

## FIFTY-NINTH DAY

Tuesday, May 5, 2015

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2015, convened at 10:05 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fifty-Eighth Day.

Senator Slom introduced Monica Antony and Sarah Coulson, cousins of Senate Minority Research Office Senior Attorney Tisha Panter, who were visiting from Australia.

Senator English welcomed Ozkur Yildiz, president of the West America Turkic Council; Emrah Erduran, director of the West America Turkic Council in Hawai'i; and Melik Sayin, calligraphy artist, and noted that they would be hosting a reception the following day to promote cultural interaction and business development between Hawai'i and Turkey.

Senator Green introduced Luke Pinnow, for whom S.B. No. 791 was named as "Luke's Law," and his mother, Geri Pinnow, who were present in the gallery to witness the passage of the bill. Senator Green also introduced Anya Maga, for whom H.B. No. 174 was named as "Anya's Law," and her mother, Michelle Pestel-Maga, both of whom were also present to witness the bill's passage.

Senator Keith-Agaran acknowledged the presence of Chief Justice Mark E. Recktenwald of the Supreme Court, State of Hawai'i, in the gallery.

Senator Shimabukuro recognized her friends Gary Slovin and Mike Kido, and their bosses Tiffany and Mihoko.

Senator Tokuda introduced the following staff members of the Committee on Ways and Means who were present in the gallery, and thanked them for their hard work: Calvin Azama, Kendra Oishi, Nora Graham, Erin Conner, Sabrina Nasir, Dina Poma-Barnes, Julie Haruki, Michael Fialkiewicz, Angely Vallarta, Christopher Tu, Lee Leonard, Nic Ayabe, Sarah Beamer, Nazune Menka, and Daniel Pluchinotta.

Senator Kouchi extended additional recognition to Sabrina Nasir for her hard work with him on the capital improvement projects portion of the budget bill.

Senator Nishihara introduced the following members of his staff who were present in the gallery: Priscilla Kubota, office manager; Wayne Nakatsu, legislative assistant; and Amanda Ehe, committee clerk.

Senator Shimabukuro welcomed former State Representative Karen Awana, who was seated in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 237 and 1122 to 1128) were read by the Clerk and were placed on file:

Gov. Msg. No. 237, letter dated May 1, 2015, transmitting a proposed conference draft (C.D. 1) amending S.B. No. 1083 S.D. 1, H.D. 1, to fund the supplemental agreement concerning Collective Bargaining Unit 8 Employer-Union Trust Fund contributions.

Gov. Msg. No. 1122, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 1212, S.D. 1 as Act 22, entitled: "RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF HAWAII TAX

LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Gov. Msg. No. 1123, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 1134 as Act 23, entitled: "RELATING TO THE ESTATE AND GENERATION-SKIPPING TRANSFER TAXES."

Gov. Msg. No. 1124, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 1141, S.D. 1 as Act 24, entitled: "RELATING TO TRANSPORTATION."

Gov. Msg. No. 1125, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 1118, S.D. 1 as Act 25, entitled: "MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR HAZARD EVALUATION AND EMERGENCY RESPONSE PREPAREDNESS."

Gov. Msg. No. 1126, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 1098, S.D. 1 as Act 26, entitled: "RELATING TO LIBRARIES."

Gov. Msg. No. 1127, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 729 as Act 27, entitled: "RELATING TO ADVANCED PRACTICE REGISTERED NURSES."

Gov. Msg. No. 1128, informing the Senate that on May 1, 2015, the Governor signed into law Senate Bill No. 114, S.D. 1 as Act 28, entitled: "RELATING TO DENTISTRY."

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 88 to 90) were read by the Clerk and were placed on file:

Dept. Com. No. 88, from the Office of the Auditor dated April 27, 2015, transmitting the Fiscal Year 2014 Financial Statement Audit Reports for the Department of Accounting and General Services, State Parking Revolving Fund; and the State of Hawai'i, Single Audit of Federal Finance Assistance Programs, pursuant to Article VII, Section 10, Hawai'i State Constitution, and as authorized by Chapter 23, HRS.

Dept. Com. No. 89, from the Elections Commission dated April 9, 2015, transmitting the Biennial Report to the Legislature on the Office of Elections pursuant to Act 57, SLH 2004.

Dept. Com. No. 90, from the Department of Hawaiian Home Lands dated April 24, 2015, transmitting Resolution Number 281, which was adopted by the Hawaiian Homes Commission on April 20, 2015.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 653 to 677) were read by the Clerk and were placed on file:

Hse. Com. No. 653, informing the Senate that on May 1, 2015, the House reconsidered its action taken on April 10, 2015, in disagreeing to the amendments proposed by the Senate to H.B. No. 140, H.D. 1 (S.D. 1).

Hse. Com. No. 654, informing the Senate that on May 1, 2015, the House reconsidered its action taken on April 16, 2015, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 139, H.D. 1 (S.D. 2); and  
H.B. No. 821, H.D. 1 (S.D. 1).

Hse. Com. No. 655, informing the Senate that on May 1, 2015, the House agreed to the amendments proposed by the Senate and passed the following House bills on Final Reading:

H.B. No. 393, H.D. 2, S.D. 2;  
H.B. No. 770, H.D. 1, S.D. 1; and  
H.B. No. 1349, H.D. 2, S.D. 1.

Hse. Com. No. 656, informing the Senate that on May 1, 2015, the following bills passed Final Reading in the House of Representatives:

H.B. No. 119, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 287, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 858, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 1075, H.D. 2, S.D. 2, C.D. 1;  
S.B. No. 419, S.D. 2, H.D. 1, C.D. 1;  
S.B. No. 878, S.D. 1, H.D. 1, C.D. 1;  
S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1; and  
S.B. No. 1096, S.D. 1, H.D. 2, C.D. 1.

Hse. Com. No. 657, returning S.C.R. No. 2, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 658, returning S.C.R. No. 8, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 659, returning S.C.R. No. 9, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 660, returning S.C.R. No. 10, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 661, returning S.C.R. No. 11, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 662, returning S.C.R. No. 12, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 663, returning S.C.R. No. 14, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 664, returning S.C.R. No. 15, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 665, returning S.C.R. No. 16, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 666, returning S.C.R. No. 17, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 667, returning S.C.R. No. 24, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 668, returning S.C.R. No. 25, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 669, returning S.C.R. No. 55, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 670, returning S.C.R. No. 62, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 671, returning S.C.R. No. 82, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 672, returning S.C.R. No. 88, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 673, returning S.C.R. No. 97, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 674, returning S.C.R. No. 162, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 675, returning S.C.R. No. 165, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 676, returning S.C.R. No. 185, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

Hse. Com. No. 677, returning S.C.R. No. 201, S.D. 1, which was adopted by the House of Representatives on May 1, 2015.

