

THE SENATE
OF THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2014

TWENTY-THIRD DAY

FEBRUARY 27, 2014-THURSDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor Nos. 222-235

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 222	Dated January 24, 2014, transmitting the Report on Pesticide Use Revolving Fund for FY 2013, prepared by the Department of Agriculture pursuant to section 149A-13.5(f), HRS.	FILE
G.M. No. 223	Dated January 24, 2014, transmitting the Agricultural Development and Food Security Special Fund Report, prepared by the Department of Agriculture pursuant to Act 73, SLH 2010.	FILE
G.M. No. 224	Dated February 3, 2014, transmitting the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013, prepared by the Department of Accounting and General Services pursuant to section 40-5, HRS.	FILE
G.M. No. 225	Dated February 10, 2014, transmitting the Crime Victim Compensation Commission Annual Report, prepared by the Department of Public Safety, pursuant to section 351-70, HRS.	FILE

<u>G.M. No. 226</u>	Dated February 11, 2014, transmitting the Government Operations Report, prepared by the Department of Transportation, pursuant to Act 100, section 7, SLH 1999.	FILE
<u>G.M. No. 227</u>	From the Department of Transportation dated February 11, 2014, transmitting the Zipper Lane Extension Feasibility report, pursuant to Act 320, SLH 2012.	FILE
<u>G.M. No. 228</u>	Dated February 11, 2014, transmitting the annual Safe Routes to School report; prepared by the Department of Transportation pursuant to Section 291C-3, HRS.	FILE
<u>G.M. No. 229</u>	Dated February 11, 2014, transmitting the Issuance of Bonds report, prepared by the Department of Transportation pursuant to Act 134, Sections 61, 62, 63, and 64, SLH 2013.	FILE
<u>G.M. No. 230</u>	Dated February 11, 2014, transmitting the Bikeway Projects and Expenditures report, prepared by the Department of Transportation, pursuant to Section 264-18, HRS.	FILE
<u>G.M. No. 231</u>	Dated February 11, 2014, transmitting the Transportation Improvement Special Fund report, prepared by the Department of Transportation pursuant to Section 264-19(E), HRS.	FILE
<u>G.M. No. 232</u>	Dated February 11, 2014, transmitting the Special Maintenance Program report, prepared by the Department of Transportation pursuant to Act 134, Section 140, SLH 2013.	FILE
<u>G.M. No. 233</u>	Dated February 11, 2014, transmitting the Findings of the Task Force Established to Study Ways to Prevent or Control the Problem of Abandoned Tires Littering the Landscape report, prepared by the Department of Health pursuant to Act 271, SLH 2012.	FILE

<u>G.M. No. 234</u>	Dated February 18, 2014, transmitting the 2013 Report of the Commission to Promote Uniform Legislation prepared by the Department of the Attorney General.	FILE
<u>G.M. No. 235</u>	Dated February 19, 2014, transmitting the 2011 Tax Credits Report, prepared by the Department of Taxation pursuant to Section 231-3.4(a), HRS.	FILE

2. Departmental Communication Nos. 74-76

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<u>D.C. No. 74</u>	From the University of Hawai'i dated February 12, 2014, transmitting the Annual Report on Material Weaknesses and Fraud pursuant to Act 87, Section 5, SLH 2013.	FILE
<u>D.C. No. 75</u>	From the State Auditor dated February 18, 2014, transmitting the report, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Departments of Defense and Land and Natural Resources" (Report No. 14-04) pursuant to Section 23-9, HRS.	FILE
<u>D.C. No. 76</u>	Dated February 13, 2014, transmitting the Report on the Review of Current Policies Regarding Executive and Managerial Personnel, prepared by the University of Hawai'i pursuant to Act 134, Section 134, SLH 2013.	FILE

3. House Communication No. 42

Informing the Senate that on February 19, 2014,
the following House Bill passed Third Reading in
the House:

REFERRAL

42

[H.B. No. 1706, H.D. 1](#)

TIA, JDL

"RELATING TO ILLEGAL PARKING UPON
BIKEWAYS."(Parking a Vehicle on a Bicycle
Lane or Pathway; Minimum Fine)

