

FORTY-THIRD DAY

Tuesday, April 4, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:36 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 Forty-Second Day.

At this time, Senator Baker commended and congratulated the 2016 Healthcare Heroes awardees, and presented the following remarks:

"The Healthcare Association of Hawaii is a leading voice for healthcare providers in the state. The organization works to positively influence state and federal policy to provide quality and accessible health care to all of the people in Hawai'i. Through HAH, patients are given the opportunity to acknowledge the service of outstanding healthcare providers – those who have demonstrated exceptional commitment and noteworthy expertise. The five healthcare providers for 2016 we are recognizing today are honored for their exemplary care that they delivered to patients as well as their loved ones across the state. These people truly are the epitome of selfless service for the betterment of our community and, therefore, are more than worthy to be recognized as the 2016 Healthcare Heroes. I would now like to yield the floor to Senator Kidani for our first introduction."

Senator Kidani rose to present the following remarks:

"Our first Healthcare Hero – with the most wonderful name – is Pixie Bickel. Pixie never realized how her career choice would impact the lives of so many women. Born in Nebraska and raised in Colorado, she grew up loving photography and people. These passions led her down the path to becoming a radiologic mammography technician. Pixie is on the staff at Queen's Medical Center, where she gives her undivided attention and exceptional expertise to every one of her patients. She loves knowing that her images are helping the radiologist to detect cancer in very early stages. Pixie makes a significant difference in the lives of many women because of her genuine compassion and professionalism. The personalized care that she has demonstrated toward her patients makes her truly worthy of recognition as a 2016 Healthcare Hero. Mahalo and congratulations, Pixie."

Senator Galuteria rose to present the following remarks:

"Our next Healthcare Hero is Dr. Ian Okazaki. Mahalo. Dr. Okazaki has been interested in medicine since high school. Graduating from the John A. Burns School of Medicine, the doctor chose to pursue oncology because of the research and science involved. Today, he works with cancer patients and their families here in Hawai'i. He works in a patient-centered team approach to provide care while striving to make the tumultuous cancer journey as stress-free as possible and by providing the family information as well as emotional and medical support. He believes that one of his most important roles is to be a good listener. His passion, empathy, and expertise make him deserving to be among the recipients of the Healthcare Hero award. Mr. President, Dr. Ian Okazaki. Mahalo."

Senator Ihara rose to present the following remarks:

"Colleagues, our next honoree is Ms. Phung Le Ouchi, who, unfortunately, could not join us today. But representing Phung Le Ouchi is Mrs. Laurie Callies. Laurie's a daughter of Phyllis Garrett, who nominated Nurse Phung for this award.

"Phung Le Ouchi holds a certificate as a licensed practical nurse and is working on her bachelor of science in nursing while caring for patients at Hi'olani Care Center. Phung is the oldest of six and helped lovingly care for her siblings. At work, Nurse Phung combines professionalism with care that comes from her heart, and she makes sure that her patients not only receive unparalleled care but are treated as the special and unique people they are. Her outstanding work at the Hi'olani Care Center at Kāhala Nui over the last two years has made her worthy of recognition as a 2016 Healthcare Hero.

"With us in the gallery is the administrator of Hi'olani Care Center at Kāhala Nui, Melissa Manchester. Let's acknowledge again this honoree, Phung Le Ouchi. Thank you."

Senator Rhoads rose to present the following remarks:

"It's my pleasure to introduce Dr. Thomas J. Kane. He is a Healthcare Association of Hawaii 2016 Healthcare Hero as well. Dr. Thomas J. Kane graduated from medical school at Santa Clara University. He then worked at Orthopedic Associates of Hawaii, which has given him valuable experience in adult hip and knee reconstruction. He later began his own patient-centered medical practice to allow him to treat his patients in a way that ensured the patient was always being put first. He also serves as a medical director at the Queen's Medical Center. In the 40 years that Dr. Kane has been practicing, his favorite part of medicine is helping to restore his patients' quality of life. He considers being a healthcare provider a privilege, so he gives his full dedication to his patients. I would like to recognize Dr. Kane's evident commitment to helping restore the lives of many patients, thus distinguishing him as a true Healthcare Hero. Mahalo."

