

‘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 Kanakolukumamāiwa
THIRTY-NINTH DAY

29 Malaki 2017 - Po‘akolu - Hola 11:30 A.M.
MARCH 29, 2017-WEDNESDAY-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‘olauna Ma Ka ‘Ākoakoa Nui
- FLOOR PRESENTATION

HONORING AND COMMENDING DR. HARRY AKO. (Senator Gabbard)

Ho‘oka‘a‘ike Mai Ke Kia‘āina
MESSAGES FROM THE GOVERNOR Nos. 701-742

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 701	Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, MARK PRESCOTT, for a term to expire 06-30-2020.	CPH

G.M. No. 702	Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, JODI YAMAMI, for a term to expire 06-30-2020.	CPH
G.M. No. 703	Submitting for consideration and confirmation to the Public Utilities Commission, Gubernatorial Nominee, THOMAS GORAK, for a term to expire 06-30-2022.	CPH
G.M. No. 704	Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, KENNETH VANDENBUSSCHE, for a term to expire 06-30-2021.	CPH
G.M. No. 705	Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, KERRI OKAMURA, for a term to expire 06-30-2020.	CPH
G.M. No. 706	Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, MARY JO KEEFE, for a term to expire 06-30-2021.	CPH
G.M. No. 707	Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, LAURIE LEE, for a term to expire 06-30-2021.	CPH
G.M. No. 708	Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, ALETA KLEIN, for a term to expire 06-30-2021.	CPH
G.M. No. 709	Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, KATHLEEN KANG-KAULUPALI, for a term to expire 06-30-2021.	CPH
G.M. No. 710	Submitting for consideration and confirmation to the Board of Acupuncture, Gubernatorial Nominee, JAYNE TSUCHIYAMA, for a term to expire 06-30-2021.	CPH

<u>G.M. No. 711</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, RICHARD SUZUKI, for a term to expire 06-30-2021.	CPH
<u>G.M. No. 712</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, & Landscape Architects, Gubernatorial Nominee, ROBERT YUMOL, for a term to expire 06-30-2019.	CPH
<u>G.M. No. 713</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, DAN HIROTA, for a term to expire 06-30-2021.	CPH
<u>G.M. No. 714</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, & Landscape Architects, Gubernatorial Nominee, ROBERT EGGLESTON, for a term to expire 06-30-2019.	CPH
<u>G.M. No. 715</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, KEN OTA, for a term to expire 06-30-2021.	CPH
<u>G.M. No. 716</u>	Submitting for consideration and confirmation to the Board of Examiners in Optometry, Gubernatorial Nominee, ROBB SHIBAYAMA, for a term to expire 06-30-2019.	CPH
<u>G.M. No. 717</u>	Submitting for consideration and confirmation to the Natural Area Reserves System Commission, Gubernatorial Nominee, NORINE HAYES, for a term to expire 06-30-2021.	WTL

<u>G.M. No. 718</u>	Submitting for consideration and confirmation to the Natural Area Reserves Systems Commission, Gubernatorial Nominee, GLENN BAUER, for a term to expire 06-30-2021.	WTL
<u>G.M. No. 719</u>	Submitting for consideration and confirmation to the Natural Area Reserves System, Gubernatorial Nominee, SCOTT ROWLAND, for a term to expire 06-30-2021.	WTL
<u>G.M. No. 720</u>	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, KENNETH ROBBINS, for a term to expire 06-30-2021.	HRE
<u>G.M. No. 721</u>	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, PAULA YOSHIOKA, for a term to expire 06-30-2019.	HRE
<u>G.M. No. 722</u>	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, ALLEN HIXON, for a term to expire 06-30-2021.	HRE
<u>G.M. No. 723</u>	Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, JIN CHANG, for a term to expire 06-30-2020.	EDU
<u>G.M. No. 724</u>	Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, MARI UEHARA, for a term to expire 06-30-2017.	EDU
<u>G.M. No. 725</u>	Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, MARI UEHARA, for a term to expire 06-30-2019.	EDU
<u>G.M. No. 726</u>	Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, EDELUISA BAGUIO-LARENA, for a term to expire 06-30-2018.	EDU