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures: Senate Concurrent Resolution Nos. 42-57

Senate Resolution Nos. 17-25

7. Standing Committee Report Nos. 2485-2535

[2485](#)
(48 Hrs. Notice)

(HTH/CPN)

[S.B. No. 2574, S.D. 1](#)

"RELATING TO MEDICAL MARIJUANA."
(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2486](#)
(48 Hrs. Notice)

(AGL/WTL/HWN)

[S.B. No. 2241, S.D. 1](#)

"RELATING TO THE PROTECTION OF
TARO."
(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2487](#)
(48 Hrs. Notice)

(WTL)

[S.B. No. 180, S.D. 2](#)

"RELATING TO OCEAN
MANAGEMENT."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2488](#)
(48 Hrs. Notice)

(CPN)

[S.B. No. 2486, S.D. 1](#)

"RELATING TO PRIVATE GUARDS."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2489](#)
(One Day Notice)

(CPN/JDL)

[S.B. No. 2475](#)

"RELATING TO ASSISTING
UNLICENSED CONTRACTORS."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2490](#)
(One Day Notice)

(CPN/JDL)

[S.B. No. 2233](#)

"RELATING TO BUREAU OF
CONVEYANCES."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2491](#)
(One Day Notice)

(CPN)

[S.B. No. 2033](#)

"RELATING TO DENTISTS."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

[2492](#)
(One Day Notice)

(JDL)

[S.B. No. 2223](#)

"RELATING TO CHANGE OF NAME."

(Recommends passage on SECOND
READING and placement on the calendar for
Third Reading)

<u>2493</u> (48 Hrs. Notice)	(JDL)	<u>S.B. No. 2687, S.D. 1</u> "RELATING TO LIMITATION OF ACTIONS." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
<u>2494</u> (48 Hrs. Notice)	(CPN)	<u>S.B. No. 2480, S.D. 1</u> "RELATING TO TIME SHARE." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
<u>2495</u> (48 Hrs. Notice)	(CPN/JDL)	<u>S.B. No. 2623, S.D. 1</u> "RELATING TO FRANCHISES." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
<u>2496</u> (48 Hrs. Notice)	(CPN)	<u>S.B. No. 2481, S.D. 1</u> "RELATING TO TIME SHARES." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
<u>2497</u> (48 Hrs. Notice)	(ENE/EGH/PSM)	<u>S.B. No. 2199, S.D. 1</u> "RELATING TO RENEWABLE ENERGY." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
<u>2498</u> (48 Hrs. Notice)	(CPN)	<u>S.B. No. 2487, S.D. 1</u> "RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)

2499 (48 Hrs. Notice)	(CPN)	S.B. No. 2468, S.D. 1 "RELATING TO PODIATRISTS." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
2500 (One Day Notice)	(JDL)	S.B. No. 2076 "RELATING TO UNLICENSED CONTRACTOR FRAUD." (Recommends passage on <u>THIRD READING</u>)
2501 (One Day Notice)	(CPN)	S.B. No. 2302 "RELATING TO FIREWORKS." (Recommends passage on <u>THIRD READING</u>)
2502 (One Day Notice)	(CPN)	S.B. No. 2287 "RELATING TO POST-SECONDARY EDUCATION." (Recommends passage on <u>THIRD READING</u>)
2503 (One Day Notice)	(CPN)	S.B. No. 2801 "RELATING TO CERTIFICATION OF GAS TANKLESS WATER HEATERS." (Recommends passage on <u>THIRD READING</u>)
2504 (One Day Notice)	(CPN)	S.B. No. 2301 "RELATING TO FIREWORKS." (Recommends passage on <u>THIRD READING</u>)

