

‘Aha Kenekoa ‘Aha‘ōlelo Iwakāluakumamāwalu  
THE SENATE  
OF THE  
TWENTY-EIGHTH LEGISLATURE  
Moku‘āina ‘O Hawai‘i  
STATE OF HAWAII  
‘Ākoakoa Kūmau MH 2016  
REGULAR SESSION OF 2016

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Lā Kanalimakumamāono  
FIFTY-SIXTH DAY

27 ‘Apelila 2016 - Po‘akolu - Hola 11:30 A.M.  
APRIL 27, 2016-WEDNESDAY-11:30 O’CLOCK A.M.

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Papahana O Ka Lā  
ORDER OF BUSINESS

Kāhea Papainoa  
ROLL CALL

‘Āpono Mo‘olelo O Ka Puke Hālāwai  
APPROVAL OF THE JOURNAL

Ho‘olauna Mea Kipa  
INTRODUCTIONS

Ho‘oka‘a‘ike Mai Ke Kia‘āina  
MESSAGES FROM THE GOVERNOR: Nos. 1113-1125

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 1113</a>	Informing the Legislature that on April 25, 2016, the Governor signed the following bill into law: <a href="#">SB2775</a> (ACT 013). “RELATING TO THE AFFORDABLE CARE ACT SECTION 1332 STATE INNOVATION WAIVER.”	FILE

<a href="#">G.M. No. 1114</a>	Informing the Legislature that on April 25, 2016, the Governor signed the following bill into law: <a href="#">SB2341 SD1</a> (ACT 014). “RELATING TO RESPIRATORY THERAPISTS.”	FILE
<a href="#">G.M. No. 1115</a>	Informing the Legislature that on April 25, 2016, the Governor signed the following bill into law: <a href="#">SB2934 SD2</a> (ACT 015). “RELATING TO DRIVER LICENSING.”	FILE
<a href="#">G.M. No. 1116</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2312 SD1 HD1</a> (ACT 016). “RELATING TO THE PENAL CODE.”	FILE
<a href="#">G.M. No. 1117</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2246</a> (ACT 017). “RELATING TO TESTING FOR INTOXICANTS.”	FILE
<a href="#">G.M. No. 1118</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2862</a> (ACT 018). “RELATING TO NURSING.”	FILE
<a href="#">G.M. No. 1119</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2813 SD1</a> (ACT 019). “RELATING TO GUARDIANSHIP.”	FILE
<a href="#">G.M. No. 1120</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2885 SD1</a> (ACT 020). “RELATING TO BIRTH DEFECTS.”	FILE
<a href="#">G.M. No. 1121</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2874</a> (ACT 021). “RELATING TO CERTIFIED NURSE AIDES.”	FILE

<a href="#">G.M. No. 1122</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2873</a> (ACT 022). “RELATING TO ORDERS FOR IMMEDIATE PROTECTION.”	FILE
<a href="#">G.M. No. 1123</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2511</a> (ACT 023). “RELATING TO TELECOMMUNICATIONS.”	FILE
<a href="#">G.M. No. 1124</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB2256 SD1</a> (ACT 024). “RELATING TO MOTOR VEHICLE DRIVER LICENSING.”	FILE
<a href="#">G.M. No. 1125</a>	Informing the Legislature that on April 26, 2016, the Governor signed the following bill into law: <a href="#">SB305 SD1 HD1</a> (ACT 025). “RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII HEALTH SYSTEMS CORPORATION PREMISES.”	FILE

Ho‘oka‘a‘ike Mai Nā ‘Oihana  
DEPARTMENTAL COMMUNICATIONS: None

Ho‘oka‘a‘ike No Ka Hale  
HOUSE COMMUNICATION Nos. 658-660

	Informing the Senate that on April 26, 2016, the House agreed to the amendments proposed by the Senate and that said bills passed Final Reading in the House:	<u>REFERRAL</u>
658	<a href="#">H.B. No. 27, S.D. 1</a> "RELATING TO ELECTIONS."(Elections; Marked Ballot; Electronic or Digital Images)	FILE

