

‘Aha Kenekoa ‘Aha‘ōlelo Iwakāluakumamāiwa
THE SENATE
OF THE
TWENTY-NINTH LEGISLATURE
Moku‘āina ‘O Hawai‘i
STATE OF HAWAII
‘Ākoakoa Kūmau MH 2017
REGULAR SESSION OF 2017

Lā ‘Umikumamākahi
ELEVENTH DAY

3 Pepeluali 2017 - Po‘alima - Hola 11:30 A.M.
FEBRUARY 3, 2017-FRIDAY-11:30 O'CLOCK A.M.

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: None

Ho‘oka‘a‘ike Mai Nā ‘Oihana
DEPARTMENTAL COMMUNICATION Nos. 226-291

MEASURE

TITLE

REFERRAL

[D.C. No. 226](#)

From the Department of Business, Economic
Development & Tourism, dated December 30,
2016, transmitting the Motion Picture, Digital
Media and Film Production Income Tax Credit
Annual Report, pursuant to Section 235-17, HRS.

FILE

D.C. No. 227	From the Department of Health, dated January 4, 2017, transmitting the combined report covering "Annual Audit Report of the Sanitation Branch" and "Annual Report on the Status of the Sanitation and Environmental Health Education fund," pursuant to Chapter 321-27.5 and Chapter 321-27, HRS.	FILE
D.C. No. 228	From the Department of Health, dated January 4, 2017, transmitting the State Council on Mental Health Annual Report and Implementation of the State Plan, pursuant to Section 334-10(e), HRS.	FILE
D.C. No. 229	From the Department of Business, Economic Development & Tourism, dated January 4, 2017, transmitting the Motion Picture, Digital Media and Film Production Income Tax Credit Annual Report, pursuant to Section 235-17, HRS.	FILE
D.C. No. 230	From the Department of Health, dated January 5, 2017, transmitting the Annual Report to the Legislature Summarizing Yearly Data on Forensic Patients at Hawaii State Hospital, pursuant to Section 334-16, HRS.	FILE
D.C. No. 231	From the Department of Health, dated January 6, 2017, transmitting the Annual Report on Dental Health Activities, Expenditures, and Recommendations, pursuant to Section 321-63, HRS.	FILE
D.C. No. 232	From the Department of Business, Economic Development & Tourism, dated January 6, 2017, transmitting the 2016 State of Hawaii Overseas Offices' Annual Report, pursuant to Section 201-84, HRS.	FILE
D.C. No. 233	From the Department of Transportation, dated January 6, 2017, transmitting the Customer Facility Charge Report, pursuant to Act 226, SLH 2008.	FILE

D.C. No. 234	From the Department of Land and Natural Resources, dated January 6, 2017, transmitting the Land Dispositions made of Public Lands for Calendar Year 2016 report, pursuant to Section 171-29, HRS.	FILE
D.C. No. 235	From the Department of Health, dated January 9, 2017, transmitting the Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, pursuant to Section 340B-12, HRS.	FILE
D.C. No. 236	From the Department of Health, dated January 9, 2017, transmitting the Primary Care Incentive Program, pursuant to Section 321-1.5(6), HRS.	FILE
D.C. No. 237	From the Department of Health, dated January 9, 2017, transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund, pursuant to Section 321-22.5(g), HRS.	FILE
D.C. No. 238	From the Department of Health, dated January 9, 2017, transmitting the Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund, pursuant to Section 321-234(d), HRS.	FILE
D.C. No. 239	From the Department of Health, dated January 9, 2017, transmitting the Annual Report Relating to MH-1s and Hospitalizations of Persons who are Under an Order to Treat, pursuant to Section 334-123, HRS.	FILE
D.C. No. 240	From the Department of Health, dated January 9, 2017, transmitting the Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund, pursuant to Section 321-234(d), HRS.	FILE