2505 (One Day Notice)	(CPN)	S.B. No. 2492, S.D. 1 "RELATING TO ADVANCED PRACTICE REGISTERED NURSES." (Recommends passage on <u>THIRD READING</u>)
2506 (One Day Notice)	(CPN)	S.B. No. 2078, S.D. 1 "RELATING TO CONDOMINIUMS." (Recommends passage on <u>THIRD READING</u>)
2507 (One Day Notice)	(JDL)	S.B. No. 2482 "RELATING TO ASSOCIATION ALTERNATIVE POWER OF SALE FORECLOSURE PROCESS." (Recommends passage on <u>THIRD READING</u>)
2508 (48 Hrs. Notice)	(WAM)	S.B. No. 2455, S.D. 1 "RELATING TO AGRICULTURE." (Recommends passage on <u>THIRD READING</u>)
2509 (48 Hrs. Notice)	(CPN)	S.B. No. 2489, S.D. 2 "RELATING TO THE CENTER FOR NURSING." (Recommends passage on <u>THIRD READING</u>)
2510 (48 Hrs. Notice)	(CPN)	S.B. No. 2469, S.D. 2 "RELATING TO TELEHEALTH." (Recommends passage on <u>THIRD READING</u>)

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| 2511
(48 Hrs. Notice) | (CPN) | S.B. No. 2898, S.D. 2
"RELATING TO COMMERCIAL
DRIVER'S LICENSING."
(Recommends passage on <u>THIRD
READING</u>) |
| 2512
(48 Hrs. Notice) | (CPN) | S.B. No. 2331, S.D. 2
"RELATING TO TEACHERS."
(Recommends passage on <u>THIRD
READING</u>) |
| 2513
(48 Hrs. Notice) | (JDL) | S.B. No. 2882, S.D. 2
"RELATING TO THE UNIFORM
CONTROLLED SUBSTANCES ACT."
(Recommends passage on <u>THIRD
READING</u>) |
| 2514
(48 Hrs. Notice) | (JDL) | S.B. No. 2869, S.D. 2
"RELATING TO PRIVACY OF HEALTH
CARE INFORMATION."
(Recommends passage on <u>THIRD
READING</u>) |
| 2515
(48 Hrs. Notice) | (JDL) | S.B. No. 2021, S.D. 1
"RELATING TO RESISTING ARREST."
(Recommends passage on <u>THIRD
READING</u>) |
| 2516
(48 Hrs. Notice) | (JDL) | S.B. No. 2260, S.D. 2
"RELATING TO WAGES AND HOURS ON
PUBLIC WORKS."
(Recommends passage on <u>THIRD
READING</u>) |

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| 2517
(48 Hrs. Notice) | (JDL) | S.B. No. 2250, S.D. 2
"RELATING TO CHARITABLE SOLICITATION."
(Recommends passage on <u>THIRD READING</u>) |
| 2518
(48 Hrs. Notice) | (CPN) | S.B. No. 2657, S.D. 2
"RELATING TO RENEWABLE ENERGY."
(Recommends passage on <u>THIRD READING</u>) |
| 2519
(48 Hrs. Notice) | (HWN/JDL) | S.B. No. 2839, S.D. 1
"RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| 2520
(48 Hrs. Notice) | (PSM/ENE) | S.B. No. 2749, S.D. 1
"RELATING TO WASTEWATER."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| 2521
(48 Hrs. Notice) | (CPN) | S.B. No. 3127, S.D. 1
"RELATING TO CONDOMINIUMS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| 2522
(48 Hrs. Notice) | (TEC) | S.B. No. 3107, S.D. 1
"RELATING TO THE STATE INSTRUMENT."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |

[2523](#)
(One Day Notice)

(PSM/TSM)

[S.B. No. 3074](#)

"RELATING TO HOTEL CLASS LIQUOR LICENSES."

(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[2524](#)
(One Day Notice)

(PSM/TEC)

[S.B. No. 3046](#)

"RELATING TO GOLD STAR FAMILY DAY."

(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[2525](#)
(One Day Notice)

(JDL)

[S.B. No. 2080](#)

"RELATING TO THE UNIFORM MEDIATION ACT."