### CONFERENCE COMMITTEE REPORT

At this time, the Chair stated:

“Members, the 2015 Joint Conference Procedures specified that all conference committee reports for fiscal measures were to be filed by 11:30 p.m. on Friday, May 1, 2015. On Friday night, the Speaker and I extended the deadline to complete negotiations for H.B. No. 321, H.D. 1, S.D. 2 to 2:00 p.m. on Monday, May 4. The Speaker and I also extended the deadline to file the committee report for this measure to 5:00 p.m. on Monday.

“The conference committee report and accompanying draft on our Order of the Day today for 48-hour notice are the result of these extended negotiations.”

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 321, H.D. 1, presented a report (Conf. Com. Rep. No. 170) recommending that H.B. No. 321, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 170 and H.B. No. 321, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA,” was deferred for a period of 48 hours.

### ORDER OF THE DAY

#### FINAL READING

Conf. Com. Rep. No. 101 (H.B. No. 500, H.D. 1, S.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 101 be adopted and H.B. No. 500, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kouchi.

Senator Tokuda rose to speak in support of the measure as follows:

“Thank you. Before I begin, I would like to take this opportunity to once again thank our amazing ‘WAMily,’ who made the budget before us and the bills we’ll be voting on the best they could possibly be. On so many occasions, from long meetings to late nights, weekend work sessions, and nonexistent holidays, our WAM team was always 110 percent committed to doing what was right for the people of our state and representing the Senate well. I find myself constantly humbled by their dedication, and today’s vote is a bit bittersweet of a celebration in that it marks the culmination of our work together but also signals the ending of our legislative session. While our remaining days and hours are limited, I have no doubt I’ll be hearing about many good things from each and every one of them in the days, months, weeks, and years ahead.

“I would also like to thank my vice chair, Senator Ron Kouchi, for his steadfast support and dedication to preparing a fair and balanced CIP budget. The task of making difficult decisions amidst limited resources is never easy, and I truly appreciate the thoughtfulness with which he approached the various requests that came before our committee and our ability to communicate and work together to effectuate the kind of fiscal policy changes we envisioned for this session.

“This year, we also sought to better engage our committee members in the work of the committee, especially during

conference, and a great deal of thanks goes out to each and every one of them for their commitment and active participation.

"I'd also like to thank my counterpart in the House, Chair Luke, and her outstanding staff. I have learned much from her this past session, and our ability to work well together has resulted in a solid budget based on good fiscal policy.

"The budget before us is fiscally responsible and, similar to the goals we set forth in the Senate draft, allows us to reach our target of positive revenues over expenditures by the end of the fiscal biennium, an improvement from prior to the start of session. And as a result of carefully scrutinizing and considering every sequence, we have approved less than what was requested by the administration in both fiscal years '16 and '17, reducing total adds in all funds to the operating budget.

"A concept that was developed in our Senate draft of the budget and was adopted in our conference draft was the consolidation of information technology and business modernization projects under the office of the chief information officer. By breaking down the silos that exist among our departments in the procuring of these systems, we hope to achieve both operational and fiscal efficiencies, as well as ensure better oversight and management controls.

"We implemented consolidation efforts in other areas of the budget as well, making a conscious decision to combine office move costs for various divisions into single appropriations to their department's administration program ID to take advantage of economies of scale and bulk purchasing.

"The budget before us also works in concert with a number of measures we'll be considering that help to shape and dictate the prudent fiscal policy we were seeking to achieve in order to provide us with the sustained resources necessary to support important legislative priorities ranging from public health, education, and natural resource protection. One such example that is also a carryover concept from our Senate draft is our efforts to change the means of financing for various positions and programs in order to both increase oversight and transparency, and better manage costs in order to sustain important services.

"For the last few years, we have struggled to find a way to support the Environmental Response Revolving Fund. What was clear was that increased taxation was not the answer, both in the short and the long term. Working with the department, protecting what was important in terms of essential services and warm bodies, making tough decisions and reducing position counts and narrowing their statutory function, looking at a balance of both general and special funds: This has proven to be the best path forward for ERRF, and as a result of the enthusiastic response we have received from some of the departments that manage large special funds, our conference budget reflects a careful interplay between corresponding bills to begin the process of considering the most appropriate means of financing and level of fiscal autonomy in an effort to increase transparency, oversight, and adequate resources for important programs and services.

"From the cigarette tax to the Tobacco Master Settlement to the conveyance tax, working closely with your departments, your committee's top priorities were protecting warm bodies and preserving essential functions while looking to establish better fiscal management policies that will ultimately help us to sustain resources and ensure the delivery of services going forward. From instituting caps to converting positions and programs to general funds, these kinds of fiscal approaches have been recommended over the years as a result of auditor comments as to the questionable nexus of certain non-general funds as well as the recent attorney general opinion in regard to

transfers between such funds, and they provided us with a thoughtful way to provide adequate resources to the departments while also increasing transparency and oversight through the management of positions and funds.

"Maintaining a very disciplined approach to budgeting, our budget makes clear what can and cannot be afforded, based upon the existing obligations and commitments of our state. By reviewing, considering, questioning, and taking innovative and fiscally sound approaches to the myriad of requests put before us, we were able to not only produce a budget that comes in below the administrative request, but also provides for a constitutionally mandated deposit of \$10 million into the emergency Rainy Day Fund.

"We also are acutely aware of the regressive nature of the GET, and we will be able to provide some form of relief for our working men, women, and families through the passage of S.B. 555, which restructures and increases the food tax credit.

"Showing fiscal restraint and tightening our budget has also allowed us to make targeted investments that will result in job creation and economic development through a number of measures. From a \$2 million infusion into the Small Business Innovation Research grants and loans phase II and III program to the development of a \$2 million manufacturing development grant program through the High Technology Development Corporation, as well as a reinvestment of \$2 million into the Agricultural Loan Revolving Fund to support local farmers and food production – these are just a few of the different ways that we have been able to support and grow our local economy.