<u>D.C. No. 241</u>	From the Department of Health, dated January 9, 2017, transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund, pursuant to Section 321-22.5(g), HRS.	FILE
<u>D.C. No. 242</u>	From the University of Hawaii System, dated January 10, 2017, transmitting the Annual Report from the Hawaii Natural Energy Institute, pursuant to Section 304A-1891, HRS.	FILE
<u>D.C. No. 243</u>	From the University of Hawaii System, dated January 10, 2017, transmitting a report of hire pursuant to Act 119, Section 128, SLH 2015.	FILE
<u>D.C. No. 244</u>	From the Department of Agriculture, dated January 10, 2017, transmitting the Department of Agriculture Annual Report, pursuant to Act 100, SLH 1999.	FILE
<u>D.C. No. 245</u>	From the Department of Agriculture, dated January 10, 2017, transmitting the Transfer of Agricultural Loan Monies, pursuant to Sections 155-14 and 219-4, HRS.	FILE
<u>D.C. No. 246</u>	From the Department of Agriculture, dated January 10, 2017, transmitting the Annual Report on Administratively Established Appropriations, pursuant to Act 178, SLH 2002.	FILE
<u>D.C. No. 247</u>	From the Department of Agriculture, dated January 10, 2017, transmitting the Annual Report on the Agricultural Development and Food Security Special Fund, pursuant to Act 73, SLH 2010.	FILE
<u>D.C. No. 248</u>	From the Department of Agriculture, dated January 10, 2017, transmitting the Annual Report on the Biosecurity Program, pursuant to Act 236, SLH 2008.	FILE

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| D.C. No. 249 | From the Department of Agriculture, dated January 10, 2017, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of the Energy Feedstock Program, pursuant to Act 159, SLH 2007. | FILE |
| D.C. No. 250 | From the Department of Agriculture, dated January 10, 2017, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of Important Agricultural Land Tax Credit Program, pursuant to Act 233, SLH 2008. | FILE |
| D.C. No. 251 | From the Department of Agriculture, dated January 10, 2017, transmitting the Report on all Moneys Deposited into and Disbursed from the Pesticide Use Revolving Fund, pursuant to Act 154, SLH 2000. | FILE |
| D.C. No. 252 | From the Department of Agriculture, dated January 10, 2017, transmitting the Report on the Feasibility of Both Decommissioning and Relocating the Animal Quarantine Station in Halawa Valley, pursuant to HCR 34, SLH 2016. | FILE |
| D.C. No. 253 | From the Department of Agriculture, dated January 10, 2017, transmitting the Progress Report on the 2016 Budget Provisos, pursuant to Act 124, SLH 2016. | FILE |
| D.C. No. 254 | From the Department of the Attorney General, dated January 12, 2017, transmitting the Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies, pursuant to Section 28-16(e)(2), HRS. | FILE |
| D.C. No. 255 | From the Department of Human Services, dated January 12, 2017, transmitting the Report on the Working Group on Government Identification, pursuant to Act 243, SLH 2015. | FILE |

<u>D.C. No. 256</u>	From the Department of Health, dated January 13, 2017, transmitting the 2017 State Water Pollution Control Revolving Fund, pursuant to Section 342D-82, HRS.	FILE
<u>D.C. No. 257</u>	From the Department of Health, dated January 13, 2017, transmitting the Report on Cigarette Tax Revenue, pursuant to Act 086, SLH 2016.	FILE
<u>D.C. No. 258</u>	From the Department of Health, dated January 13, 2017, transmitting the Annual Report on Mental Health and Substance Abuse Special Fund, pursuant to Section 334-15, HRS.	FILE
<u>D.C. No. 259</u>	From the Department of Health, dated January 17, 2017, transmitting the Report on Hawaii State Hospital Budget, pursuant to Section 16.4, HRS.	FILE
<u>D.C. No. 260</u>	From the Board of Education, dated January 17, 2017, transmitting the annual report on the State's public charter schools, pursuant to Section 302D-21, HRS.	FILE
<u>D.C. No. 261</u>	From the University of Hawaii System, dated January 18, 2017, transmitting a report of hire pursuant to Act 119, Section 128, SLH 2015.	FILE
<u>D.C. No. 262</u>	From the Hawaii Health Systems Corporation, dated January 19, 2017, transmitting the Hawaii Health Systems Corporation Annual Audit and Report FY2016, pursuant to Section 323F-22(b) and (c), HRS.	FILE
<u>D.C. No. 263</u>	From the State Environmental Council, dated January 20, 2017, transmitting the 2015-2016 Environmental Council Annual Report, pursuant to Section 341-6, HRS.	FILE
<u>D.C. No. 264</u>	From the Department of Labor and Industrial Relations, dated January 20, 2017, transmitting the Workforce Development Council Annual Report, pursuant to Section 202-2(8), HRS.	FILE