(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[2526](#)
(One Day Notice)

(EDU)

[G.M. No. 506](#)

"Submitting for consideration and confirmation to the Board of Education, Gubernatorial Nominee, GRANT CHUN, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[2526](#)
(One Day Notice)

(EDU)

[G.M. No. 507](#)

"Submitting for consideration and confirmation to the Board of Education, Gubernatorial Nominee, GRANT CHUN, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[2527](#)
(One Day Notice)

(HTH)

[G.M. No. 560](#)

"Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, ERIC OKAZAKI, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[2528](#)
(One Day Notice)

(HTH)

[G.M. No. 562](#)

"Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, SANDRA SIMMS, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[2528](#)
(One Day Notice)

(HTH)

[G.M. No. 563](#)

"Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, BENJAMIN PARK, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[2529](#)
(One Day Notice)

(HTH)

[G.M. No. 578](#)

"Submitting for consideration and confirmation as the Director of the Department of Health, Gubernatorial Nominee, LINDA ROSEN."

(Recommends Senate Consent to Nomination)

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| 2530
(48 Hrs. Notice) | (CPN) | S.B. No. 2577, S.D. 2
"RELATING TO NATUROPATHIC
PHYSICIANS."
(Recommends passage on <u>THIRD
READING</u>) |
| 2531
(48 Hrs. Notice) | (CPN/JDL) | S.B. No. 2175, S.D. 2
"RELATING TO INDUSTRIAL HEMP."
(Recommends passage on <u>THIRD
READING</u>) |
| 2532
(48 Hrs. Notice) | (JDL) | S.B. No. 2229, S.D. 2
"RELATING TO THE UNIFORM POWER
OF ATTORNEY ACT."
(Recommends passage on <u>THIRD
READING</u>) |
| 2533
(48 Hrs. Notice) | (JDL) | S.B. No. 2352, S.D. 2
"RELATING TO PSYCHIATRIC
FACILITIES."
(Recommends passage on <u>THIRD
READING</u>) |
| 2534
(48 Hrs. Notice) | (JDL) | S.B. No. 2031, S.D. 2
"RELATING TO HEALTH."
(Recommends passage on <u>THIRD
READING</u>) |
| 2535
(48 Hrs. Notice) | (JDL) | S.B. No. 2629, S.D. 1
"RELATING TO LOBBYISTS."
(Recommends passage on <u>SECOND
READING</u> and placement on the calendar for
Third Reading) |

ORDER OF THE DAY

8. Deferred Matters – Agree/Disagree

HSE. COM. NO.

REFERRAL

34

[S.B. No. 499, S.D. 1, H.D. 2](#)
"RELATING TO PARTITION OF HEIRS
PROPERTY."(Real Property; Partition; Heirs
Property)

AGREE/DISAGREE

9. Third Reading

[\(See Stand. Com. Rep. No. 2466\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2470, S.D. 1](#)

"RELATING TO THE HAWAII HEALTH
CONNECTOR." - (CPN)

(Hawaii Health Connector; Hawaii Health
Insurance Exchange; Board of Directors)

[\(See Stand. Com. Rep. No. 2467\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2330, S.D. 1](#)

"RELATING TO THE KANEOHE BAY
REGIONAL COUNCIL." - (WTL)

(Kaneohe Bay Regional Council;
Membership; Functions; Report)

[\(See Stand. Com. Rep. No. 2468\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2877, S.D. 1](#)

"RELATING TO USE PERMITS FOR
SMALL BOAT HARBOR FACILITIES." -
(WTL)

(Use Permits; Small Boat Harbors)

[\(See Stand. Com. Rep. No. 2469\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2878, S.D. 1](#)

"RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY." - (WTL/ENE)

(Hawaiian Islands Humpback Whale National Marine Sanctuary; State Co-management)

[\(See Stand. Com. Rep. No. 2470\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2879](#)

"RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL MONUMENT." - (WTL)

(Papahānaumokuākea Marine National Monument)

[\(See Stand. Com. Rep. No. 2471\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2807](#)

"RELATING TO THE UNCLAIMED PROPERTY TRUST FUND." - (WAM)

(Unclaimed Property Trust Fund)

[\(See Stand. Com. Rep. No. 2472\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2829, S.D. 1](#)

