

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

FIFTY-SEVENTH DAY

APRIL 24, 2014-THURSDAY-6:30 O'CLOCK P.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communication Nos. 713-722

Informing the Senate that on April 23, 2014, the House appointed Conferees to the following bills:

REFERRAL

713	S.B. No. 2663, S.D. 2, H.D. 2 "RELATING TO NATURAL RESOURCES."(BLNR; Mineral Resources; Geothermal Resources; Hydraulic Fracturing)	FILE
714	S.B. No. 1141, S.D. 2, H.D. 2 "RELATING TO FORENSIC MENTAL HEALTH."(Forensic Mental Health; Conditional Release; Hawaii State Hospital)	FILE

Informing the Senate that on April 23, 2014, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

715 [H.B. No. 1024, H.D. 1, S.D. 2](#) FILE
"RELATING TO LIABILITY."(Liability; County Lifeguards)

716 [H.B. No. 2482, H.D. 1, S.D. 1](#) FILE
"RELATING TO CONDOMINIUMS."(Condominiums; Cumulative Voting; Associations; Board of Directors; Unit Owners; Majority Vote; Clarifying Amendments)

Informing the Senate that on April 23, 2014, the House agreed to the amendments proposed by the Senate and that said resolution has been adopted in final form in the House:

717 [H.C.R. No. 77, H.D. 1, S.D. 1](#) FILE
"EXPRESSING LEGISLATIVE SUPPORT FOR THE HAWAII FOOD AND WINE FESTIVAL AND DECLARING THE FESTIVAL TO BE THE NEXT AGRICULTURAL AND CULINARY MOVEMENT IN THE STATE OF HAWAII."(Expressing Legislative support for declaring the Hawaii Food and Wine Festival the State's next agriculture and culinary movement.)

Informing the Senate that on April 23, 2014, the House appointed Conferees to the following bills:

718 [H.B. No. 1264, H.D. 2, S.D. 2](#) FILE
"RELATING TO AGRICULTURAL LOANS."(Agricultural Loans)

719 [S.B. No. 524, S.D. 1, H.D. 1](#) FILE
"RELATING TO AGRICULTURE."(Agriculture; Food Security; Appropriations)

Informing the Senate that on April 16, 2014, the House agreed to the amendments proposed by the Senate and that said resolution has been adopted in final form in the House:

720 [H.C.R. No. 17, H.D. 1, S.D. 1](#) FILE
"REQUESTING THE DEPARTMENT OF HEALTH DEVELOPMENTAL DISABILITIES DIVISION TO ESTABLISH A TASK FORCE TO REVIEW HAWAII'S STATUTORY DEFINITION OF "DEVELOPMENTAL DISABILITIES".(DOH Developmental Disabilities Division; Task Force)

Informing the Senate that on April 24, 2014, the House appointed Conferees to the following bills:

721 [H.B. No. 473, H.D. 1, S.D. 2](#) FILE
"RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."(Natural Energy Laboratory of Hawaii Authority; Inter-agency Agreements; DBEDT)

Informing the Senate that on April 24, 2014, the House made changes to conferee assignments to the following bill:

722 [S.B. No. 1007, S.D. 2, H.D. 2](#) FILE
"RELATING TO PUBLIC LAND LIABILITY."(Public Land Liability)

Representatives Evans, Cullen, Rhoads, Nishimoto discharged as Co-Chairs.
Representatives Lowen, Matsumoto discharged as Conferees.