<u>D.C. No. 265</u>	From the Department of Labor and Industrial Relations, dated January 20, 2017, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Trust Fund, pursuant to Section 383-126.5, HRS.	FILE
<u>D.C. No. 266</u>	From the Department of Labor and Industrial Relations, dated January 20, 2017, transmitting the Hoisting Machine Operators' Advisory Board Annual Report for the fiscal year ending June 30, 2016, pursuant to Act 74, HRS.	FILE
<u>D.C. No. 267</u>	From the Department of Labor and Industrial Relations, dated January 20, 2017, transmitting the Hoisting Machine Operators' Advisory Board Annual Report for the fiscal year ending June 30, 2016, pursuant to Section 396-20, HRS.	FILE
<u>D.C. No. 268</u>	From the University of Hawaii System, dated January 24, 2017, transmitting a report of hire pursuant to Act 119, Section 128, SLH 2015.	FILE
<u>D.C. No. 269</u>	From the Department of Health, dated January 25, 2017, transmitting the Report Pursuant to Hawaii Revised Statutes Requiring the Department of Health to Report Environmental Response Law and Hawaii Emergency Planning and Community Right to Know Act Financial and Environmental Site Information FY2016, pursuant to Chapters 128D and 128E, HRS.	FILE
<u>D.C. No. 270</u>	From the Department of Business, Economic Development & Tourism, dated January 30, 2017, transmitting the Hawaii Housing Finance and Development Corporation Annual Report, pursuant to Section 201H-21, HRS.	FILE
<u>D.C. No. 271</u>	From the Office of the Adjutant General, dated January 24, 2017, transmitting the Disabled Veterans' Motor Vehicle Registration Fee Exemption Report, pursuant to Act 128, SLH 2015.	FILE

D.C. No. 272	From the Department of Land and Natural Resources, dated December 1, 2016, transmitting the Report Relating to Public Land Liability and Recommendation of the Task Force on Beach and Water Safety, pursuant to Act 86, SLH 2014.	FILE
D.C. No. 273	From the Department of Education, dated December 12, 2016, transmitting the Education Research and Development Revolving Fund Report, pursuant to Section 302A-305, HRS.	FILE
D.C. No. 274	From the Office on Early Learning, dated December 16, 2016, transmitting the Executive Office on Early Learning Public Pre-Kindergarten Program Report, pursuant to Act 109, SLH 2015.	FILE
D.C. No. 275	From the Department of Education, dated December 22, 2016, transmitting the Report on Cost Impacts of Providing Worker's Compensation Coverage for Students, pursuant to Section 302A-431, HRS.	FILE
D.C. No. 276	From the Hawaii Tourism Authority, dated December 28, 2016, transmitting a listing of Hawaiian cultural programs and funds which were expended during Fiscal Year 2015-2016, including program names, execution entities and invested accounts, pursuant to Act 119, Section 135, SLH 2015.	FILE
D.C. No. 277	From the Office of Hawaiian Affairs, dated December 29, 2016, transmitting the 2016 Annual Report, pursuant to Section 10-15, HRS.	FILE
D.C. No. 278	From the County of Maui Police Department, dated January 1, 2017, transmitting the Report Concerning Electric Guns and their Use, pursuant to Section 134-16(d), HRS.	FILE
D.C. No. 279	From the County of Maui Police Department, dated January 1, 2017, transmitting the Misconduct Report for Calendar Year 2016, pursuant to Act 242, SLH 1995.	FILE

D.C. No. 280	From the Department of Budget and Finance, dated January 3, 2017, transmitting a compact disc of the FY 15 and 16 Routine Repair and Maintenance Report, pursuant to Act 233, SLH 2016.	FILE
D.C. No. 281	From the Hawaii County Police Department, dated January 4, 2017, transmitting the report concerning electric guns and their use during the past year, pursuant to Section 134-16(d), HRS.	FILE
D.C. No. 282	From the Department of Health, dated January 4, 2017, transmitting the Department of Health Report, pursuant to Act 034, Part VI, SLH 2016.	FILE
D.C. No. 283	From the Department of Budget and Finance, dated January 6, 2017, transmitting a compact disc of the FYs 13-19 Non-General Fund Information Report pursuant to Section 37-47, HRS.	FILE
D.C. No. 284	From the HCR 32 Task Force, dated January 10, 2017, transmitting the Report Examining Cancer in the Firefighter Profession, pursuant to H.C.R. 32, H.D.1, S.D.1 (2016).	FILE
D.C. No. 285	From the Honolulu Police Department, dated January 11, 2017, transmitting the report concerning electric guns in the custody and control of the HPD, and their use in the past year, pursuant to Section 134-16(d), HRS.	FILE
D.C. No. 286	From the Office of the Auditor, dated January 17, 2017, transmitting the Sunrise Analysis; Regulation of Certified Professional Midwives, Report No. 17-01, pursuant to H.C.R. 65, H.D.1 (2016).	FILE
D.C. No. 287	From the Kauai County Police Department, dated January 18, 2017, transmitting the 2016 Standard of Conduct Annual Report, pursuant to Section 52D-3.5, HRS.	FILE

