 68	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor	S.R. No. 86	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.R. No. 69	Jointly to the Committee on Higher Education and the Arts and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 87	Committee on Higher Education and the Arts, then to the Committee on Ways and Means
S.R. No. 70	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 88	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.R. No. 71	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 89	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor
S.R. No. 72	Committee on Higher Education and the Arts, then to the Committee on Commerce, Consumer Protection, and Health	S.R. No. 90	Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.R. No. 73	Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 91	Committee on Water, Land, and Agriculture
S.R. No. 74	Committee on Ways and Means	S.R. No. 92	Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.R. No. 75	Jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 93	Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Housing, then jointly to the Committee on Transportation and Energy and the Committee on Water, Land, and Agriculture
S.R. No. 76	Committee on Education, then to the Committee on Judiciary and Labor	S.R. No. 94	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
S.R. No. 77	Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 95	Committee on Transportation and Energy, then to the Committee on Ways and Means
S.R. No. 78	Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 96	Jointly to the Committee on Education and the Committee on Water, Land, and Agriculture
		S.R. No. 97	Jointly to the Committee on Government Operations and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor
		S.R. No. 98	Jointly to the Committee on Tourism and International Affairs and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means

S.R. No. 99	Jointly to the Committee on Higher Education and the Arts and the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 118	Committee on Education, then to the Committee on Ways and Means
S.R. No. 100	Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	S.R. No. 119	Committee on Education, then to the Committee on Ways and Means
S.R. No. 101	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 120	Committee on Education, then to the Committee on Ways and Means
S.R. No. 102	Committee on Ways and Means	S.R. No. 121	Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs
S.R. No. 103	Committee on Ways and Means	S.R. No. 122	Committee on Higher Education and the Arts
S.R. No. 104	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	S.R. No. 123	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 105	Committee on Education, then to the Committee on Ways and Means	S.R. No. 124	Committee on Hawaiian Affairs
S.R. No. 106	Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Transportation and Energy, then to the Committee on Ways and Means	S.R. No. 125	Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means
S.R. No. 107	Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Higher Education and the Arts, then to the Committee on Ways and Means	S.R. No. 126	Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
S.R. No. 108	Committee on Education, then to the Committee on Ways and Means	<p style="text-align: center;">REFERRAL OF A HOUSE CONCURRENT RESOLUTION</p> <p>The President made the following committee assignments of a House concurrent resolution received on Friday, March 11, 2016:</p> <p>H.C.R. No.: Referred to:</p> <p>H.C.R. No. 54 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means</p>	
S.R. No. 109	Jointly to the Committee on Education and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means		
S.R. No. 110	Committee on Tourism and International Affairs, then to the Committee on Ways and Means	<p style="text-align: center;">RE-REFERRAL OF HOUSE BILLS</p> <p>The Chair re-referred the following House bills that were received:</p> <p>H.B. No.: Re-referred to:</p> <p>H.B. No. 1516, Committee on Human Services, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means</p> <p>H.B. No. 1703, Committee on Higher Education and the Arts, then to the Committee on Ways and Means</p>	
S.R. No. 111	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means		
S.R. No. 112	Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means	<p>At this time, Senator Baker reminded the members that the Women's Legislative Caucus would be collecting Easter baskets for the residents of the Institute for Human Services until Thursday, March 24, 2016, and thanked the members for their participation in the event.</p> <p>Senator Inouye welcomed a group of students from the Waikoloa School Asian Pacific Islander Student Alliance, which strives to promote Asian Pacific Islander cultural pride and awareness through student alliance and community outreach. The students were present in the gallery with their teachers George Subiono, Cassie Lamson, and Dana Goya; Senator Inouye noted that Ms. Lamson and Ms. Goya were her nieces.</p>	
S.R. No. 113	Jointly to the Committee on Housing and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means		
S.R. No. 114	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	<p>Senator Kidani announced that Education Week presentations and activities would be taking place over the following days to recognize students, teachers, and school</p>	
S.R. No. 115	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Ways and Means		
S.R. No. 116	Committee on Education, then to the Committee on Ways and Means		
S.R. No. 117	Jointly to the Committee on Education and the Committee on Judiciary and Labor, then to the Committee on Ways and Means		

administrators for their achievements in education. In addition to floor presentations in the Senate and House of Representatives, the Friends of the Library of Hawai'i would be holding a book sale the following day from 8:30 a.m. to 1:00 p.m. in Conference Room 225.

Senator Kidani then announced that the Senate Committee on Education and House Committee on Education would be holding a joint informational briefing that afternoon at 1:00 p.m. in Conference Room 309 to receive information on the implementation of the federal Every Student Succeeds Act from Stephen Parker, legislative director for the National Governors Association.

Senator Galuteria recognized the presence of Kumu Hula Vicky Holt Takamine in the gallery.

