

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

FIFTY-EIGHTH DAY

APRIL 25, 2014-FRIDAY-6:30 O'CLOCK P.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor Nos. 1126-1151

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 1126	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB2275 (ACT 026). "RELATING TO MORTGAGE RESCUE FRAUD."	FILE
G.M. No. 1127	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB2262 HD2 (ACT 027). "RELATING TO REPORTING DEATHS TO STATE AGENCIES."	FILE
G.M. No. 1128	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2466 SD1 HD1 (ACT 028). "RELATING TO CONTINUING EDUCATION FOR MARRIAGE AND FAMILY THERAPISTS."	FILE

G.M. No. 1129	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2475 (ACT 029). "RELATING TO ASSISTING UNLICENSED CONTRACTORS."	FILE
G.M. No. 1130	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2818 (ACT 030). "RELATING TO MORTGAGE SERVICERS."	FILE
G.M. No. 1131	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB3074 (ACT 031). "RELATING TO HOTEL CLASS LIQUOR LICENSES."	FILE
G.M. No. 1132	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB570 (ACT 032). "RELATING TO CONTRACTORS."	FILE
G.M. No. 1133	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB2242 HD1 (ACT 033). "RELATING TO CRIME."	FILE
G.M. No. 1134	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB2248 HD1 (ACT 034). "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF THE ATTORNEY GENERAL."	FILE

- [G.M. No. 1135](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [HB2264](#) (ACT 035). FILE
- "RELATING TO INVESTMENT AUTHORITY OF THE EMPLOYEES' RETIREMENT SYSTEM."
- [G.M. No. 1136](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [HB2298 HD1](#) (ACT 036). FILE
- "RELATING TO NOTICE TO CHILDREN PURSUANT TO THE CHILD PROTECTIVE ACT."
- [G.M. No. 1137](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [HB2513](#) (ACT 037). FILE
- "RELATING TO MORTGAGE FORECLOSURES."
- [G.M. No. 1138](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2822 SD1 HD1](#) (ACT 038). FILE
- "RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR REAL ESTATE APPRAISERS."
- [G.M. No. 1139](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2331 SD2 HD1](#) (ACT 039). FILE
- "RELATING TO TEACHERS."
- [G.M. No. 1140](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2329 SD1 HD1](#) (ACT 040). FILE
- "RELATING TO PROVISIONAL LICENSES."

- [G.M. No. 1141](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2072 HD1](#) (ACT 041). FILE
- "RELATING TO SERVICE OF PROCESS."
- [G.M. No. 1142](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2896 SD1](#) (ACT 042). FILE
- "RELATING TO GENERAL EXCISE TAX WHOLESALE RATE IMPOSED UPON SALE OF TANGIBLE PERSONAL PROPERTY."
- [G.M. No. 1143](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2890 SD1](#) (ACT 043). FILE
- "RELATING TO APPLICATION OF THE INTERNAL REVENUE CODE TO HAWAII INCOME TAX LAW."
- [G.M. No. 1144](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2887 SD1](#) (ACT 044). FILE
- "RELATING TO THE ESTATE AND GENERATION-SKIPPING TRANSFER TAXES."
- [G.M. No. 1145](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2492 SD1](#) (ACT 045). FILE
- "RELATING TO ADVANCED PRACTICE REGISTERED NURSES."
- [G.M. No. 1146](#) Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: [SB2491](#) (ACT 046). FILE
- "RELATING TO NURSING."

G.M. No. 1147	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2233 (ACT 047). "RELATING TO BUREAU OF CONVEYANCES."	FILE
G.M. No. 1148	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2120 (ACT 048). "RELATING TO CAMPAIGN SPENDING."	FILE
G.M. No. 1149	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: SB2078 SD1 (ACT 049). "RELATING TO CONDOMINIUMS."	FILE
G.M. No. 1150	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB33 SD1 (ACT 050). "RELATING TO PUBLIC ORDER."	FILE
G.M. No. 1151	Informing the Legislature that on April 23, 2014, the Governor signed the following bill into law: HB1660 HD1 SD1 (ACT 051). "RELATING TO SIDEWALKS."	FILE

2. Departmental Communication No. 86

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 86	From the University of Hawaii dated April 17, 2014, transmitting the Quarterly Report on Expenditure of Funds from the Tobacco Master Settlement Agreement for University Revenue Undertakings FY2014 pursuant to Act 164, SLH 2011.	FILE

3. House Communication Nos. 723-725

Returning the following Senate Concurrent Resolution which was adopted by the House on April 24, 2014:

REFERRAL

723

[S.C.R. No. 88](#)

FILE

"APPROVING THE SELECTION OF DANNY KALEIKINI TO BE INDUCTED INTO THE ALOHA ORDER OF MERIT."(Danny Kaleikini; Aloha Order of Merit)