"Resiliency and sustainability was a legislative priority for your Senate Majority, and we were also able to make focused investments in our state's infrastructure to ensure our preparedness, not only in times of disaster, but to enable our state to thrive in a global and digital economy.

"In addition, we recognize that investing wisely requires investing in our human resources. We have supported services to our kūpuna by providing an additional \$3 million and have been able to continue our support for struggling working families by providing \$6 million in subsidies for the child care school readiness program administered by the Department of Human Services.

"Overall, our prudent actions in our budget have set the stage well for us to be able to move forward in this biennium with targeted investments and support for our residents, local businesses, and our natural resources. We are proud of the work of our committees and our staff, and all that we have done, and I humbly ask for your support of this measure."

Senator Slom rose to speak in opposition to the measure as follows:

"It's never easy to oppose anything, particularly an omnibus budget bill that contains so many things, many of which are very good. And I, too, acknowledge and support the good work of the staff and everybody who's been involved in the budgetary process. But the fact of the matter is, we're not doing our job for the taxpayers. You know, after we pass a budget or we have an appropriations bill, people come up to us and they thank us for giving them the money. But in fact, we don't give them any money at all; the only money that we have in this state government is money that we've taken from the people of this state.

"The people of this state, since 2008, continue to struggle economically. We have not had an overall improvement in the economy. The budget, in fact, does not do anything to improve the overall business climate, particularly for small businesses – small, independent businesses. And we know by every rating organization in the United States – every time they put out a

rating of economic vitality, economic opportunity, economic vision, and so forth – the State of Hawai‘i is number 49 or number 50. That’s not me saying that; that’s all of these other organizations. You can discount them if you want, but that happens to be the perception, and that perception is reality.

“So what we have done in this budget is spent more money. We’re talking about a two-year budget of \$26 billion. We’re talking about a CIP budget. We’re talking about a budget for the judiciary. We’re talking about a budget for OHA. We’re talking about grants-in-aid, and we are talking about additional specific appropriation bills, some of which we’re going to be voting on in a few minutes. So when the statement is made that the budget is below the asks of the governor, that’s true, technically, but if we take all of the amounts of money, we find that some of those appear in specific and separate appropriations bills. I understand, recently, this comes as a shock and a new understanding for several members of this state legislature; they don’t seem to get as excited about monetary policies and budgetary constraints.

“And while the budget is more transparent, and while I applaud the effort not to have new taxes – other than the extension of the rail tax – and also, to consolidate and abolish a number of special funds, which I have been railing against for 18 years, we still are faced with a situation that is going to have more cost, more debt, more new state employees, more new state programs and offices – in other words, more cost.

“The Senate Minority has done an alternative budget for the last six years. We’ve been fully transparent with that. We ask people to look at it: It’s online; it’s been distributed in printed materials. At no step of the way were the figures that we used or the conclusions we came to found to be incorrect. It is a difference in philosophy and ideology, and our ideology remains: We cannot, we must not, keep expanding the scope of government and the costs thereto because it falls to a narrower and narrower base of taxpayers.

“Yes, we have done things for the poorest among us, and that’s a positive thing. Yes, we have done things for some of the kūpuna and the elderly among us. And yet, overall, it is the middle class which continues to be squeezed, which continues to have a difficult time to make a living – not only the middle class, but also their families, their children. We continue to hear their cries, but we haven’t done anything about it. All we continue to do is slap ourselves on the back and say, ‘Good job,’ and raise the cost even more.

“We have said that the general fund reserves are unsustainable, that in fact, we don’t have a truly balanced budget, that we have deficits looming. Because of a surplus last year, we’ve pushed that deficit position back to 2020. We have kicked the can down the road, but at some point, the road rises up to meet us. We do not have the tools to improve the business climate that people in the business climate have told us are necessary. We can turn this economy around; we can make additional opportunities, but it doesn’t come from taxes, and it doesn’t come from subsidies. It comes from a greater economic base and from more people wanting to come here, stay here, grow here, work here, and create the opportunities that all of us need and benefit from.

“So, as I say, reluctantly, I vote against the budget even though there are many good things in this budget. But it is the travel that we are taking, the road that we are taking – ever increasing the cost, ever increasing the balance and the burden on those that we say we care the most about, our keiki. We’re leaving them with bigger debts and financial crises. We cannot continue to ignore this. We cannot continue to do what we’re doing the way we’ve done it and expect any different results. At some point, we’re going to have to pay the piper.

“I say this, again, and repeat that I am optimistic and bullish on the future of Hawai‘i. We have many good people within this state. We have many opportunities, and we have many people who want to come here to do business, but they don’t. And we have many people who are leaving the state and leaving the business – not the drug addicts, not the people on welfare, but people who know how to create businesses and jobs and opportunities and, yes, tax welfare and revenues for the state. So, humbly, I ask you to reconsider and to consider the overall impact of bigger government with a population of 1.4 million. Thank you, Madam President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 101 was adopted and H.B. No. 500, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1711 (Gov. Msg. No. 796):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1711 be received and placed on file, seconded by Senator Green and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of JASON ESPERO to the Board of Directors of the Hawai‘i Public Housing Authority, term to expire June 30, 2019, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1712 (Gov. Msg. Nos. 795, 797, 798, 799 and 800):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1712 be received and placed on file, seconded by Senator Green and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai‘i Public Housing Authority of the following:

ALENA MEDEIROS, term to expire June 30, 2018 (Gov. Msg. No. 795);

LAURA SMITH, term to expire June 30, 2019 (Gov. Msg. No. 797);

LISA A. DARCY, term to expire June 30, 2016 (Gov. Msg. No. 798);

NANCY CABRAL, term to expire June 30, 2019 (Gov. Msg. No. 799); and

PONO D. SHIM, term to expire June 30, 2019 (Gov. Msg. No. 800),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1713 (Gov. Msg. Nos. 825, 826, 827, 828 and 829):

Senator Kahele moved that Stand. Com. Rep. No. 1713 be received and placed on file, seconded by Senator English and carried.

Senator Kahele then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Tourism Authority of the following:

CRAIG NAKAMURA, term to expire June 30, 2018 (Gov. Msg. No. 825);

FRED ATKINS, term to expire June 30, 2018 (Gov. Msg. No. 826);

GERALD L. DE MELLO, term to expire June 30, 2018 (Gov. Msg. No. 827);

RODNEY G. K. KAM, term to expire June 30, 2018 (Gov. Msg. No. 828); and

SEAN DEE, term to expire June 30, 2018 (Gov. Msg. No. 829),

seconded by Senator English.