4. Senate Communications: None

5. Judiciary Communications: None

6. Conference Committee Report Nos. 5-20

[5-14](#)
(48 Hrs. Notice)

[H.B. No. 2560, H.D. 2, S.D. 2, C.D. 1](#)
"RELATING TO FAMILY CHILD CARE HOMES."
(Recommends passage on FINAL READING as amended C.D. 1)

[6-14](#)
(48 Hrs. Notice)

[S.B. No. 2577, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO NATUROPATHIC PHYSICIANS."
(Recommends passage on FINAL READING as amended C.D. 1)

[7-14](#)
(48 Hrs. Notice)

[S.B. No. 2589, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO LAW ENFORCEMENT."
(Recommends passage on FINAL READING as amended C.D. 1)

[8-14](#)
(48 Hrs. Notice)

[S.B. No. 2809, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO UTILITIES REGULATION."
(Recommends passage on FINAL READING as amended C.D. 1)

[9-14](#)
(48 Hrs. Notice)

[H.B. No. 2251, H.D. 1, S.D. 1, C.D. 1](#)
"RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."
(Recommends passage on FINAL READING as amended C.D. 1)

[10-14](#)
(48 Hrs. Notice)

[S.B. No. 2391, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO PUBLIC LANDS."
(Recommends passage on FINAL READING as amended C.D. 1)

[11-14](#)
(48 Hrs. Notice)

[S.B. No. 2877, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO USE PERMITS FOR
SMALL BOAT HARBOR FACILITIES."
(Recommends passage on FINAL READING
as amended C.D. 1)

[12-14](#)
(48 Hrs. Notice)

[S.B. No. 651, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO HEALTH."
(Recommends passage on FINAL READING
as amended C.D. 1)

[13-14](#)
(48 Hrs. Notice)

[S.B. No. 2048, S.D. 1, H.D. 2, C.D. 1](#)
"RELATING TO CABLE TELEVISION
SYSTEMS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[14-14](#)
(48 Hrs. Notice)

[S.B. No. 2742, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO ESTABLISHMENT OF
THE PACIFIC-ASIA INSTITUTE FOR
RESILIENCE AND SUSTAINABILITY."
(Recommends passage on FINAL READING
as amended C.D. 1)

[15-14](#)
(48 Hrs. Notice)

[H.B. No. 452, H.D. 1, S.D. 1, C.D. 1](#)
"RELATING TO ELECTION FRAUDS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[16-14](#)
(48 Hrs. Notice)

[H.B. No. 1641, S.D. 1, C.D. 1](#)
"RELATING TO GOVERNMENTAL
ACCESS TO STORED
COMMUNICATIONS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[17-14](#)
(48 Hrs. Notice)

[S.B. No. 2082, S.D. 1, H.D. 2, C.D. 1](#)
"RELATING TO LAND COURT."
(Recommends passage on FINAL READING
as amended C.D. 1)

[18-14](#)
(48 Hrs. Notice)

[S.B. No. 2953, S.D. 1, H.D. 3, C.D. 1](#)
"RELATING TO STATE RESOURCES ON
HAWAIIAN HOME LANDS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[19-14](#)
(48 Hrs. Notice)

[S.B. No. 3121, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO PUBLIC LAND."
(Recommends passage on FINAL READING
as amended C.D. 1)

[20-14](#)
(48 Hrs. Notice)

[S.B. No. 2330, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO THE KANEOHE BAY
REGIONAL COUNCIL."
(Recommends passage on FINAL READING
as amended C.D. 1)

7. Standing Committee Report Nos. 3514-3515

[3514](#) (ENE)
(One Day Notice)

[G.M. No. 585](#)
"Submitting for consideration and
confirmation as the Director of the Office of
Environmental Quality Control, Gubernatorial
Nominee, JESSICA WOOLEY, for a term to
expire 6-30-2015."

(Recommends Senate Consent to
Nomination)

[3515](#)
(One Day Notice)

(ENE)

[G.M. No. 652](#)

"Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, JOSEPH SHACAT, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

8. Deferred Matters – Agree / Disagree

HSE. COM. NO.