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

"Thank you, Mr. President. Mr. President, in my 15 years as a senator, and no matter who was at the helm of the leadership, we have always strived here in the Senate to take personal politics and special interests out of the referral process. Thus, according to the Senate Rules, the Senate Majority attorney's office, an objective voice, does the first pass of the referrals based on committee purviews. The Senate President appoints three members to review SMA's recommendations and make changes if SMA missed something or got it wrong, and they make the final referral. And if there are disagreements among the referral members, the decision of the majority of the three members would prevail. When I was on the referral committee, whenever we disagreed with SMA, we researched the history of the measure and past referrals for consistency, always stressing consistency, and I think that's what the members always ask for. Finally, should members disagree with the referral, the Senate President could reconsider – upon request by the chair or any chair – reviewing the SMA referral, looking for consistency with companion measures, and even looking back on the historical referrals of past years for measures that return back each year. And while this process is not perfect, it's been pretty objective.

"Sadly, though, this year I've noticed a lack of consistency in many of the referrals. Of particular note is House Bill 1847, which proposes to establish an entertainment and sports authority and repeal the Stadium Authority and remove it from DAGS. The Senate companion bill was referred jointly to Economic Development (EET)/Government Operations, WAM. Yes, the chairs were not able to come up with a mutual agreement, so the measure did not pass out, which happens from time to time. Now, SMA's recommendation for the House companion, House Bill 1847, was EET/GVO/TSI, WAM. And I have been told that two of the three referral members agreed with SMA's referral, but they were overridden by one of the members to delete GVO. This raises serious procedural concerns, Mr. President. Under what authority can one member of the referral committee override the majority? This violates our process and sends us down a very slippery slope.

"Objectively, if you dissect the purview of the Government Operations committee, the Stadium Authority is attached to DAGS, and DAGS is under the purview of Government Operations. But the bigger argument is, by repealing the Stadium Authority and replacing it with a sports authority attached to DBEDT instead of DAGS, this is a major change in government operations with impacts, far-reaching impacts, and is clearly under the purview of Government Operations. And there is history on this measure. In 2008, Senate Bill 2362, Relating to the Hawaii Entertainment and Sports Authority, was referred to EDT/Tourism and Government Operations.

"For weeks now, it's been whispered to me that the Senate leadership was going to make sure that House Bill 1847 would not be referred to GVO, so this is no surprise to me. But it makes one wonder: Why such covert internal process meant to circumvent open debate? Why the push for a measure that is hardly vital to public health and safety? And why the Senate leadership is blatantly ignoring long-established rules for this one measure. Who's pulling the strings on this bill, and what questions are they afraid to answer? So, thank you, Mr. President, for confirming the whispers, for upholding the flawed process of the referral committee, and this gives the public an opportunity to see personal politics and the lack of integrity in our Senate's democratic process. That's all."

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

"I wasn't going to say anything, but I was so inspired by the Majority Leader's comments that when we're looking at money, we're really looking at contentment and happiness of our people, and I think that is very true. My understanding – I've only been in the Senate a short time, this is my fourth year – but there is a long custom that our caucus does a briefing on the governor's budget and the six-year financial plan, the House budget, and the like, for the benefit of the majority of members who do not sit on the Ways and Means committee. We did not have the benefit of that at the beginning of the session: no briefing on the governor's budget or the six-year financial plan. But I was assuming it was going to take some time for the new leadership to get established and used to the rules. But I just want to point out that today is the day that the House budget is coming over, and I know a number of us have made a request for the briefing, and I hope that the leadership will be able to provide that over the course of the next week. Thank you for your consideration."

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

"I just want to make some comments about the comments mentioned by the senator from Moanalua Gardens about the referral process. I don't sit on the referral committee, but when you look at the guts of the bill as it stands today coming over from the House, it really only focuses on – the House has taken the procurement part of the bill out, so the government operations that was evident in the first iteration of the Senate bill is no longer there. And I don't have the Senate Rules in front of me, but if I recall correctly, the EET committee has purview over the Stadium Authority, specifically outlined in the Senate Rules, so I think that it is just for us to have this referral being for Economic Development as well as the Tourism committee this afternoon. And some of the questions that were raised by the senator from Moanalua Gardens – many of those questions, actually – will be answered this afternoon, so we'll have a full, robust discussion about the merits or the demerits of this initiative put forth by the House. Thank you, Mr. President."

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

"In response, if you look at the purviews, DAGS is under the purview of GVO and under Government Operations. You folks have also referred House Bill 1684, Relating to the Natural Energy Laboratory of Hawaii Authority, also to GVO, and SMA – who is an objective voice – also felt that that was part of the purview, so thank you, Mr. President."

ADJOURNMENT

At 12:00 p.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, March 17, 2016.