Senator Kahele rose to introduce gubernatorial nominee Sean Dee, who was present in the gallery with Max Sword of Outrigger Enterprises.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Chun Oakland recognized newly confirmed members of the Board of Directors of the Hawai'i Public Housing Authority: Jason Espero, who was accompanied in the gallery by his grandparents, mother, and sister Tiana; and Alena "Nani" Medeiros, who was present in the gallery with her father, Albert, and her sister, Dyan.

Stand. Com. Rep. No. 1714 (Jud. Com. No. 7):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1714 be received and placed on file, seconded by Senator Shimabukuro and carried.

Senator Keith-Agaran then moved that the Senate consent to the nomination of DYAN M. MEDEIROS to the District Family Court of the First Circuit, term to expire in 6 years, seconded by Senator Shimabukuro.

Senator Keith-Agaran rose to speak in strong support of the nominee as follows:

"Ms. Medeiros was born and raised in Hawai'i, attended 'Iolani School and later the University of Hawai'i. She received a Regent Scholarship all four years as an undergraduate and graduated Phi Beta Kappa. She then proceeded directly to the William S. Richardson School of Law, where she was a Dean's Scholar.

"For the past 17 years, Ms. Medeiros has practiced exclusively in the area of family law and has developed extensive practical experience in divorce, abuse, and paternity cases. She's a recognized expert in property division of complex assets. She has litigated numerous judgments and negotiated even more numerous settlements. She has developed a reputation among her peers for intelligence, expertise, and fairness in a field of law that, to say the least, does not often lend itself to collegial praise.

"The Committee on Judiciary and Labor received unanimous testimony in support of her nomination, including praise from several former courtroom adversaries. In addition to her law practice, Dyan Medeiros is a former chair of the Family Law Section of the Hawaii State Bar Association. In recent years, she's been appointed frequently by the Family Court to serve as a volunteer settlement master for high-conflict, multi-issue cases. For nearly two decades, she has also volunteered her time

and talents through programs organized by Volunteer Legal Services Hawai'i.

"And as some of you may know, she has provided valuable testimony and detailed recommendations on a variety of measures in recent sessions to members of both the House and the Senate. Insofar as judges are not usually permitted to express opinions on matters before the Legislature, her wise and practical advice will be missed. But our loss is the judiciary's gain. As one of her colleagues has noted, 'Ms. Medeiros has been particularly effective because of her calm and caring demeanor, her patience, her attention to detail, her reasoned guidance, and most importantly, her fairness.' I have little doubt that these skills and qualities will transfer seamlessly to the bench. Madam President, I urge my colleagues to vote in favor of the appointment of Dyan Medeiros to the Family Court of the First Circuit."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Keith-Agaran introduced Judge Dyan Medeiros and her supporters in the gallery, including her father, Albert; her sister, Nani; several aunts and uncles; law partners Chuck Kleintop and Tim Luria; and other colleagues from her law firm.

At 10:35 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:42 a.m.

### FINAL READING

Conf. Com. Rep. No. 10 (H.B. No. 1090, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Baker and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 1090, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGREEMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 12 (S.B. No. 17, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 12 be adopted and S.B. No. 17, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB17 HD2 CD1, 'A Bill for an Act Relating to Real Estate Seller Disclosure.'

"This measure clarifies the required disclosure of documents by a seller for residential real property that is subject to restrictions or conditions on use.

"Currently, an unknowing seller, acting in good faith, could be held liable for failing to disclose information that he or she does not know and could not reasonably have known because it was unrecorded.

"This measure clarifies that the required disclosure of documents by a seller of residential real property applies to documents relating to restrictions or conditions within a seller's knowledge or control, consistent with and subject to the seller's

duty of good faith under section 508D-9, Hawai'i Revised Statutes.

"As the Hawaii Realtors Association testified, this measure still ensures consumer protection. Buyers would still be entitled to request information related to unrecorded rules or guidelines within the sellers' knowledge or control. This measure adds necessary protections for the sellers of real property and ensures buyers remain protected as well.

"I urge my colleagues to join me in voting 'yes' on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 12 was adopted and S.B. No. 17, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE SELLER DISCLOSURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (S.B. No. 1094, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 13 was adopted and S.B. No. 1094, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 15 (S.B. No. 868, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Baker and carried, Conf. Com. Rep. No. 15 was adopted and S.B. No. 868, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (H.B. No. 261, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Baker and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 261, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18 (S.B. No. 464, S.D. 1, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 18 be adopted and S.B. No. 464, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB464 SD1 HD2 CD1, 'A Bill for an Act Relating to Consumer Protection.'

"This measure enhances the regulation of automatic renewal and continuous service clauses and ensures adequate safeguards for Hawai'i consumers subject to these clauses. It requires:

- Clear and conspicuous disclosure of a continuous service clause for a product or service and the procedure for cancellation;
- That persons charging a consumer's credit or debit card or account for an automatic renewal or a continuous service obtain affirmative consent from the consumer and an acknowledgment of the terms;
- That free trial offers clearly disclose the right of the consumer to cancel before payment is made; and
- That consumers are notified of any change to the terms of an automatic renewal contract.

"This is an important consumer protection measure. As the Department of Consumer Affairs Office of Consumer Protection testified, clear disclosure of all terms and conditions in a consumer contract is a fundamental tenet of consumer protection law. Businesses should not be allowed to impose binding contractual language without the knowledge of the consumer, and no consumer should be laden with a legal obligation that he or she does not understand or affirmatively accept.

"I urge my colleagues to join me in voting 'yes' on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 464, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19 (S.B. No. 1316, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Baker and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 1316, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20 (S.B. No. 971, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Riviere and carried, Conf. Com. Rep. No. 20 was adopted and S.B. No. 971, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (H.B. No. 179, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 179, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT ABSENTEE BALLOTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 24 (S.B. No. 508, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 24 was adopted and S.B. No. 508, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (S.B. No. 717, S.D. 2, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 27 be adopted and S.B. No. 717, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB717 SD2 HD1 CD1, 'A Bill for an Act Relating to Ethanol.'

"This measure repeals the requirement that gasoline sold in the State for use in motor vehicles include ten percent ethanol. It also increases the membership of the Petroleum Advisory Council to include a representative of the biofuel industry and the biotechnology industry, and requires the council to study the impacts of Hawaii's ethanol requirement and report to the Legislature.