D.C. No. 288	From the Kauai County Police Department, dated January 18, 2017, transmitting the Report Relating to Possession and Use of Electric Guns, pursuant to Section 134-16, HRS.	FILE
D.C. No. 289	From the County of Maui Department of Finance, dated January 20, 2017, transmitting the Comprehensive Annual Financial Report (CAFR) of the County of Maui for the Fiscal Year ended June 30, 2016, with the Independent Auditors' Report, pursuant to Section 9-13, County Charter.	FILE
D.C. No. 290	From the Department of Human Resources Development, dated January 24, 2017, transmitting the State of Hawaii Executive Branch Workforce Profile, pursuant to Section 176-1.5, HRS.	FILE
D.C. No. 291	From the Department of Accounting and General Services, dated January 25, 2017, transmitting the FY 2015-2016 Annual Report, pursuant to Chapter 9-3(8), HRS.	FILE

Ho'oka'a'ike No Ka Hale
HOUSE COMMUNICATIONS: None

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

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

Palapala Hō'ike Na Nā Kōmike Kūmau
STANDING COMMITTEE REPORT Nos. 30-45

[30](#)

(HMS/CPH)

[S.B. No. 397](#)

"RELATING TO THE HOSPITAL
SUSTAINABILITY PROGRAM."
(Recommends passage on SECOND
READING and referral to WAM)

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| 31 | (HMS/CPH) | S.B. No. 308
"RELATING TO LONG-TERM CARE FACILITIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 32 | (HMS/CPH) | S.B. No. 374, S.D. 1
"RELATING TO MEDICAID."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 33 | (HMS/CPH) | S.B. No. 21, S.D. 1
"RELATING TO CHILD CARE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 34 | (HMS/CPH) | S.B. No. 511, S.D. 1
"RELATING TO CHILD CARE FACILITIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 35 | (HMS/HOU) | S.B. No. 171
"RELATING TO HOUSING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 36 | (HMS/HOU) | S.B. No. 749
"RELATING TO HUMAN SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 37 | (HMS/HOU) | S.B. No. 5, S.D. 1
"RELATING TO HUMAN SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [38](#) (CPH) [S.B. No. 396](#)
"RELATING TO SECURITY INTERESTS
IN REAL PROPERTY."
(Recommends passage on SECOND
READING and referral to JDL)
- [39](#) (AEN) [S.B. No. 353](#)
"RELATING TO AGRICULTURE."
(Recommends passage on SECOND
READING and referral to WAM)
- [40](#) (AEN) [S.B. No. 593](#)
"RELATING TO ANIMALS."
(Recommends passage on SECOND
READING and referral to CPH)
- [41](#) (AEN) [S.B. No. 700](#)
"RELATING TO ANIMAL CRUELTY."
(Recommends passage on SECOND
READING and referral to JDL)
- [42](#) (AEN) [S.B. No. 840](#)
"RELATING TO WASTEWATER
MANAGEMENT."
(Recommends passage on SECOND
READING and referral to WAM)
- [43](#) (AEN) [S.B. No. 976](#)
"RELATING TO TIER II FILING FEES
FOR REPORTING OF HAZARDOUS
SUBSTANCES."
(Recommends passage on SECOND
READING and referral to WAM)
- [44](#) (AEN) [S.B. No. 605, S.D. 1](#)
"RELATING TO AGRICULTURE."
(Recommends passage on SECOND
READING and referral to WAM)

45

(AEN)

S.B. No. 612, S.D. 1

"RELATING TO AGRICULTURE."
(Recommends passage on SECOND
READING and referral to WAM)

Papahana O Ka Lā
ORDER OF THE DAY

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

- Floor Presentation for Monday, February 6, 2017:

RECOGNIZE AND HONORING LIEUTENANT GENERAL (RETIRED)
DANIEL P. LEAF FOR HIS SERVICE AS THE DIRECTOR OF THE
DANIEL K. INOUE ASIA PACIFIC CENTER FOR SECURITY
STUDIES. (Senator English)