Senator Inouye rose to present the following remarks:

"Thank you, Mr. President, and good morning. It's indeed my pleasure to introduce our kama'āina from Hawai'i Island, Catherine Marquette. Catherine grew up in a small town in the Sierra Nevada mountains in northern California. She attended UC Davis, where she discovered nursing was her calling, not just a career choice. Once she graduated, she traveled to the Bronx, where she took her first job as a nurse. Catherine's chosen career accentuated her profound caring nature as well as satisfied her keen interest in science. Moving from the Bronx, Catherine made her way to Hawai'i and has been working at Hamakua Health Center since 1993 in my district of Hāmākua. In 2016, she accepted the position of medical director. Catherine is an amazing example of pure integrity and kindness, which are integral to her as a successful family nurse practitioner; she uses her heart and her expertise to provide the best care and experience possible to her patients. She should take much pride in positively touching so many lives. This exceptional, personalized care is what earned her the honor of being recognized as a Healthcare Hero. Congratulations, Catherine."

Senator Baker rose and stated:

"Thank you, Mr. President. Again, I would like to wholeheartedly thank all of our honorees for the significant contributions that they've made, not only to their chosen field of health, but to all of the folks whose lives they've touched. I'd also like to recognize some of their supporters, including some of the HAH staff who are in the gallery, and ask both Paige Heckathorn and Paul Young to rise to be recognized and other members who are here to support our 2016 Hawai'i Healthcare Heroes – please rise. Mahalo."

Senator English commended and congratulated Volcom Hawai'i for their many contributions to the betterment of our state, and presented the following remarks:

"Mr. President, members of the Senate, colleagues: Today, it's really my pleasure to recognize Volcom Hawai'i for their philanthropy and deep commitment to the local communities. Volcom is an international surf, skate, and snowboard brand founded in 1991, and Volcom Hawai'i represents this company's leadership here in the islands. Today, we have professional surfers and Volcom Hawai'i's local contingency: David Riddle, welcome; David Wassel, welcome to the Senate; Tai Van Dyke; Kaimana Henry; and Kawai Lindo.

"Through the generosity and hard work of this group of outstanding watermen, our keiki and our environment has benefited by Volcom's motto, 'Live like this.' The emphasis is on giving back, protecting the 'āina and the oceans, and promoting a viable and healthy community. This is actualized by the larger Volcom family of coaches, athletes, and personalities statewide. For the past eight years, Volcom Hawai'i has invested in the people with their Hawaii Giveback program and their sustainability programs – a portion of the sales from Volcom Hawai'i's products and sales from the Volcom Pipe Pro held at Banzai Pipeline goes to this program. At the completion of this year's contest, Volcom presented \$60,000 to the Boys & Girls Club of Hawaii and a \$16,000 check to the Live Like Sion memorial fund. Over the past eight years, Volcom has donated a total of \$450,000 to the Boys & Girls Club of Hawaii, Sunset Beach Elementary, and the Live Like Sion Foundation.

"Volcom's sustainability program, in collaboration with Sustainable Coastlines Hawaii, is deemed a Deep Blue Surfing Event; this meets Sustainable Surf's criteria for running a surf event. Sustainability is an official part of their mission statement, and both of their surf teams' homes on the North Shore are powered with solar energy. Hawai'i's the center of surfing, and Volcom recognizes the deep roots of the community and love for the ocean and land that is an integral part of Hawai'i. More importantly, Volcom's contribution to the youth of Hawai'i and local communities is inspirational and representative of being good stewards of our lands and of our oceans. Thank you, Volcom."

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 389 to 394) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 389, returning S.B. No. 119, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 119, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF RENT," was deferred until Wednesday, April 5, 2017.

Hse. Com. No. 390, returning S.B. No. 376, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 376, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE INTERISLAND TRANSMISSION SYSTEM," was deferred until Wednesday, April 5, 2017.

Hse. Com. No. 391, returning S.B. No. 514, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 514, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Wednesday, April 5, 2017.

Hse. Com. No. 392, returning S.B. No. 611, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 611, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," was deferred until Wednesday, April 5, 2017.

Hse. Com. No. 393, returning S.B. No. 984, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 984 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PHYSICIAN," was deferred until Wednesday, April 5, 2017.

Hse. Com. No. 394, returning S.B. No. 1264, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 3, 2017, was placed on file.

By unanimous consent, action on S.B. No. 1264, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO SECURITY GUARDS," was deferred until Wednesday, April 5, 2017.