"Since 2006, Hawai'i has required that gasoline sold in the State include ten percent ethanol. Although ethanol has reduced the consumption of petroleum products in the transportation sector, the ethanol has been imported and not produced locally despite the availability of production tax credits. Even though dozens of biomass, biodiesel, and ethanol facilities have been proposed for Hawai'i, no ethanol plants currently exist in the State.

"The requirement of blending ethanol into Hawaii's gasoline does not produce any economic benefit for the State, and the import of ethanol creates an economic burden for state residents. Repealing the ethanol requirement will ensure any added costs associated with ethanol blending will not affect gasoline price and supply.

"I urge my colleagues to join me in supporting SB717 SD2 HD1 CD1."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 717, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 28 (S.B. No. 831, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Harimoto and carried, Conf. Com. Rep. No. 28 was adopted and S.B. No. 831, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29 (S.B. No. 871, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator English and carried, Conf. Com. Rep. No. 29 was adopted and S.B. No. 871, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30 (S.B. No. 223, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 30 was adopted and S.B. No. 223, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE PUBLIC GUARDIAN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 31 (S.B. No. 756, S.D. 1, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 31 be adopted and S.B. No. 756, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB 756 SD1 HD2 CD1, 'Relating to the Secure and Fair Enforcement for Mortgage Licensing Act.'

"This measure establishes a mortgage licensee exemption for a seller of real property who offers or negotiates terms of a residential mortgage loan, agreement of sale, purchase money mortgage, rent-to-own agreement, or other loan that is secured by the seller's own real property and for which the seller is the mortgagee.

"Owner financing is a useful tool in the credit market. This measure can expand the pool of potential buyers for owners and give buyers an opportunity to make a purchase that may otherwise have been out of reach. Seller financing can also assist in intra-family transactions and transfers of property.

"Last year, Act 198 was passed into law and it inadvertently removed exemptions that allowed non-licensed property owners to provide owner financing to family members or other purchasers of their own property. This measure will put those exemptions back into place.

"Colleagues, please join me in supporting SB756 CD1."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 31 was adopted and S.B. No. 756, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (H.B. No. 436, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Espero and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 436, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33 (H.B. No. 1273, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1273, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," having

been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 894, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 894, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENHANCED 911 BOARD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36 (H.B. No. 1268, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 1268, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (H.B. No. 707, S.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator English and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 707, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38 (H.B. No. 15, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 15, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39 (S.B. No. 1131, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 39 was adopted and S.B. No. 1131, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 40 (S.B. No. 265, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Espero and carried, Conf. Com. Rep. No. 40 was adopted and S.B. No. 265, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX TRAFFICKING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (S.B. No. 181, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 41 was adopted and S.B. No. 181, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO VETERANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 42 (H.B. No. 26, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 26, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF TRUSTEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48 (S.B. No. 1113, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 1113, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (H.B. No. 10, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Harimoto and carried, Conf. Com. Rep. No. 55 was adopted and H.B. No. 10, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (H.B. No. 831, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Harimoto and carried, Conf. Com. Rep. No. 57 was adopted and H.B. No. 831, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (H.B. No. 1140, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 59 was adopted and H.B. No. 1140, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (H.B. No. 1180, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 64 was adopted and H.B. No. 1180, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65 (H.B. No. 318, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Harimoto and carried, Conf. Com. Rep. No. 65 was adopted and

H.B. No. 318, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT BUILDINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 66 (H.B. No. 1153, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 1153, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67 (H.B. No. 206, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 206, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN PLANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (H.B. No. 207, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 68 was adopted and H.B. No. 207, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (H.B. No. 1489, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator English and carried, Conf. Com. Rep. No. 69 was adopted and H.B. No. 1489, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES FOR NATIONAL PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (H.B. No. 252, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Baker and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 252, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (H.B. No. 142, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Espero and carried, Conf. Com. Rep. No. 72 was adopted and H.B. No. 142, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73 (H.B. No. 277, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Espero and carried, Conf. Com. Rep. No. 73 was adopted and

H.B. No. 277, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74 (H.B. No. 1251, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 1251, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80 (S.B. No. 92, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 80 was adopted and S.B. No. 92, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (S.B. No. 105, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 105, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (S.B. No. 254, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 254, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87 (S.B. No. 854, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 854, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89 (S.B. No. 387, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 387, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFIRMATIVE CONSENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (S.B. No. 158, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 158, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE BUDGET DOCUMENTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 96 (S.B. No. 1090, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 1090, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 109 (H.B. No. 1292, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 109 was adopted and H.B. No. 1292, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 111 (H.B. No. 448, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 111 was adopted and H.B. No. 448, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 114 (H.B. No. 782, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 114 was adopted and H.B. No. 782, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE CYTOMEGALOVIRUS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 116 (H.B. No. 576, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 116 was adopted and H.B. No. 576, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE AFFORDABLE CARE ACT INNOVATION WAIVER,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 117 (H.B. No. 1168, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Thielen, seconded by Senator Riviere and carried, Conf. Com. Rep. No. 117 was adopted and H.B. No. 1168, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 120 (H.B. No. 832, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 120 was adopted and H.B. No. 832, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 121 (S.B. No. 1124, H.D. 1, C.D. 1):

On motion by Senator Thielen, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 1124, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT HARBORS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 122 (S.B. No. 1060, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Riviere and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 1060, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 124 (S.B. No. 1009, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kahele, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 1009, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SERVICE CHARGES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 125 (S.B. No. 1324, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 1324, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DIVORCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 127 (S.B. No. 1297, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 127 was adopted and S.B. No. 1297, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DISPOSITION OF TAX REVENUES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 134 (S.B. No. 1050, S.D. 2, H.D. 3, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 134 be adopted and S.B. No. 1050, S.D. 2, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Gabbard requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madam President, I rise in strong support of S.B. 1050, S.D. 2, H.D. 3, C.D. 1.

"Colleagues, this bill would direct our electric utilities to file an application with the PUC by October 1, 2015, to establish a community-based renewables program. The basic concept is that people will be able to hui up, find a piece of land, and purchase or lease however many PV panels they want and then get a credit on their electricity bill for the energy they produce. By the way, this can also apply to wind energy systems. The fact is that 40 percent of our state's residents can't benefit from PV because they're renters; then you add in all the folks who don't have roof space and those who live in shaded areas.