REFERRAL

697	S.C.R. No. 47, S.D. 1, H.D. 1 "RECOGNIZING JANUARY 17 OF EVERY YEAR AS HO‘OKU‘IKAHI DAY, OR RECONCILIATION DAY, IN HONOR AND REMEMBRANCE OF THE JUSTICE, RECONCILIATION, AND NONVIOLENCE OF QUEEN LILI‘UOKALANI."(Hookuikahi – Reconciliation Day)	AGREE/DISAGREE
698	S.C.R. No. 51, S.D. 1, H.D. 1 "REQUESTING THE ADMINISTRATION OF THE YOUTH RISK BEHAVIOR SURVEY TO STUDENTS IN GRADES SIX TO TWELVE IN SELECT SCHOOLS."(Youth Risk Behavior Survey; Department of Education)	AGREE/DISAGREE
701	S.C.R. No. 74, S.D. 1, H.D. 1 "REQUESTING AN EXAMINATION AND AUDIT OF THE ADVANCE DISPOSAL FEE PROGRAM."(Requesting an examination and audit of the advance disposal fee program.)	AGREE/DISAGREE

9. Advise and Consent

[3505](#) EGH
[Status & Testimony](#)

[G.M. No. 693](#)
"Submitting for consideration and confirmation to the Board of Directors of the Hawaii Housing Finance and Development Corporation, Gubernatorial Nominee, PAUL KYNO, for a term to expire 6-30-2018."

[3506](#) EGH
[Status & Testimony](#)

[G.M. No. 691](#)
"Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, MICHAEL IOSUA, for a term to expire 6-30-2018."

[3507](#) EGH
[Status & Testimony](#)

[G.M. No. 597](#)
"Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, ROSS YAMASAKI, for a term to expire 6-30-2018."

[3508](#) EGH
[Status & Testimony](#)

[G.M. No. 594](#)
"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, ROY IREI, for a term to expire 6-30-2016."

[3508](#) EGH
[Status & Testimony](#)

[G.M. No. 595](#)
"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, STEVEN SCHUTTE, for a term to expire 6-30-2016."

[3508](#) EGH
[Status & Testimony](#)

[G.M. No. 596](#)
"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, JEFF RIEWER, for a term to expire 6-30-2016."

[3509](#) EGH
[Status & Testimony](#)

[G.M. No. 584](#)
"Submitting for consideration and confirmation as the Administrator of the State Procurement Office, Gubernatorial Nominee, SARAH-JANE ALLEN, for a term to expire 10-15-2017."

[3510](#) EGH
[Status & Testimony](#)

[G.M. No. 557](#)
"Submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, Gubernatorial Nominee, LEIGH-ANN MIYASATO, for a term to expire 6-30-2018."

[3511](#) EGH
[Status & Testimony](#)

[G.M. No. 503](#)
"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, HARRIS NAKAMOTO, for a term to expire 6-30-2015."

[3512](#) EGH
[Status & Testimony](#)

[G.M. No. 502](#)
"Submitting for consideration and confirmation to the Hawaii Community Development Authority (Kakaako District), Gubernatorial Nominee, BRIAN TAMAMOTO, for a term to expire 6-30-2015."

[3513](#)

EGH

[Status & Testimony](#)

[G.M. No. 623](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Board, Gubernatorial Nominee, BARBARA BENNETT, for a term to expire 6-30-2018."

10. Adopt Resolutions

[S.R. No. 80, S.D. 1](#)

[Prior Versions/Status & Testimony](#)

"EXPRESSING SUPPORT FOR HAWAI'I TO HOST THE 2016 WORLD CONSERVATION CONGRESS OF THE INTERNATIONAL UNION FOR CONSERVATION OF NATURE."

(International Union for Conservation of Nature 2016 Conference)

11. Final Adoption

[S.C.R. No. 57, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"SUPPORTING A BID TO THE COUNCIL OF PACIFIC ARTS AND CULTURE FOR HAWAII TO HOST THE 2020 FESTIVAL OF PACIFIC ARTS."

(Festival of Pacific Arts; Host)

[S.C.R. No. 73, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TASK FORCE TO STUDY THE EFFECTS OF THE JANUARY 2014 FUEL TANK LEAK AT THE RED HILL UNDERGROUND FUEL STORAGE FACILITY."