[H.B. No. 625, H.D. 1, S.D. 1](#)

"RELATING TO FIREARMS."(Firearms Possession; Misdemeanor Stalking and Sexual Assault)

[H.B. No. 1044, H.D. 1, S.D. 1](#)

"RELATING TO SEXUAL ASSAULT."(Sexual Assault in the Second Degree; Sexual Assault in the Fourth Degree; Sexual Penetration; Sexual Contact; Minor)

[H.B. No. 1541, H.D. 1, S.D. 1](#)

"RELATING TO PLANNED COMMUNITY ASSOCIATIONS."(Planned Community Associations; Proxy Statements; Requirements)

[H.B. No. 1705, S.D. 1](#)

"RELATING TO MOTOR VEHICLE INSURANCE."(Motor Vehicle Insurance; Motorcycle and Motor Scooter Insurance; Proof of Insurance; Electronic Motor Vehicle Insurance Card; Mobile Electronic Device)

[H.B. No. 2082, H.D. 1, S.D. 1](#)

"RELATING TO ADOPTION RECORDS."(Adoption Records; Open Access)

[H.B. No. 2084, H.D. 2, S.D. 1](#)

"RELATING TO INSURANCE."(Health Insurance; Insurers; Participation and Coverage; Non-discrimination; Gender Identity)

[H.B. No. 2217, H.D. 1, S.D. 1](#)

"RELATING TO AMENDING OR REPEALING HAWAII REAL PROPERTY TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS."(Real Property Tax)

[H.B. No. 2218, H.D. 1, S.D. 1](#)

"RELATING TO AMENDING OR REPEALING HAWAII INCOME TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS."(Income Tax; Internal Revenue Code)

[H.B. No. 2281, S.D. 1](#)

"RELATING TO SERVICE BY PUBLICATION IN PATERNITY CASES."(Service of Process; Notice; Paternity Cases)

[H.B. No. 2293, H.D. 1, S.D. 1](#)

"RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION."(Hawaii Housing Finance and Development Corporation; Mixed-use developments)

[H.B. No. 2295, H.D. 1, S.D. 1](#)

"RELATING TO THE AEROSPACE ADVISORY COMMITTEE."(Aerospace Advisory Committee; Membership; Chair)

[H.B. No. 2311, S.D. 1](#)

"RELATING TO REPORTING DEATHS TO STATE AGENCIES."(Vital Records; Reporting Deaths to State Agencies)

[H.B. No. 2415, S.D. 1](#)

"RELATING TO NON-GENERAL FUNDS."(Non-general Funds; Repeal; Reclassify; Transfer of Balances)

[H.B. No. 2448, H.D. 1, S.D. 1](#)

"RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."(Revision Bill)

[H.B. No. 2466, H.D. 1, S.D. 1](#)  
"RELATING TO NON-GENERAL  
FUNDS."(Cigarette Tax Revenues; Re-  
Distribution Study)

Informing the Senate that on April 26, 2016, the  
House made changes to conferee assignments to  
the following bill:

659            [H.B. No. 1176, H.D. 2, S.D. 1](#)            FILE  
"RELATING TO CONSUMER  
PROTECTION."(E-liquid; Electronic Smoking  
Devices; Packaging Requirements; Prohibitions;  
Penalties)

Informing the Senate that on April 26, 2016, the  
House appointed Conferees to the following bills:

660            [S.B. No. 676, S.D. 2, H.D. 1](#)            FILE  
"RELATING TO THE CAPITAL  
INFRASTRUCTURE TAX CREDIT."(Capital  
Infrastructure Tax Credit; Kapalama Container  
Terminal Project; Displaced Tenants)

[S.B. No. 979, S.D. 2, H.D. 1](#)  
"RELATING TO YOUTH."(Office of Youth  
Services; Safe Places for Youth Pilot Program;  
Appropriation)