"This bill was definitely a compromise between clean energy advocates, the PUC, DBEDT, and our utilities. This bill ensures everyone can benefit and participate in the program, that it's available to both small and larger projects, and that we get this thing in place sooner than later.

"Community-based renewables makes a lot of sense for both our state and the other states of our nation. The Solar Energy Power Association reports that there are at least 58 community renewables programs in 22 states. Colorado and Massachusetts are leading the pack in terms of community solar markets, so if we get on board soon, I don't think it will be that difficult for us to surge ahead given our strong energy goals and solar resources. Please join me in supporting S.B. 1050. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 134 was adopted and S.B. No. 1050, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 135 (S.B. No. 349, S.D. 2, H.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 135 be adopted and S.B. No. 349, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Gabbard requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madam President, I rise in strong support of S.B. 349, S.D. 2, H.D. 2, C.D. 1.

"Colleagues, today we are passing H.B. 623, which will set a target of reaching 100 percent renewable energy as it applies to our electricity production by 2045. This is a great accomplishment. However, S.B. 349 brings into focus another part of the clean energy equation because it will provide a tax credit for the production of renewable fuels, such as methanol, hydrogen, biodiesel, and biogas, at a local facility. And that is our transportation sector. Right now, the fuel for our cars, ships, and planes makes up two-thirds of the amount of petroleum that we use each year. In 2014 alone, cars and trucks went through almost 500 million gallons of gasoline and diesel.

"So, it makes a lot of sense for us to scrap the existing tax credit for ethanol that never was used and to expand that to other renewable fuels companies that can take advantage of this incentive to produce biofuels. These renewable fuels can be

made from feedstocks, such as algae, jatropha, palm oil, solid waste, and used cooking oil. Renewable fuels can also provide electricity for our homes and businesses. And their production will mean a big investment in our economy and the creation of many jobs.

"This is a good bill that sets us on the path of truly becoming sustainable for all our energy needs! I ask you to join me in supporting this important bill. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 135 was adopted and S.B. No. 349, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 143 (H.B. No. 696, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 696, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 146 (H.B. No. 541, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 146 was adopted and H.B. No. 541, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII TUITION AND FEES SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 147 (H.B. No. 540, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 147 was adopted and H.B. No. 540, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 148 (H.B. No. 1296, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 148 was adopted and H.B. No. 1296, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 165 (S.B. No. 160, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 165 was adopted and S.B. No. 160, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII NON-GENERAL FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (H.B. No. 623, H.D. 2, S.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 11 be adopted and H.B. No. 623, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure as follows:

“While I certainly have supported the Clean Energy Initiative, I don’t think that the renewable standards and the dates here are achievable and reliable. And in addition to that, I see that we continue our all-out assault on fossil fuels before we have adequate substitutes. Thank you.”

Senator Gabbard rose to speak in support of the measure as follows:

“Colleagues, our state is spending \$3 billion to \$5 billion dollars annually on importing dirty fossil fuels, which is not good for the environment, our future sustainability, or our pocketbooks. Our islands are blessed with abundant renewable energy provided to us by ke Akua. We should be using these resources for the benefit of our people and ‘āina. H.B. 623 will raise the state’s clean energy goals to 100 percent by 2045. This would be the first law in the nation; by moving forward, we can be the model for other states and even nations to follow.

“And by the way, this is not fantasyland; if we’re able to pull this off – and it’s clear that this is doable – we’ll achieve the biggest energy turnaround in the country, going from 90 percent dependence on fossil fuels to 100 percent clean energy. Although I don’t plan to be in office in 2045, as my body will be 97, I am marking my calendar to come to the Capitol and roll my wheelchair to the rotunda to celebrate with whoever the governor is at that time that we will have reached our 100 percent goal.

“So to give you an idea of what’s happening around the world on this issue, Scotland is on track to achieve its mandated target of 100 percent renewable power by 2020, and already last year generated the equivalent of 98 percent of household electricity demand with local renewable sources. Denmark, by federal law, must reach 100 percent renewable energy in all sectors by 2050. Several cities and counties on the mainland are committed to procuring 100 percent renewable energy within the next decade, including Marin County, San Francisco, Lancaster, and Palo Alto in California; Georgetown, Texas; and East Hampton, New York. Burlington, Vermont, has already reached 100 percent renewable electricity procurement from local sources, and Greensburg, Kansas, already exports a surplus of renewable power to neighboring towns.

“Islands are widely viewed as compelling test beds to renewable energy industries, investors, and advocates, and our state is no exception. With the passage of this bill, Hawai‘i will be the most populated set of islands in the world with an independent grid to establish a 100 percent renewable electricity goal. Colleagues, let’s do this. Mahalo.”

Senator Chun Oakland requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Chun Oakland’s remarks read as follows:

“I stand in support of HB 623, CD 1. When I sponsored the first renewable portfolio bill in the 1990s, I knew then as I do now that Hawai‘i can and will achieve the goal of 100 percent of Hawai‘i’s energy being generated through renewable

resources. Thank you to everyone who worked so hard on this bill.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 623, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE STANDARDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 17 (H.B. No. 538, H.D. 2, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 17 be adopted and H.B. No. 538, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Slom rose to speak in support of the measure with reservations as follows:

“I’ve supported the measure and I certainly support the intent, but I think there’s a problem that needs to be corrected within the bill. Checking with my legal staff, 47 U.S. Code § 332, there’s a provision that no state can change rates or certain details of mobile carriers – that’s a function of the federal government. And termination and elimination of fees, I think, would fall under that, so I think the bill needs to be changed, if not this session, next session. So I support it, but call that to my colleagues’ attention. Thank you.”

Senator Baker rose to speak in strong support of the measure as follows:

“Colleagues, this measure provides an avenue to release a victim of domestic violence from a shared wireless plan and/or change their number without accruing fees or penalties. Many victims struggle to leave their abusers, and one of the main barriers can be financial. The charges associated with terminating a wireless contract are costly for many victims, who are often under the financial control of their abuser. By eliminating those costs, there will be fewer barriers to overcome when leaving an abuser.

“House Bill 538, Conference Draft 1, provides a variety of options to show evidence of domestic violence. Along with an opt-out request, the victim can present any of the following: a valid police report documenting domestic violence; an order of protection; or a signed affidavit from a licensed medical or mental health care provider, employee of the court acting within their scope of employment, or social worker. Providing multiple avenues for victims to prove abuse will make it easier for those who aren’t able to receive a court order or order of protection to be released from a wireless plan.