STANDING COMMITTEE REPORTS

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1284) recommending that H.B. No. 141, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 141, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 5, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1285) recommending that H.B. No. 147, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING HAWAII NET INCOME TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 5, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1286) recommending that H.B. No. 100, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 100, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1287) recommending that H.B. No. 143, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1288) recommending that H.B. No. 375, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 375, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1289) recommending that H.B. No. 628, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 628, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE INFRASTRUCTURE CAPACITY BUILDING CONSTRUCTION FINANCING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1290) recommending that H.B. No. 1414, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1414, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1291) recommending that H.B. No. 1436, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1436, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDED FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1292) recommending that H.B. No. 280, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 280, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE COMMITTEE REPORTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1293) recommending that H.B. No. 508, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 508, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1294) recommending that H.B. No. 511, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 511, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1295) recommending that H.B. No. 852, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 852, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1296) recommending that H.B. No. 1033, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1033, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1297) recommending that H.B. No. 282, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 282, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1298) recommending that H.B. No. 1309, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS," passed Second Reading and was

placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1299) recommending that H.B. No. 1333, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1333, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO HONOKAA LAND COMPANY, LLC," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1300) recommending that H.B. No. 1588, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2017.

Senator Kahele, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1301), recommending that S.R. No. 60 be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 60, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA TO ADOPT A BUDGET MODEL THAT ALLOCATES RESOURCES ACCORDING TO A TRANSPARENT AND EQUITABLE FORMULA," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 1302) recommending that S.C.R. No. 156 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1302 and S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ADOPT AND IMPLEMENT ADMINISTRATIVE RULES TO UPDATE STANDARDS OF VACCINATIONS FOR CHILDREN," was deferred until Wednesday, April 5, 2017.

Senators Shimabukuro and Taniguchi, for the Committee on Hawaiian Affairs and the Committee on International Affairs and the Arts, presented a joint report (Stand. Com. Rep. No. 1303) recommending that S.C.R. No. 153, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1303 and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION TO DESIGNATE JUNE 1, 2018, TO JUNE 1, 2019, AS THE YEAR OF THE HAWAIIAN AND REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY AND RECOMMEND TO THE LEGISLATURE A PLAN TO CELEBRATE THE YEAR OF THE HAWAIIAN," was deferred until Wednesday, April 5, 2017.

Senators Shimabukuro and Taniguchi, for the Committee on Hawaiian Affairs and the Committee on International Affairs and the Arts, presented a joint report (Stand. Com. Rep. No. 1304) recommending that S.R. No. 74, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1304 and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION TO DESIGNATE JUNE 1, 2018, TO JUNE 1, 2019, AS THE YEAR OF THE HAWAIIAN AND REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY AND RECOMMEND TO THE LEGISLATURE A PLAN TO CELEBRATE THE YEAR OF THE HAWAIIAN," was deferred until Wednesday, April 5, 2017.

Senators Shimabukuro and Taniguchi, for the Committee on Hawaiian Affairs and the Committee on International Affairs and the Arts, presented a joint report (Stand. Com. Rep. No. 1305) recommending that S.C.R. No. 150, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1305 and S.C.R. No. 150, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A STUDY GROUP TO MAKE RECOMMENDATIONS TO THE LEGISLATURE ON AN APPROPRIATE MEANS TO HONOR ROBERT WILLIAM KALANIHIPO WILCOX, HAWAII'S FIRST ELECTED DELEGATE TO THE UNITED STATES CONGRESS," was deferred until Wednesday, April 5, 2017.

Senators Shimabukuro and Taniguchi, for the Committee on Hawaiian Affairs and the Committee on International Affairs and the Arts, presented a joint report (Stand. Com. Rep. No. 1306) recommending that S.R. No. 71, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1306 and S.R. No. 71, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A STUDY GROUP TO MAKE RECOMMENDATIONS TO THE LEGISLATURE ON AN APPROPRIATE MEANS TO HONOR ROBERT WILLIAM KALANIHIPO WILCOX, HAWAII'S FIRST ELECTED DELEGATE TO THE UNITED STATES CONGRESS," was deferred until Wednesday, April 5, 2017.

Senators Kahele and Green, for the Committee on Higher Education and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1307) recommending that S.C.R. No. 15, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1307 and S.C.R. No. 15, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII CENTER ON AGING TO CONVENE A TASK FORCE TO ASSESS CURRENT ELDER AND KUPUNA CARE SERVICES AND THE ANTICIPATED DEMAND FOR THOSE SERVICES IN ORDER TO IMPROVE THOSE SERVICES AND MEET ANTICIPATED DEMAND," was deferred until Wednesday, April 5, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1308) recommending that the Senate advise and consent to the nomination of KALEIHIHIKAPOLI RAPOZA to the Board of Trustees of the Deferred Compensation Plan, in accordance with Gov. Msg. No. 556.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1308 and Gov. Msg. No. 556 was deferred until Wednesday, April 5, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1309) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

SHANNON OKINAKA, in accordance with Gov. Msg. No. 561;