Ho‘oka‘a‘ike No Ka ‘Aha Kenekoa  
SENATE COMMUNICATIONS: None

Ho‘oka‘a‘ike Mai Ka ‘Ao‘ao Ho‘okolokolo  
JUDICIARY COMMUNICATIONS: None

Conference Committee Report Nos. 8-16 to 11-16

[8-16](#)  
(48 Hrs. Notice)

[S.B. No. 2540, H.D. 1, C.D. 1](#)  
"RELATING TO THE DEPARTMENT OF HEALTH."  
(Recommends passage on FINAL READING as amended C.D. 1)

[9-16](#)  
(48 Hrs. Notice)

[S.B. No. 2861, S.D. 2, H.D. 1, C.D. 1](#)  
"RELATING TO THE JOINT FORMULARY ADVISORY COMMITTEE."  
(Recommends passage on FINAL READING as amended C.D. 1)

[10-16](#)  
(48 Hrs. Notice)

[H.B. No. 1585, H.D. 2, S.D. 1, C.D. 1](#)  
"RELATING TO GUARDIANSHIP."  
(Recommends passage on FINAL READING as amended C.D. 1)

[11-16](#)  
(48 Hrs. Notice)

[S.B. No. 2886, S.D. 2, H.D. 2, C.D. 1](#)  
"RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES."  
(Recommends passage on FINAL READING as amended C.D. 1)

Palapala Hō'ike Na Nā Kōmike Kūmau  
STANDING COMMITTEE REPORT No. 3716

[3716](#) (CPH)  
(One Day Notice)

[G.M. No. 574](#)  
"Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, CHAD KOYANAGI, for a term to expire 06-30-2020 (term amended to 6-30-2019 by GM620)."

(Recommends Senate Consent to Nomination)

[3716](#)  
(One Day Notice)

(CPH)

[G.M. No. 579](#)

"Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, WANDA VORSINO, for a term to expire 06-30-2019."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

DEFERRED MATTERS – Agree / Disagree

HSE. COM. NO.

REFERRAL

654

[S.C.R. No. 20, S.D. 1, H.D. 1](#)

AGREE/DISAGREE

"ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE STATE OF GOA OF THE REPUBLIC OF INDIA."(Sister State Relationship; Goa, India)

655

[S.C.R. No. 96, S.D. 2, H.D. 1](#)

AGREE/DISAGREE

"REQUESTING THE ESTABLISHMENT OF AN ALI'I MEMORIAL ART ADVISORY TASK FORCE."(Spirit of Lili'uokalani Statue; Hawaiian Ali'i Memorial Art)



- 656                    [S.C.R. No. 125, S.D. 1, H.D. 1](#)                    AGREE/DISAGREE  
"EXPRESSING ENDORSEMENT AND  
SUPPORT FOR A UNIQUE AND  
AGGRESSIVE APPROACH BY THE  
DEPARTMENT OF LAND AND  
NATURAL RESOURCES TO USE  
DURABLE AND TEMPORARY GEO-  
SYNTHETIC MATERIALS AS  
NECESSARY FOR THE PROTECTION OF  
THE KAA NAPALI BEACH WALK FROM  
SHORELINE HAZARDS UNTIL THE  
BEACH NOURISHMENT PROGRAM AT  
KAA NAPALI BEACH CAN BE  
COMPLETED."(Kaanapali Beach  
Restoration)
- 657                    [S.C.R. No. 138, H.D. 1](#)                    AGREE/DISAGREE  
"REQUESTING THE TAX REVIEW  
COMMISSION TO EVALUATE THE  
IMPACTS OF GENERAL EXCISE AND  
USE TAX INCREASES PROPOSED  
DURING THE REGULAR SESSION OF  
2016 AND GENERAL EXCISE TAX  
PYRAMIDING AS APPLIED TO  
TRANSIENT ACCOMMODATIONS."(Tax  
Review Commission; General Excise and Use  
Tax Increase Evaluation)

A‘oa‘o A ‘Ae  
ADVISE AND CONSENT

[3708](#)  
[Status & Testimony](#)

HWN

[G.M. No. 878](#)  
"Submitting for consideration and  
confirmation to the Island Burial Council,  
Islands Of Kaua'i And Niihau, Gubernatorial  
Nominee, RICHARD NESMITH, for a term  
to expire 06-30-2017."