“The independence of a phone plan helps victims escape from their relationship, especially in situations when the abuser is an account manager or when the plan is a family plan, and abusers are able to view calls and track locations and account activity. This measure certainly helps create a pathway to safety for victims.

“And colleagues, I would just note for the record that when this measure was moving through, there were none of the concerns raised by the Minority Leader in any of our hearings. I believe this measure’s on solid ground, and I ask my colleagues to join me in supporting it. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 538, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 22 (H.B. No. 87, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 87, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Thielen).

Conf. Com. Rep. No. 25 (S.B. No. 569, S.D. 1, H.D. 1, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 25 be adopted and S.B. No. 569, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Slom rose to speak in opposition to the measure as follows:

"This bill is bad for small business. It tends to increase the level of theft for that particular penalty from \$300 to \$750; and the only reason that's given is, well, the number hasn't changed since 1986. However, what it does is provide more leniency for thieves and says, in effect, that we're going to raise that rate, raise that ceiling, to \$750. If you steal something valued at \$749, you're not subject to that penalty. It just doesn't make sense, and those small businesses that have come in have indicated to us, over and over again, \$300 is still important to them. We should not be rewarding theft. Thank you."

Senator Espero rose to speak in support of the measure as follows:

"Colleagues, the last time we looked at this raising of the theft threshold was 1986. Since then, nationally, many states have been looking at this because it has also to do with overcrowded prisons, incarceration of inmates, and what is the proper way of dealing with these individuals who are nonviolent. This will still be a crime in terms of anything from \$750 or below – it will be theft in the second degree. Those individuals will still be getting jail time, if that is the case, although in many instances, we look at deferred acceptance pleas or probation.

"Plus, nowadays, colleagues, I was just looking at a woman's purse, a single purse, and the price of that purse was \$3,000. And yet, would we want to put someone in prison for up to five years for stealing a single purse? Some people may say yes, but nationally, across the country, these have been recommendations from experts and advocates in Washington, D.C. Most recently, our Justice Reinvestment Initiative, which we were a part of the last two or three years, suggested this as well. I do urge you to pass this measure. Thank you."

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"SB569 SD1 HD1 CD1 implements part of the recommendation of Hawaii's Justice Reinvestment Initiative, consistent with similar efforts in other states. As NCSL reports, '[s]ince 2009, at least 14 states have adjusted felony theft threshold amounts to keep pace with inflation and the increase in prices of consumer goods.' (Trends in Sentencing and Corrections: State Legislation p. 5 National Conference of State Legislatures). Justice Reinvestment reforms defer minor offenders from costly prison and jail sentences and saving on prosecution costs.

"In 2011, Nevada lawmakers increased the amount from \$250 to \$650. With threshold amounts that ranged from \$200 to \$750, Arkansas, Maryland, Ohio, Oregon and the District of Columbia set new felony thresholds at \$1,000. Delaware, Georgia, Montana and Utah raised thresholds to \$1,500. In 2010, South Carolina increased their felony theft threshold from \$1,000 to \$2,000. (Trends, p. 5). In 2011, the average cost to house a state prisoner was \$62 per day in the U.S. which works out to over \$22,000 annually.

"This may not be the most popular choice to make but it is a part of the Justice Reinvestment effort that Hawai'i has embarked upon to more judiciously use our criminal justice resources. I urge support for this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 25 was adopted and S.B. No. 569, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Thielen).

Conf. Com. Rep. No. 26 (H.B. No. 888, H.D. 1, S.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 26 be adopted and H.B. No. 888, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Slom rose to speak in opposition to the measure as follows:

"At first blush, it sounds reasonable; it sounds like a good bill – a penalty for having a loaded firearm and being intoxicated. Part of the problem is that that law really already exists. What this particular version of this bill would do is it would take it a step further, and anyone who has a loaded firearm in their home, in their possession, in a locked safe – if they were drinking and someone, either a neighbor or someone anonymously, called and reported them to the police, they could be criminalized because that's what the law says: intoxicated and having a loaded firearm, even though there'd be no misuse of the firearm, even though it's in a personal home. So what we're doing is broadening the definition, and we're criminalizing more legitimate firearms users. Thank you."

Senator Espero rose to speak in support of the measure as follows:

"The key word in this phrase, colleagues, is 'recklessly' – recklessly possessing a firearm if you are intoxicated. And I believe the majority of the people in this state support this measure. Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 888, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Taniguchi). Noes, 1 (Slom).

Conf. Com. Rep. No. 34 (H.B. No. 391, H.D. 1, S.D. 1, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 34 be adopted and H.B. No. 391, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

"What this bill will do is it will add to the cost of all public projects and, again, more burden for the taxpayers."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 391, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Riviere, Ruderman, Slom, Thielen).

Conf. Com. Rep. No. 43 (H.B. No. 1491, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 1491, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 47 (H.B. No. 631, H.D. 2, S.D. 1, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 47 be adopted and H.B. No. 631, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Keith-Agaran.

Senator Slom rose to speak in strong opposition to the measure as follows:

"This is a bill that allows people to change their birth certificate and the sex on their birth certificate. There's no limitation on how many times they can do it; there's no requirement any more that they actually go through a transformation. So what we're doing is, we're creating a false document, which leads to other documents – IDs and passports – and because the information would be sealed, we then have a situation where, if it was a question of background checks or other information, which this legislature has been fond of pursuing, we would not be able to get information from there.

"We also have the genealogical and biological basis of this: You're either born a man or a woman; that's the way it is. And if you change, the changes that you make are not changes to your genealogical or DNA background. We have too many opportunities for misusing this possible new law, and we also have more unintended consequences. And we're going down a very sketchy path here and, in effect, doctoring the truth. Thank you."

Senator Green rose to speak in support of the measure as follows:

"Well, we are doctoring the truth: We're having doctors assess the truth about a person's identity in a compassionate way. That's the reason to pass this bill. A great number of people have really serious identity crises based on, yes, their genetics, their physiologic identity, their biologic identity, and so we put safeguards in there to make sure it was a medical question about these individuals, who have great challenges in life. They have a profoundly higher risk of committing harm to themselves and committing suicide because of the criticisms and challenges they face in society. So your committees and your colleagues decided it was time to act because we wanted to be kind to individuals with these challenges in life; to let them decide, with their healthcare provider, what their identity was; and so they'd go on with their lives in a safe and more healthy way. Thank you, Madam President."