<u>G.M. No. 727</u>	Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, MAUREEN RAWLINS, for a term to expire 06-30-2018.	EDU
<u>G.M. No. 728</u>	Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, KARIANE PARK-TOYAMA, for a term to expire 06-30-2021.	EDU
<u>G.M. No. 729</u>	Submitting for consideration and confirmation to the Hawaii Teachers Standards Board, Gubernatorial Nominee, TRACEY IDICA, for a term to expire 06-30-2021.	EDU
<u>G.M. No. 730</u>	Submitting for consideration and confirmation to the Hawaii Teachers Standards Board, Gubernatorial Nominee, JONATHAN KISSIDA, for a term to expire 06-30-2020.	EDU
<u>G.M. No. 731</u>	Submitting for consideration and confirmation to the Advisory Committee on Pesticides, Gubernatorial Nominee, TAMMY MURRAY, for a term to expire 06-30-2020.	AEN
<u>G.M. No. 732</u>	Submitting for consideration and confirmation to the Hawai'i Advisory Council on Emergency Management, Gubernatorial Nominee, SHELDON LEHMAN, for a term to expire 06-30-2021.	PSM
<u>G.M. No. 733</u>	Submitting for consideration and confirmation to the Hawaii Advisory Council on Emergency Management, Gubernatorial Nominee, WILLIAM ANONSEN, for a term to expire 06-30-2021.	PSM
<u>G.M. No. 734</u>	Submitting for consideration and confirmation to the Advisory Board on Veterans' Services, Gubernatorial Nominee, BRIDGET KOMINE, for a term to expire 06-30-2021.	PSM

<u>G.M. No. 735</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, DEBORAH KOBAYAKAWA, for a term to expire 06-30-2019.	HMS
<u>G.M. No. 736</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, SCOTT NISHIMOTO, for a term to expire 06-30-2021.	HMS
<u>G.M. No. 737</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, CHRISTINA PASCUA, for a term to expire 06-30-2019.	HMS
<u>G.M. No. 738</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, DIANE TERADA, for a term to expire 06-30-2020.	HMS
<u>G.M. No. 739</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, CHRISTINA TYDEMAN, for a term to expire 06-30-2021.	HMS
<u>G.M. No. 740</u>	Informing the Senate that on 03-28-2017, the Governor has withdrawn ANN ZANE, Gubernatorial Nominee to the Board of Certification of Public Water System Operators, from consideration by the Senate (GM583).	FILE
<u>G.M. No. 741</u>	Informing the Senate that on 03-28-2017, the Governor has withdrawn MICHAEL MARES, Gubernatorial Nominee to the Board of Certification of Public Water System Operators, from consideration by the Senate (GM584).	FILE
<u>G.M. No. 742</u>	Informing the Senate that on 03-24-2017, the Governor has withdrawn MILES TAKAAZE, Gubernatorial Nominee to the Statewide Health Coordinating Council, from consideration by the Senate (GM659).	FILE

Ho‘oka‘a‘ike Mai Nā ‘Oihana
DEPARTMENTAL COMMUNICATION Nos. 322-332

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 322	From the Department of Education, dated January 24, 2017, transmitting the Annual Report on the State Educational Facilities Repair Maintenance Account, pursuant to Section 36-35, HRS.	FILE
D.C. No. 323	From the Department of Education, dated January 24, 2017, transmitting the Annual Report on the School Physical Operations and Maintenance Account, pursuant to Section 36-36(e), HRS.	FILE
D.C. No. 324	From the Department of Education, dated February 2, 2017, transmitting the DOE Report Relating to Energy, pursuant to Act 176, SLH 2016.	FILE
D.C. No. 325	From the Office of the Auditor, dated March 7, 2017, transmitting the Financial and Program Audit of the Deposit Beverage Container Program, June 30, 2016, Report No. 17-02, pursuant to Section 342G-107, HRS.	FILE
D.C. No. 326	From the Office of Planning, dated March 8, 2017, transmitting the Hawaii State Housing Functional Plan, pursuant to Chapter 226, HRS.	FILE
D.C. No. 327	From the University of Hawaii System, dated March 8, 2017, transmitting a report of hire pursuant to Act 119, Section 128, SLH 2015.	FILE
D.C. No. 328	From the Department of Education, dated February 1, 2017, transmitting the Annual Report on the Pilot Project for Lease of Public School Lands, pursuant to Section 302A-1151.1, HRS.	FILE
D.C. No. 329	From the Department of Education, dated March 9, 2017, transmitting the Report relating to Restraint and Seclusion, pursuant to Section 302A-1141.4, HRS.	FILE