(DOH; Task Force; Red Hill; Fuel Leak)

[S.C.R. No. 97, S.D. 1, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"REQUESTING THE CONVENING OF A COTTAGE FOOD BUSINESS WORKING GROUP COMPRISING REPRESENTATIVES FROM THE DEPARTMENT OF HEALTH AND THE COTTAGE FOOD INDUSTRY."

(Cottage Food Business Working Group;
Department of Health; Food Safety)

12. Final Reading

[Conf. Com. Rep. No. 1-14](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2901, S.D. 1, H.D. 1, C.D. 1](#)

"RELATING TO MOTOR CARRIER SAFETY."

(Highway Safety; Motor Vehicle Safety Law)

[S.B. No. 2869, S.D. 2, H.D. 1](#)

[Prior Versions/Status & Testimony](#)

"RELATING TO PRIVACY OF HEALTH CARE INFORMATION."

(Privacy of Health Care Information; Health Insurance Portability and Accountability Act of 1996)

13. Referrals and Re-Referrals

14. Miscellaneous Communications: None

15. Miscellaneous Business

- Waiver of Referral; One Day Notice for Adoption of Resolution

[H.C.R. No. 34, H.D. 2](#)

PSM/TEC,
WAM

“REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII EMERGENCY MEDICAL SERVICES ASSOCIATION AND OTHER RELEVANT ORGANIZATIONS TO PLAN AND CONSTRUCT THE HAWAII EMERGENCY RESPONDERS MEMORIAL.”

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

[S.B. No. 2853, S.D. 2, H.D. 2](#)

HTH/HMS,
WAM

"RELATING TO DEVELOPMENTAL DISABILITIES ADULT FOSTER HOMES."(Developmental Disabilities Foster Homes)

16. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/25/2014 9:00 AM	224
CONF	4/25/2014 9:30 AM	329
CONF	4/25/2014 9:45 AM	016
CONF	4/25/2014 9:45 AM	224
CONF	4/25/2014 10:00 AM	312

CONF	4/25/2014 10:00 AM	329
CONF	4/25/2014 10:00 AM	309
CONF	4/25/2014 10:00 AM	224
CONF	4/25/2014 10:15 AM	309
CONF	4/25/2014 10:15 AM	016
CONF	4/25/2014 10:15 AM	224
CONF	4/25/2014 10:25 AM	325
CONF	4/25/2014 10:30 AM	325
CONF	4/25/2014 10:30 AM	225
CONF	4/25/2014 10:30 AM	325
CONF	4/25/2014 10:40 AM	325
CONF	4/25/2014 11:00 AM	325
CONF	4/25/2014 11:00 AM	016
CONF	4/25/2014 11:10 AM	224
CONF	4/25/2014 11:30 AM	229
CONF	4/25/2014 11:55 AM	224
CONF	4/25/2014 12:30 PM	229
CONF	4/25/2014 12:40 PM	229
CONF	4/25/2014 12:45 PM	229
CONF	4/25/2014 1:00 PM	423
CONF	4/25/2014 1:15 PM	312
CONF	4/25/2014 1:20 PM	312
CONF	4/25/2014 1:30 PM	225
CONF	4/25/2014 1:30 PM	325
CONF	4/25/2014 1:35 PM	225
CONF	4/25/2014 2:00 PM	329
CONF	4/25/2014 2:30 PM	309
CONF	4/25/2014 2:30 PM	225
CONF	4/25/2014 3:00 PM	224
CONF	4/25/2014 3:00 PM	229
CONF	4/25/2014 3:01 PM	224
CONF	4/25/2014 3:30 PM	312
CONF	4/25/2014 4:00 PM	312
JDL	4/28/2014 2:00 PM	016

- Senate Session will convene at 6:30 p.m. on Friday, April 25, 2014.

17. Adjournment