<a href="#">3708</a>	HWN	<a href="#">G.M. No. 880</a> "Submitting for consideration and confirmation to the Island Burial Council, Islands Of Kaua'i And Niihau, Gubernatorial Nominee, KEITH YAP, for a term to expire 06-30-2016."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3708</a>	HWN	<a href="#">G.M. No. 881</a> "Submitting for consideration and confirmation to the Island Burial Council, Islands Of Kaua'i And Niihau, Gubernatorial Nominee, KEITH YAP, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3708</a>	HWN	<a href="#">G.M. No. 882</a> "Submitting for consideration and confirmation to the Island Burial Council, Islands Of Kaua'i And Niihau, Gubernatorial Nominee, THEODORE BLAKE, for a term to expire 06-30-2016."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3708</a>	HWN	<a href="#">G.M. No. 883</a> "Submitting for consideration and confirmation to the Island Burial Council, Islands Of Kaua'i And Niihau, Gubernatorial Nominee, THEODORE BLAKE, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3708</a>	HWN	<a href="#">G.M. No. 884</a> "Submitting for consideration and confirmation to the Island Burial Council, Islands Of Kaua'i And Niihau, Gubernatorial Nominee, SANDRA QUINSAAT, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		

<a href="#">3709</a>	JDL	<a href="#">J.C. No. 8</a> "Submitting for consideration and confirmation to the District Court Of The Third Circuit, Judicial Nominee, DARIEN W.L. CHING NAGATA, for a term to expire in 6 years."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3710</a>	JDL	<a href="#">G.M. No. 603</a> "Submitting for consideration and confirmation to the Civil Rights Commission, Gubernatorial Nominee, LINDA KRIEGER, for a term to expire 06-30-2019."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3711</a>	JDL	<a href="#">G.M. No. 638</a> "Submitting for consideration and confirmation to the Hawai'i Workforce Development Council, Gubernatorial Nominee, ALAN HAYASHI, for a term to expire 06-30-2019."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3711</a>	JDL	<a href="#">G.M. No. 661</a> "Submitting for consideration and confirmation to the Hawai'i Workforce Development Council, Gubernatorial Nominee, KAREN ELIZABETH WHITEHEAD, for a term to expire 06-30-2019."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3712</a>	JDL	<a href="#">G.M. No. 697</a> "Submitting for consideration and confirmation to the Commission To Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		

<a href="#">3712</a>	JDL	<a href="#">G.M. No. 698</a> "Submitting for consideration and confirmation to the Commission To Promote Uniform Legislation, Gubernatorial Nominee, PETER HAMASAKI, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3713</a>	JDL	<a href="#">G.M. No. 742</a> "Submitting for consideration and confirmation to the Labor And Industrial Relations Appeals Board, Gubernatorial Nominee, MARIE LADERTA, for a term to expire 06-30-2026."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3714</a>	JDL	<a href="#">G.M. No. 844</a> "Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, TRISTAN ALDEGUER, for a term to expire 06-30-2020."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3714</a>	JDL	<a href="#">G.M. No. 845</a> "Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, JOHN MIHLBAUER, JR., for a term to expire 06-30-2018."
<a href="#">Status &amp; Testimony</a>		
<a href="#">3715</a>	JDL	<a href="#">G.M. No. 855</a> "Submitting for consideration and confirmation to the Hawai'i Labor Relations Board, Gubernatorial Nominee, J MUSTO, for a term to expire 06-30-2022."
<a href="#">Status &amp; Testimony</a>		

Heluhelu Hope Loa  
FINAL READING

[Conf. Com. Rep. No. 1-16](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2362, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO THE HAWAII  
WORKFORCE DEVELOPMENT  
COUNCIL."