D.C. No. 330	From the Department of Education, dated March 9, 2017, transmitting the Report Relating to Vocational Education Programs in High School, pursuant to H.C.R. 103 (2016).	FILE
D.C. No. 331	From the University of Hawaii System, dated March 9, 2017, transmitting the 2016 Annual Report of the Research Corporation of the University of Hawaii, pursuant to Section 93-16, HRS.	FILE
D.C. No. 332	From the University of Hawaii System, dated March 15, 2017, transmitting a report of hire pursuant to Act 119, Section 128, SLH 2015.	FILE

Ho‘oka‘a‘ike No Ka Hale
HOUSE COMMUNICATION Nos. 376-378

	Informing the Senate that on March 28, 2017, the House disagreed to the amendments proposed by the Senate to the following House bills:	<u>REFERRAL</u>
376	H.B. No. 74, H.D. 1, S.D. 1 "RELATING TO THE EMPLOYMENT OF ATTORNEYS."(Legislature; Attorneys; Senate; House of Representatives)	FILE
	H.B. No. 281, H.D. 1, S.D. 1 "RELATING TO THE FAILURE TO FILE A REPORT WITH THE CAMPAIGN SPENDING COMMISSION."(Campaign Spending Commission Package; Failure to File a Report; Publishing on Campaign Spending Commission Website; Fine; Second Preliminary General Report)	

Returning the following Senate Bills which
passed Third Reading in the House on March 28,
2017, in an amended form:

- | | | |
|-----|---|----------------|
| 377 | <u>S.B. No. 335, S.D. 1, H.D. 1</u>
"RELATING TO THE UNIFORM FAMILY
LAW ARBITRATION ACT."(Uniform Family
Law Arbitration Act; Arbitration; Conditions) | AGREE/DISAGREE |
| 378 | <u>S.B. No. 488, S.D. 1, H.D. 1</u>
"RELATING TO SEARCH
WARRANTS."(Honolulu Prosecuting Attorney
Package; Search Warrants; Technical Assistance) | AGREE/DISAGREE |

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. 1163-1172

<u>1163</u>	(AEN)	<u>S.C.R. No. 69, S.D. 1</u> "REQUESTING THE DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO IDENTIFY ECONOMIC, ENVIRONMENTAL, AND REGULATORY CONSEQUENCES OF CROP DEGRADATION CAUSED BY INVASIVE AND ENDANGERED SPECIES IN HAWAII." (AMENDED TITLE) (Recommends referral to WAM)
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<u>1164</u>	(AEN)	<u>S.C.R. No. 90, S.D. 1</u> "URGING THE OFFICE OF PLANNING TO UPDATE THE HAWAII STATE PLANNING ACT'S ECONOMIC OBJECTIVES FOR AGRICULTURE." (Recommends referral to WAM)
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- [1165](#) (AEN) [S.C.R. No. 151, S.D. 1](#)
"REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE, TO STUDY THE ECONOMIC IMPACTS OF VERTICAL FARMING OPERATIONS."
(Recommends referral to WAM)
- [1166](#) (AEN/PSM) [S.C.R. No. 172](#)
"URGING THE DEPARTMENT OF HEALTH TO ADOPT RULES FOR UNDERGROUND STORAGE TANKS AND TANK SYSTEMS THAT CONFORM WITH RECENT REVISIONS TO FEDERAL REGULATIONS AND INCLUDE ADDITIONAL REQUIREMENTS FOR CERTAIN FIELD-CONSTRUCTED UNDERGROUND STORAGE TANKS."
(Recommends referral to CPH)
- [1167](#) (AEN/PSM) [S.R. No. 86](#)
"URGING THE DEPARTMENT OF HEALTH TO ADOPT RULES FOR UNDERGROUND STORAGE TANKS AND TANK SYSTEMS THAT CONFORM WITH RECENT REVISIONS TO FEDERAL REGULATIONS AND INCLUDE ADDITIONAL REQUIREMENTS FOR CERTAIN FIELD-CONSTRUCTED UNDERGROUND STORAGE TANKS."
(Recommends referral to CPH)