"MAKING AN APPROPRIATION TO THE EMERGENCY AND BUDGET RESERVE FUND." - (WAM)

(Emergency and Budget Reserve Fund; Appropriation)

[\(See Stand. Com. Rep. No. 2473\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2411, S.D. 1](#)

"RELATING TO SUBSIDIES." - (WAM)

(Subsidy; Deletion)

[\(See Stand. Com. Rep. No. 2474\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2875](#)

"RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE." - (WTL/ENE/HWN)

(Endangered Species Recovery Committee Membership; Native Hawaiian Traditional and Customary Practices)

[\(See Stand. Com. Rep. No. 2475\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2874](#)

"RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES." - (WTL/HWN)

(Board of Land and Natural Resources Membership; Native Hawaiian Traditional and Customary Practices)

[\(See Stand. Com. Rep. No. 2476\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2478](#)

"RELATING TO HEALTH." - (CPN)

(Chiropractic; Scope of Practice)

[\(See Stand. Com. Rep. No. 2477\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2491](#)

"RELATING TO NURSING." - (CPN)

(Advanced Practice Registered Nurses; Licensure)

[\(See Stand. Com. Rep. No. 2478\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2818](#)

"RELATING TO MORTGAGE SERVICERS." - (CPN)

(Mortgage Servicers)

[\(See Stand. Com. Rep. No. 2479\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2476, S.D. 1](#)

"RELATING TO REAL ESTATE APPRAISERS." - (CPN)

(Real Estate Appraisers; Arbitration Awards; Recordation; Non-confidentiality)

[\(See Stand. Com. Rep. No. 2480\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2467](#)

"RELATING TO PODIATRISTS." - (CPN)

(Podiatrists; Podiatry; Definitions)

[Stand. Com. Rep. No. 2481](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2841, S.D. 1](#)

"RELATING TO THE ESTABLISHMENT OF THE INTERIM ASSISTANCE REIMBURSEMENT SPECIAL FUND." - (WAM)

(Human Services; Interim Assistance Reimbursement Special Fund)

[Stand. Com. Rep. No. 2482](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2308, S.D. 1](#)

"RELATING TO CHILDREN." - (WAM)

(Incarcerated Parents; Children; Programs and Services; Appropriation)

[Stand. Com. Rep. No. 2483](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2541, S.D. 1](#)

"RELATING TO ELDERLY HOUSING." - (WAM)

(Elderly Housing; Hawaii Public Housing Authority; Appropriation)

[Stand. Com. Rep. No. 2484](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2348, S.D. 2](#)

"RELATING TO HEALTH." - (WAM)

(Emergency Medical Services; Advanced Life Support Ambulances; Appropriation)

10. Referrals and Re-Referrals

11. Miscellaneous Communication No. 6

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
M.C. No. 6	From OptumRx, Inc. dated February 12, 2014, transmitting a report pursuant to Act 226, Section 4, SLH 2013.	FILE

12. Miscellaneous Business

- Reconsideration of Recommital

S.B. No. 894, S.D. 2	JDL/WAM	"RELATING TO LAND ACQUISITION."
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13. Announcements

- Floor Presentation for Friday, February 28, 2014:

RECOGNIZING AND CELEBRATING THE 25TH ANNIVERSARY OF THE HAWAII FOODBANK. (Senator Thielen)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
WTL	2/27/2014 1:00 PM	225
AGL/PSM/WTL	2/27/2014 1:30 PM	225
HMS/HTH	2/27/2014 1:30 PM	016

AGL/ENE	2/27/2014 2:30 PM	229
AGL	2/27/2014 2:45 PM	229
PSM	2/27/2014 2:45 PM	224
WAM	2/28/2014 10:00 AM	211
INFO-EDU-EDN	2/28/2014 2:00 PM	414
TEC	3/6/2014 1:15 PM	414
HWN	3/7/2014 2:45 PM	224
WTL	3/10/2014 1:15 PM	225
WTL	3/10/2014 1:30 PM	225

- Senate Session will convene at 11:30 a.m. on Friday, February 28, 2014.

14. Adjournment