Papamanawa Ho‘olohe Palapala

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
AEN	2/3/2017 1:15 PM	224
ETT	2/3/2017 1:15 PM	414
AEN	2/3/2017 1:16 PM	224
TRE/PSM/CPH	2/3/2017 1:16 PM	225
AEN	2/3/2017 1:17 PM	224
ETT/PSM	2/3/2017 1:20 PM	414

TRE/CPH	2/3/2017 1:20 PM	225
CPH/ETT	2/3/2017 1:25 PM	414
ETT/CPH	2/3/2017 1:25 PM	414
AEN/EDU	2/3/2017 2:15 PM	224
EDU	2/3/2017 2:45 PM	229
TRE/ETT	2/3/2017 2:45 PM	414
WTL	2/3/2017 2:45 PM	224
JDL/TRE	2/6/2017 9:00 AM	016
TRE/JDL	2/6/2017 9:00 AM	016
JDL	2/6/2017 9:30 AM	016
AEN/TRE	2/6/2017 1:15 PM	224
TRE/AEN	2/6/2017 1:15 PM	224
TRE/WTL	2/6/2017 2:00 PM	225
WTL/TRE	2/6/2017 2:00 PM	225
CPH/HMS	2/6/2017 2:45 PM	016
EDU	2/6/2017 2:45 PM	229
HMS	2/6/2017 2:45 PM	016
HMS/CPH	2/6/2017 2:45 PM	016
HMS/HOU	2/6/2017 2:45 PM	016
WTL/JDL	2/6/2017 2:45 PM	224
WTL	2/6/2017 2:50 PM	224
HMS/CPH	2/6/2017 2:55 PM	016
HOU/HMS	2/6/2017 3:00 PM	016
HMS/HOU	2/6/2017 3:05 PM	016
HMS	2/6/2017 3:10 PM	016
CPH	2/7/2017 9:00 AM	229
JDL	2/7/2017 9:00 AM	016
AEN/HRE	2/7/2017 1:00 PM	224
HRE/AEN	2/7/2017 1:00 PM	224
HWN	2/7/2017 1:15 PM	016
PSM	2/7/2017 1:15 PM	229
CPH/HRE	2/7/2017 2:00 PM	224
HRE/CPH	2/7/2017 2:15 PM	224
HMS/HOU	2/7/2017 2:45 PM	225
HOU	2/7/2017 2:45 PM	225
CPH	2/8/2017 9:00 AM	229
JDL	2/8/2017 9:00 AM	016
JDL	2/8/2017 9:10 AM	016
CPH	2/8/2017 10:00 AM	229
AEN/PSM	2/8/2017 1:15 PM	224
PSM/AEN	2/8/2017 1:15 PM	224
PSM/AEN	2/8/2017 1:16 PM	224
AEN/PSM	2/8/2017 1:20 PM	224
GVO/TRE	2/8/2017 1:20 PM	225

TRE/GVO	2/8/2017 1:20 PM	225
CPH	2/9/2017 9:00 AM	229
JDL	2/9/2017 9:00 AM	016
JDL	2/9/2017 9:05 AM	016
CPH/PSM	2/9/2017 1:15 PM	229
HRE/HWN	2/9/2017 1:15 PM	224
HWN/HRE	2/9/2017 1:15 PM	224
PSM	2/9/2017 1:15 PM	229
PSM/CPH	2/9/2017 1:30 PM	229
PSM/CPH/HMS	2/9/2017 1:40 PM	229
HRE	2/9/2017 2:00 PM	224
HOU/CPH	2/9/2017 2:45 PM	225
GVO	2/9/2017 3:00 PM	414
CPH/JDL	2/10/2017 8:30 AM	016
JDL/CPH	2/10/2017 8:30 AM	016
CPH/AEN	2/10/2017 1:15 PM	224
AEN/CPH	2/10/2017 1:20 PM	224
AEN/WTL	2/10/2017 2:30 PM	224
WTL/AEN	2/10/2017 2:45 PM	224
AEN	2/13/2017 1:15 PM	224
HOU/AEN	2/13/2017 1:16 PM	224
HMS/JDL	2/13/2017 2:45 PM	016
JDL/HMS	2/13/2017 2:45 PM	016
CPH	2/14/2017 9:00 AM	229
HOU/AEN	2/14/2017 2:45 PM	225
HOU/GVO	2/14/2017 2:45 PM	225
HOU/TRE	2/14/2017 2:55 PM	225
TRE/HOU	2/14/2017 2:55 PM	225
JDL	2/28/2017 9:00 AM	016

- Senate Session will convene at 11:30 a.m. on Monday, February 6, 2017.

Ke Pani ‘Ana
ADJOURNMENT