- [1168](#) (AEN) [S.R. No. 72, S.D. 1](#)
"REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE, TO STUDY THE ECONOMIC IMPACTS OF VERTICAL FARMING OPERATIONS."
(Recommends referral to WAM)
- [1169](#) (AEN) [S.R. No. 26, S.D. 1](#)
"REQUESTING THE DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO IDENTIFY ECONOMIC, ENVIRONMENTAL, AND REGULATORY CONSEQUENCES OF CROP DEGRADATION CAUSED BY INVASIVE AND ENDANGERED SPECIES IN HAWAII." (AMENDED TITLE)
(Recommends referral to WAM)
- [1170](#) (HMS/HOU) [S.C.R. No. 56, S.D. 1](#)
"REQUESTING THE AUDITOR TO CONDUCT A STUDY TO ASSESS THE IMPACT OF USING MEDICAID FUNDS TO PROVIDE COVERAGE FOR THE TREATMENT FOR HOMELESSNESS."
(Recommends referral to WAM)

[1171](#)

(WTL)

[S.C.R. No. 79, S.D. 1](#)

"AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIPOULI, KAWAIHAU, KAUAI, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND FOR THE USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON." (AMENDED TITLE)
(Recommends referral to WAM)

[1172](#)

(One Day Notice)

(AEN)

[S.C.R. No. 77, S.D. 1](#)

"REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE TERM "BONA FIDE AGRICULTURAL PRODUCER"."
(Recommends Adoption)

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 Thursday, March 30, 2017:

RECOGNIZING AND HONORING THE BOYS & GIRLS CLUBS OF MAUI 2017
YOUTH OF THE YEAR. (Senator English)

Papamanawa Ho‘olohe Palapala

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
INFO-AEN-AGR	3/29/2017 1:15 PM	224
PSM/HOU/TRE	3/29/2017 1:15 PM	225
PSM/TRE	3/29/2017 1:20 PM	225
TRE/PSM	3/29/2017 1:20 PM	225
WAM	3/29/2017 1:30 PM	211
WAM	3/29/2017 1:35 PM	211
TRE	3/29/2017 1:40 PM	225
WAM	3/29/2017 1:40 PM	211
ETT/TRE	3/29/2017 2:00 PM	414
TRE/WTL	3/29/2017 2:15 PM	225
AEN/TRE	3/29/2017 2:44 PM	224
HMS/JDL	3/29/2017 2:45 PM	016
PSM/ETT	3/29/2017 2:45 PM	414
HMS	3/29/2017 2:50 PM	016
WTL	3/29/2017 3:00 PM	224
CPH/WAM	3/30/2017 9:30 AM	211
JDL/WAM	3/30/2017 9:45 AM	211
JDL/WAM	3/30/2017 9:50 AM	211
WAM/JDL	3/30/2017 9:50 AM	211
HRE	3/30/2017 1:15 PM	414
WAM	3/30/2017 1:30 PM	211
WAM	3/30/2017 1:40 PM	211
CPH	3/31/2017 9:00 AM	229
HOU/CPH	3/31/2017 9:30 AM	229
JDL	3/31/2017 9:30 AM	016
WAM	3/31/2017 9:30 AM	211
WAM	3/31/2017 9:35 AM	211
WAM	3/31/2017 9:40 AM	211
HMS	3/31/2017 2:45 PM	016
WTL/AEN/PSM	3/31/2017 2:45 PM	224
AEN	4/3/2017 1:15 PM	224
CPH	4/4/2017 9:30 AM	229

JDL	4/4/2017 9:30 AM	016
HRE	4/4/2017 1:15 PM	414
JDL	4/5/2017 9:30 AM	016
HRE	4/6/2017 1:15 PM	414

- Senate Session will convene at 11:30 a.m. on Thursday, March 30, 2017.

Ke Pani ‘Ana
ADJOURNMENT