(Workforce Development Council;  
Composition; Duties)

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

[Prior Versions/Status & Testimony](#)

"RELATING TO YOUTH  
TRANSITIONING FROM FOSTER CARE."

(Youth Transitioning From Foster Care;  
Deadline Extension; Higher Education  
Financial Assistance)

Ho'ouna Kōmike Ho'olohe A Ho'ouna Hou Paha  
REFERRALS AND RE-REFERRALS

Ho'oka'a'ike 'Ē A'e  
MISCELLANEOUS COMMUNICATIONS: None

Hana 'Ē A'e  
MISCELLANEOUS BUSINESS

Ho'olaha  
ANNOUNCEMENTS

Papamanawa Ho'olohe Palapala

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
CONF	4/27/2016 1:00 PM	423
CONF	4/27/2016 1:30 PM	312
CONF	4/27/2016 2:00 PM	224
CONF	4/27/2016 2:00 PM	414
CONF	4/27/2016 2:00 PM	329
CONF	4/27/2016 2:00 PM	423

CONF	4/27/2016 2:00 PM	309
CONF	4/27/2016 2:00 PM	312
CONF	4/27/2016 2:10 PM	414
CONF	4/27/2016 2:15 PM	325
CONF	4/27/2016 2:30 PM	325
CONF	4/27/2016 2:30 PM	016
CONF	4/27/2016 2:30 PM	325
CONF	4/27/2016 2:30 PM	016
CONF	4/27/2016 2:30 PM	225
CONF	4/27/2016 2:40 PM	225
CONF	4/27/2016 2:45 PM	329
CONF	4/27/2016 3:00 PM	312
CONF	4/27/2016 3:00 PM	224
CONF	4/27/2016 3:00 PM	225
CONF	4/27/2016 3:10 PM	309
CONF	4/27/2016 3:10 PM	225
CONF	4/27/2016 3:15 PM	224
CONF	4/27/2016 3:30 PM	224
CONF	4/27/2016 3:30 PM	312
CONF	4/27/2016 3:30 PM	309
CONF	4/27/2016 3:35 PM	309
CONF	4/27/2016 3:35 PM	224
CONF	4/27/2016 3:35 PM	312
CONF	4/27/2016 3:40 PM	224
CONF	4/27/2016 4:00 PM	312
CONF	4/27/2016 4:10 PM	224
CONF	4/28/2016 8:45 AM	309
CONF	4/28/2016 9:00 AM	229
CONF	4/28/2016 9:15 AM	325
CONF	4/28/2016 10:00 AM	225
CONF	4/28/2016 11:00 AM	224
CONF	4/28/2016 1:00 PM	423
CONF	4/28/2016 1:00 PM	224
CONF	4/28/2016 1:05 PM	224
CONF	4/28/2016 1:30 PM	309
CONF	4/28/2016 1:45 PM	224
CONF	4/28/2016 2:00 PM	329
CONF	4/28/2016 2:10 PM	423
CONF	4/28/2016 2:15 PM	325
CONF	4/28/2016 2:30 PM	423
CONF	4/28/2016 2:30 PM	329
CONF	4/28/2016 3:00 PM	329
CONF	4/28/2016 3:00 PM	312
CONF	4/28/2016 3:30 PM	225

CONF	4/29/2016 10:30 AM	229
CONF	4/29/2016 1:00 PM	309
CONF	4/29/2016 2:15 PM	325
CONF	4/29/2016 2:35 PM	325

- Senate Session will convene at 6:30 p.m. on Thursday, April 28, 2016.

Ke Pani ‘Ana  
ADJOURNMENT