

THIRTEENTH DAY

Tuesday, February 6, 2018

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2018, convened at 11:30 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 Twelfth Day.

At this time, Senator Tokuda welcomed a group of fifth-grade students from Le Jardin Academy, who were seated in the gallery with teachers Maggie Foley, Rob Marsden, Eric Ameng, and Cheryl Coolen-Derosier.

Senator Espero celebrated the Hawaii Adaptive Surf Team, and presented the following remarks:

"Mr. President, colleagues, and guests: Today we honor an organization and their members who have made our state proud. These individuals are shining examples of perseverance and a relentless spirit. Christopher Reeve once said: 'So many of our dreams at first seem impossible, then they seem improbable, and then, when we summon the will, they soon become inevitable.' Mr. President and colleagues, the individuals that we honor today live those very words in their daily lives.

"AccesSurf is a local nonprofit organization that allows any person with a disability to enjoy our ocean. Founded in Hawai'i in 2006, AccesSurf provides free beach and ocean access programs. AccesSurf gives modified and flexible surfing and salutary instruction on water recreation both nationally and locally. AccesSurf also informs the public about helping people with disabilities. One of the programs which has developed from monthly beach events is the Hawaii Adaptive Surf Team.

"The goal of the Hawaii Adaptive Surf Team is to guide and mentor adaptive surfers toward their highest possible potential. The HAST consists of a base of 20 members throughout the islands. The members train with professional surfers and practice all year long. Another objective of HAST is to support and sponsor participation in surfing championships. These events include the local Hawaii Surfing Association competitions and world competitions. World events include the Western Surfing Association, Hale'iwa International Open, USA National Surf Competition, and International Surfing Association Adaptive World Surfing Championships.

"The International Surfing Association Adaptive World Surfing Championships tournament recently took place in La Jolla, California, from November 29 to December 3, 2017. The HAST team from Hawai'i placed fifth in the world out of 26 countries and proudly brought home six medals in the individual divisions. Colleagues, let me introduce the medalists that comprised the representatives to the championship tournament – and our championship team from Hawai'i: First of all, I'd like to ask Chris Courtois, the coach, to rise and be recognized; Ann Yoshida; Ava Heller; Meira Duarte; Darian Haynes; Rich Julian; and Buster Kawasaki. Let's give them a big hand, everybody. I'd also like to send a special aloha to Ms. Cara Short, the executive director of AccesSurf, who unfortunately is not able to join us today. In the gallery, supporting and watching are friends and family: Mr. Jerry Heller, Ava's dad and coach, please rise; and all other family and supporters and friends of AccesSurf in the gallery, will you please rise and be recognized? Thank you, Mr. President."

At 11:36 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 a.m.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 3) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 3, transmitting H.B. No. 2600, which passed Third Reading in the House of Representatives on February 5, 2018, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, H.B. No. 2600, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 28) was read by the Clerk and was referred to committee:

S.C.R. No. 28 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A WORKING GROUP TO PROVIDE CLARIFICATION AND OVERSIGHT OF THE ROLE OF SERVICE ANIMALS."

Offered by: Senators Espero, Inouye, Keith-Agaran, Nishihara, Rhoads, Ruderman, Baker, Chang, Dela Cruz, Gabbard, Galuteria, Green, Harimoto, Ihara, Kahele, Kidani, Kim, Riviere, Shimabukuro, Thielen, Tokuda, Wakai.

Referred to: Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Human Services

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2042) recommending that S.B. No. 2891 pass Second Reading and 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.B. No. 2891, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," passed Second Reading and 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. 2043) recommending that S.B. No. 2082, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 2082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2044) recommending that S.B. No. 2010, as amended in S.D. 1, pass Second Reading and 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.B. No. 2010, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO DRUG TREATMENT,” passed Second Reading and 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. 2045) recommending that S.B. No. 2340, as amended in S.D. 1, pass Second Reading and 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.B. No. 2340, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2046) recommending that S.B. No. 2498, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 2498, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POLYSTYRENE FOAM CONTAINERS,” passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2047) recommending that S.B. No. 3031, as amended in S.D. 1, pass Second Reading and 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.B. No. 3031, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ORGANIC FOODS PRODUCTION TAX CREDIT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2048) recommending that S.B. No. 2572, as amended in S.D. 1, pass Second Reading and 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.B. No. 2572, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 2685, as amended in S.D. 1, pass Second Reading and 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.B. No. 2685, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2050) recommending that S.B. No. 2568 pass Second Reading and 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.B. No. 2568, entitled: “A BILL FOR AN ACT RELATING TO PESTICIDES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2051) recommending that S.B. No. 2126 pass Second Reading and 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.B. No. 2126, entitled: “A BILL FOR AN ACT RELATING TO THE PESTICIDE USE REVOLVING FUND,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2052) recommending that S.B. No. 2569 pass Second Reading and 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.B. No. 2569, entitled: “A BILL FOR AN ACT RELATING TO PESTICIDES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2053) recommending that S.B. No. 3033 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 3033, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2054) recommending that S.B. No. 2565, as amended in S.D. 1, pass Second Reading and 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.B. No. 2565, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX EXEMPTION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 2055) recommending that S.B. No. 2533, as amended in S.D. 1, pass Second Reading and 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.B. No. 2533, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 11:45 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Thursday, February 8, 2018.