Informing the Senate that on April 24, 2014, the House agreed to the amendments proposed by the Senate and that said resolutions have been adopted in final form in the House:

724

[H.C.R. No. 12, H.D. 1, S.D. 1](#)

FILE

"REQUESTING THE UNIVERSITY OF HAWAII TO AFFIRM ITS COMMITMENT TO UPHOLDING THE TENETS OF TITLE IX OF THE EDUCATION AMENDMENT ACT OF 1972 AND THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT 2013 AND THE UNIVERSITY OF HAWAII'S DEDICATION TO ENDING ALL FORMS OF SEXUAL VIOLENCE ON HAWAII CAMPUSES THROUGH A REPORT ON THE STATUS OF TITLE IX OF THE EDUCATION AMENDMENT ACT OF 1972 AND VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT 2013 POLICIES, PROCEDURES, STAFFING, AND STATISTICS."(None)

[H.C.R. No. 40, S.D. 1](#)

"RECOGNIZING AND DESIGNATING THE HAWAII HEALTH INFORMATION EXCHANGE AS THE ONLY FULLY OPERATIONAL, STATEWIDE HEALTH INFORMATION EXCHANGE OPERATING IN HAWAII."(Hawaii Health Information Exchange; State-Designated Health Information Exchange)

[H.C.R. No. 48, H.D. 2, S.D. 1](#)

"REQUESTING THE CONVENING OF A TASK FORCE TO DEVELOP RECOMMENDATIONS FOR THE ESTABLISHMENT OF A REGULATED STATEWIDE DISPENSARY SYSTEM FOR MEDICAL MARIJUANA."(Medical Marijuana Dispensary; Task Force)

[H.C.R. No. 110, H.D. 2, S.D. 1](#)

"REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO RECOMMEND LEGISLATION OR CHANGES TO ADMINISTRATIVE RULES TO DEVELOP CONTRACTUAL OBLIGATIONS BETWEEN THE STATE AND WIRELESS TELECOMMUNICATION SERVICE PROVIDERS AS TO THE USE OF PUBLIC LANDS FOR WIRELESS TELECOMMUNICATION INFRASTRUCTURE."(Telecommunication and Communication Providers; State Contracts; Working Group)

[H.C.R. No. 122, H.D. 1, S.D. 1](#)

"URGING THE DIRECTOR OF HEALTH TO CONVENE A TASK FORCE TO ASSESS THE SCOPE AND FEASIBILITY OF ESTABLISHING AN EMERGENCY SERVICES PATIENT ADVOCATE PROGRAM."(Emergency Services Patient Advocate Program)

Informing the Senate that on April 25, 2014, the House made changes to conferee assignments to the following bills:

725

[H.B. No. 1280, H.D. 2, S.D. 1](#)

FILE

"RELATING TO PUBLIC SAFETY."(First Responders Technology Campus and Cyber Security Command Center; Appropriation)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[H.B. No. 1564, H.D. 1, S.D. 1](#)

"RELATING TO VETERANS."(Veterans' Services; Cemeteries; Counties; Federal Funding)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[H.B. No. 1692, H.D. 2, S.D. 2](#)

"RELATING TO TOURISM."(Hawaii Tourism Authority; Marketing Plan; Annual Report)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[H.B. No. 2072, H.D. 1, S.D. 2](#)

"RELATING TO THE DEPARTMENT OF DEFENSE."(Office of Veterans' Services; Veterans Coordinator; Appropriation; Establishment of Position)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[H.B. No. 2347, H.D. 2, S.D. 1](#)

"RELATING TO DEPARTMENT OF TAXATION CRIMINAL INVESTIGATORS."(Taxation; Investigators; Police Powers)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[H.B. No. 2434, H.D. 2, S.D. 2](#)

"RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."(Transient Accommodations Tax; Special Land and Development Fund; Beach Restoration Special Fund; State Parks Special Fund)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[S.B. No. 2042, H.D. 1](#)

"RELATING TO CULTURAL EXCHANGES BETWEEN HAWAII AND PUERTO RICO."(Puerto Rican Cultural Exchange Commission; Appropriation)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[S.B. No. 2598, S.D. 1, H.D. 1](#)

"RELATING TO THE CULTURAL EXCHANGES BETWEEN HAWAII AND AFRICAN AMERICANS."(Commission on African American History and Culture)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

[S.B. No. 3024, S.D. 2, H.D. 1](#)

"RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."(Transient Accommodations Tax; Special Land and Development Fund; Conservation and Resources Enforcement Special Fund; DLNR)

Representative Luke added as Co-Chair.
Representative Tokioka discharged as Co-Chair.