SHANNON OKINAKA, in accordance with Gov. Msg. No. 562;

GLENN ALCALDE, in accordance with Gov. Msg. No. 563;

EVELYN BARFIELD, in accordance with Gov. Msg. No. 564;

GLEN KANESHIGE, in accordance with Gov. Msg. No. 565;

GLEN KANESHIGE, in accordance with Gov. Msg. No. 566;

IAN KITAJIMA, in accordance with Gov. Msg. No. 567;

EDWARD RICHARDSON, in accordance with Gov. Msg. No. 568;

ALICIA MOY, in accordance with Gov. Msg. No. 569; and

ALICIA MOY, in accordance with Gov. Msg. No. 570.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1309 and Gov. Msg. Nos. 561, 562, 563, 564, 565, 566, 567, 568, 569 and 570 was deferred until Wednesday, April 5, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1310) recommending that the Senate advise and consent to the nomination of VINCENT BARFIELD to the Board of Trustees of the Employees' Retirement System, in accordance with Gov. Msg. No. 625.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1310 and Gov. Msg. No. 625 was deferred until Wednesday, April 5, 2017.

Senator Kahele, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1311) recommending that the Senate advise and consent to the nomination of CHRISTOPHER FLANDERS to the Hawai'i Medical Education Council, in accordance with Gov. Msg. No. 597.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1311 and Gov. Msg. No. 597 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1312) recommending that the Senate advise and consent to the nomination of MOMI FERNANDEZ to the Health Planning Council, Hawai'i County Subarea, in accordance with Gov. Msg. No. 510.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1312 and Gov. Msg. No. 510 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1313) recommending that the Senate advise and consent to the nomination of JUDY FOMIN to the Health Planning Council, Windward O'ahu Subarea, in accordance with Gov. Msg. No. 511.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1313 and Gov. Msg. No. 511 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1314) recommending that the Senate advise and consent to the nomination of JENNIE CHAHANOVICH to the Health

Planning Council, Kaua'i Subarea, in accordance with Gov. Msg. No. 512.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1314 and Gov. Msg. No. 512 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1315) recommending that the Senate advise and consent to the nomination of PATRICE JACKSON to the Health Planning Council, West O'ahu Subarea, in accordance with Gov. Msg. No. 513.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1315 and Gov. Msg. No. 513 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1316) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

NIKKI KEPOO, in accordance with Gov. Msg. No. 514; and

NIKKI KEPOO, in accordance with Gov. Msg. No. 515.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1316 and Gov. Msg. Nos. 514 and 515 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1317) recommending that the Senate advise and consent to the nomination of APHIRAK BAMRUNGRUAN to the Language Access Advisory Council, in accordance with Gov. Msg. No. 516.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1317 and Gov. Msg. No. 516 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1318) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kaua'i Service Area Board of the following:

ANGELA UECHI, in accordance with Gov. Msg. No. 517;

ELENA ELLENBERGER, in accordance with Gov. Msg. No. 518;

KEVIN MYRICK, in accordance with Gov. Msg. No. 519;

KURT NAGATA, in accordance with Gov. Msg. No. 520;

LANI NAGAO, in accordance with Gov. Msg. No. 521;

MONICA CONTRADES, in accordance with Gov. Msg. No. 522; and

SHEILA CALCAGNO, in accordance with Gov. Msg. No. 523.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1318 and Gov. Msg. Nos. 517, 518, 519, 520, 521, 522 and 523 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1319) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Maui Service Area Board of the following:

WILLIAM LAWSON, in accordance with Gov. Msg. No. 524;

WILLIAM LAWSON, in accordance with Gov. Msg. No. 525;

HAROLD AMES, in accordance with Gov. Msg. No. 526; and

CAPRENA ROWE, in accordance with Gov. Msg. No. 527.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1319 and Gov. Msg. Nos. 524, 525, 526 and 527 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1320) recommending that the Senate advise and consent to the nomination of LORI OKUDA to the Radiologic Technology Board, in accordance with Gov. Msg. No. 529.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1320 and Gov. Msg. No. 529 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1321) recommending that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

BARBARA YAMASHITA, in accordance with Gov. Msg. No. 530; and

COLETTE BROWNE, in accordance with Gov. Msg. No. 531.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1321 and Gov. Msg. Nos. 530 and 531 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1322) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

BATHEY FONG, in accordance with Gov. Msg. No. 591;

CAROL YOUNG, in accordance with Gov. Msg. No. 592;