4. Senate Communications: None
5. Judiciary Communications: None

6. Conference Committee Report Nos. 59-66

[59-14](#)
(48 Hrs. Notice)

[H.B. No. 1942, H.D. 1, S.D. 1, C.D. 1](#)
"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WITH THE PLANNING, DESIGN, CONSTRUCTION, EQUIPPING, LAND LEASES, AND OTHER TANGIBLE ASSETS FOR A RENEWABLE ENERGY PROJECT WITH ENERGY STORAGE TECHNOLOGY ON THE ISLAND OF MOLOKAI."
(Recommends passage on FINAL READING as amended C.D. 1)

[60-14](#)
(48 Hrs. Notice)

[H.B. No. 2543, S.D. 1, C.D. 1](#)
"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOTORK HAWAII LLC."
(Recommends passage on FINAL READING as amended C.D. 1)

[61-14](#)
(48 Hrs. Notice)

[S.B. No. 2981, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO THE ECONOMY."
(Recommends passage on FINAL READING as amended C.D. 1)

[62-14](#)
(48 Hrs. Notice)

[S.B. No. 2895, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO TAXPAYER EDUCATION."
(Recommends passage on FINAL READING as amended C.D. 1)

[63-14](#)
(48 Hrs. Notice)

[S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO SUBSIDIES."
(Recommends passage on FINAL READING as amended C.D. 1)

[64-14](#)
(48 Hrs. Notice)

[S.B. No. 2779, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO FINANCIAL AUDIT OF
THE STATE OF HAWAII BY THE
LEGISLATIVE AUDITOR."
(Recommends passage on FINAL READING
as amended C.D. 1)

[65-14](#)
(48 Hrs. Notice)

[S.B. No. 2820, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO INSURANCE."
(Recommends passage on FINAL READING
as amended C.D. 1)

[66-14](#)
(48 Hrs. Notice)

[S.B. No. 2288, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO EDUCATION."
(Recommends passage on FINAL READING
as amended C.D. 1)

7. Standing Committee Report Nos. 3516-3517

[3516](#) (WAM)
(One Day Notice)

[S.R. No. 59, S.D. 1](#)
"REQUESTING THE HAWAII LABOR
RELATIONS BOARD TO CONDUCT AN
INVESTIGATION INTO THE GRIEVANCE
ARBITRATION PROCESS IN PUBLIC
COLLECTIVE BARGAINING."
(Recommends Adoption)

[3517](#)
(One Day Notice)

(WAM)

[H.C.R. No. 200](#)

"REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND STATE FOUNDATION ON CULTURE AND THE ARTS TO PLACE A PEACE POLE SCULPTURE NEAR THE KATSU GOTO MEMORIAL AND RECOGNIZING THE EFFORTS OF THE COMMUNITY OF HONOKA‘A, THE HONOKA‘A PEACE COMMITTEE, AND THE IMPORTANCE OF COMMEMORATING PEACE DAY."
(Recommends Adoption)

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](#)

AGREE/DISAGREE

"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)

698

[S.C.R. No. 51, S.D. 1, H.D. 1](#)

AGREE/DISAGREE

"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)

701

[S.C.R. No. 74, S.D. 1, H.D. 1](#)

AGREE/DISAGREE

"REQUESTING AN EXAMINATION AND
AUDIT OF THE ADVANCE DISPOSAL
FEE PROGRAM."(Requesting an
examination and audit of the advance disposal
fee program.)

9. Advise and Consent

[3514](#)

ENE

[Status & Testimony](#)

[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."

[3515](#)

ENE

[Status & Testimony](#)

[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."

10. Adopt Resolution

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

[Prior Versions/Status & Testimony](#)

"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."

(Hawaii Emergency Responders Memorial)

11. Final Reading

[Conf. Com. Rep. No. 2-14](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2657, S.D. 2, H.D. 1, C.D. 1](#)

"RELATING TO RENEWABLE ENERGY."

(Solar Energy Device; Warranty; Contractors)

[Conf. Com. Rep. No. 3-14](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2134, S.D. 1, H.D. 1, C.D. 1](#)

"RELATING TO EDUCATION."

(Education; Special Education; Individuals with Disabilities Education Act)

[Conf. Com. Rep. No. 4-14](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2768, S.D. 2, H.D. 2, C.D. 1](#)

"RELATING TO KINDERGARTEN."

(Kindergarten)

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

[Prior Versions/Status & Testimony](#)

"RELATING TO DEVELOPMENTAL DISABILITIES ADULT FOSTER HOMES."

(Developmental Disabilities Foster Homes)

12. Referrals and Re-Referrals

13. Miscellaneous Communications: None

14. Miscellaneous Business

15. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
JDL	4/28/2014 2:00 PM	016

- Senate Session will convene at 10:30 a.m. on Tuesday, April 29, 2014.

16. Adjournment