CAROL YOUNG, in accordance with Gov. Msg. No. 593; and

RENEE MANFREDI, in accordance with Gov. Msg. No. 594.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1322 and Gov. Msg. Nos. 591, 592, 593 and 594 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1323) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

ARWYN JACKSON, in accordance with Gov. Msg. No. 595; and

KATHRYN BOYER, in accordance with Gov. Msg. No. 596.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1323 and Gov. Msg. Nos. 595 and 596 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1324) recommending that the Senate advise and consent to the nomination of TITO VILLANUEVA to the Health Planning

Council, Kaua'i Subarea, in accordance with Gov. Msg. No. 648.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1324 and Gov. Msg. No. 648 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1325) recommending that the Senate advise and consent to the nomination of DONALD WOOD to the Radiologic Technology Board, in accordance with Gov. Msg. No. 652.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1325 and Gov. Msg. No. 652 was deferred until Wednesday, April 5, 2017.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 1326) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

KEVIN BARDSLEY-MARCIAL, in accordance with Gov. Msg. No. 657; and

KIMBERLY ARAKAKI, in accordance with Gov. Msg. No. 658.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1326 and Gov. Msg. Nos. 657 and 658 was deferred until Wednesday, April 5, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1327) recommending that H.B. No. 889, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1327 and H.B. No. 889, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1328) recommending that H.B. No. 110, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1328 and H.B. No. 110, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1329) recommending that H.B. No. 592, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1329 and H.B. No. 592, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1330) recommending that H.B. No. 1114, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1330 and H.B. No. 1114, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH PENALTIES," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1331) recommending that H.B. No. 168, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1331 and H.B. No. 168, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEMORIALS," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1332) recommending that H.B. No. 533, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1332 and H.B. No. 533, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1333) recommending that H.B. No. 587, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1333 and H.B. No. 587, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1334) recommending that H.B. No. 1246, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1334 and H.B. No. 1246, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVES TO INCARCERATION," was deferred until Thursday, April 6, 2017.

Senator Tokuda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1335) recommending that H.B. No. 1420, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1335 and H.B. No. 1420, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE," was deferred until Thursday, April 6, 2017.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM MONDAY, APRIL 3, 2017

S.B. No. 335, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 335, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW ARBITRATION ACT," was deferred until Wednesday, April 5, 2017.

S.B. No. 488, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 488, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO SEARCH WARRANTS," was deferred until Wednesday, April 5, 2017.

S.B. No. 185, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 185, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO

CHILD CARE PROVIDERS," was deferred until Wednesday, April 5, 2017.

S.B. No. 392, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 392, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Wednesday, April 5, 2017.

S.B. No. 584, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 584, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," was deferred until Wednesday, April 5, 2017.

S.B. No. 609 (H.D. 1):

By unanimous consent, action on S.B. No. 609 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO ATTESTATION ENGAGEMENTS," was deferred until Wednesday, April 5, 2017.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM MONDAY, APRIL 3, 2017

Stand. Com. Rep. No. 1279 (S.C.R. No. 133, S.D. 1):

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF HEALTH ESTABLISH AND CONVENE A MEDICATION SYNCHRONIZATION WORKING GROUP TO EXPLORE AND PROPOSE LEGISLATION," was adopted.

Stand. Com. Rep. No. 1280 (S.C.R. No. 107):

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING OCTOBER 13, 2017, AS METASTATIC BREAST CANCER AWARENESS DAY," was adopted.

RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

H.C.R. No.: Re-referred to:

H.C.R. No. 104 Committee on Judiciary and Labor

At this time, Senator Baker, Chair of the Committee on Commerce, Consumer Protection, and Health, rose to request a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 407, H.D. 3.

Senator Baker noted:

"This measure authorizes the issuance of employer-sponsored high deductible health plans, requires maintenance of HSA accounts in conjunction with a high deductible health plan, and specifies that employers and insurers that buy or sell high deductible health plans remain subject to Prepaid Health Care. The waiver is requested so that we might hear this measure to provide additional options to ensure that all of our people are insured with health care."

The Chair granted the waiver.

Senator Baker announced that the Committee on Commerce, Consumer Protection, and Health would be holding a public hearing on H.B. No. 407, H.D. 3 the following day at 9:00 a.m. in Conference Room 229.

Senator Taniguchi announced that the annual Art at the Capitol event would take place on Friday, April 7, 2017, at 4:30 p.m., and reminded the members to prepare their offices for the public to visit and view the art on display. Senator Taniguchi also thanked the State Foundation on Culture and the Arts for cleaning the *Aquarius* mural in the Capitol Rotunda.

ADJOURNMENT

At 12:03 p.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 5, 2017.