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of HB631 HD2 SD1 CD1, 'Relating to Certificates of Birth.'

"This measure amends the requirements for the issuance of a new birth certificate to accurately reflect an individual's gender identity and, if applicable, name change, following a gender transition. Instead of requiring a sex change operation as a prerequisite for changing sex designation on a birth certificate, this measure requires that an individual provide an affidavit from a licensed medical or mental health provider attesting that the current birth certificate does not align with the birth registrant's gender identity and a court order granting the individual's petition. This measure also provides for a legal name change and confidentiality.

"Current Hawai'i law allows transgender people to have their birth certificates changed to reflect their identity, but only after they have completed a 'sex change operation.' While surgery is an option for some, the majority of transgender individuals do not choose to undergo such surgeries for various reasons, including prohibitive costs and other medical or personal reasons. Moreover, experts agree that surgery is unnecessary for the transgender individual to be described accurately as male or female. This measure also protects the privacy of transgender individuals and helps to negate potential, albeit illegal, discrimination by keeping the new birth certificates free of markings noting amendments.

"Currently, there are six states that already allow transgender individuals to change their birth certificates without requiring surgery, with three other states considering legislation similar to this measure. This is the right course of action to help one of the most marginalized groups in our society.

"I ask you to join me support of HB631 HD2 SD1 CD1."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 47 was adopted and H.B. No. 631, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF BIRTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Riviere). Noes, 3 (Gabbard, Harimoto, Slom).

Conf. Com. Rep. No. 49 (S.B. No. 1291, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 49 was adopted and S.B. No. 1291, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (H.B. No. 820, H.D. 2, S.D. 1, C.D. 1):

Senator Kidani moved that Conf. Com. Rep. No. 58 be adopted and H.B. No. 820, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kouchi.

Senator Kidani rose to speak in support of the measure as follows:

"I rise in support of this measure, and request that my written remarks on this and other education bills be inserted in today's Journal." (The Chair so ordered.)

The Chair having so ordered, Senator Kidani's remarks read as follows:

"Madam President and colleagues, when I accepted the appointment to chair your Committee on Education, I made it clear that my priority would be to take steps to strengthen early education programs to give our keiki a good start on their way to successful years of schooling and beyond. We also had some work to do to more clearly and directly address the challenge of fiscal responsibility in our charter schools. And I wanted to do what we could to assist teachers within the scope of our authority.

"Early education: We have before us today HB 820 that establishes in statute a State of Hawai'i prekindergarten program under the Office of Early Learning that will be administratively attached to the Department of Education next year. The goal is to assist 'gap group' families who don't qualify for subsidized programs such as Preschool Open Doors or Head Start, but who cannot afford private preschool.

"I am pleased to note that the Committee on Ways and Means agreed to fund Preschool Open Doors for another year – restoring \$6 million that was left out of the administration's budget.

"And we also will vote on HB 1440 that appropriates \$1 million for school-based health programs that screen students for medical conditions and make referrals to primary care providers to catch health problems while they can be controlled.

"Public Charter Schools: The Charter Schools Commission asked us to take care of some housekeeping matters, but also asked us for authority to more easily meet situations such as that in which the Commission was forced to revoke the charter of a school that was in deep financial trouble. Our HB 831 would allow charter revocation outside the so-called 'normal' process to deal with schools that are financially insolvent – defined as being unable to make payroll payments. Another bill, HB 1251, would make it easier for charter schools to find facilities in which to operate.

"Teachers: Teachers – and administrators – would benefit from amendments we made to the 'instructional hours' requirement by delaying implementation of new requirements scheduled to go into effect next school year. Faculty pointed to lack of classroom preparation time under the new scheme, and so a redefinition of 'hours' gives them additional flexibility. The bill to do this has already been signed into law by the Governor.

"Teachers – and administrators – related their experiences with the so-called multi-track school calendar – in effect at four O'ahu schools. They told us that the year-round schedules were not workable for faculty, facilities and families, and not especially effective in student achievement either. Our SB 1345 phases out the multi-track schedules, and the construction budget includes money to add to classroom inventory to put students back on the traditional school calendar.

"Also, our HB 11 would expand opportunities for board-certified teachers to receive incentive pay for accepting assignments in certain island schools.

"In a year in which we were faced with limited resources, Madam President, I think we did okay. I thank my colleagues for their support during our hearings process.

"Every one of us has public schools in her or his district, and so we are all in this together.

"The needs are great and many... but with will and commitment, working harder and smarter, we are up to the challenge."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 58 was adopted and H.B. No. 820, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EARLY CHILDHOOD EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 70 (H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 70 be adopted and H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Nishihara.

Senator Riviere rose to speak in opposition to the measure as follows:

"My opposition is specific to the possibility that the counties would require employers to pay for benefits for commuting. I support the commuter benefits; I think that tax breaks or whatever we can do to incentivize it is fine, but when we mandate that a small business have an additional cost, or worse, reduce somebody's pay so that they can pay the benefit, I don't think this is good policy, so, opposed. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 70 was adopted and H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUTER BENEFITS PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara, Inouye). Noes, 2 (Riviere, Slom).

Conf. Com. Rep. No. 75 (H.B. No. 169, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kahele, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 75 was adopted and H.B. No. 169, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 76 (S.B. No. 1361, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 76 was adopted and S.B. No. 1361, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGETING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 79 (S.B. No. 374, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kidani, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 79 was adopted and S.B. No. 374, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DUAL CREDIT PROGRAMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 98 (S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 98 be adopted and S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1, having been

read throughout, pass Final Reading, seconded by Senator Harimoto.

Senator Slom rose to speak in opposition to the measure as follows:

“While I support the bill and support space exploration, I oppose special funds, so I’ll be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 98 was adopted and S.B. No. 1158, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS SPECIAL FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 100 (S.B. No. 791, S.D. 1, H.D. 2, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 100 be adopted and S.B. No. 791, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure as follows:

“As my colleagues know, I continue to oppose any mandated bill. I salute the people who have worked so diligently and so hard to pass this legislation to help the autism community, but I continue to oppose the mandatory nature of any of these measures because it takes it out of the realm of insurance. It’s no longer insurance when you can make these changes and force companies to accept the cost. Thank you.”

Senator Green rose to speak in strong support of the measure as follows:

“Colleagues, congratulations. Today Hawai‘i joins more than 30 other states in the country to guarantee insurance coverage, healthcare service coverage, for children who suffer with autism spectrum disorder. We have too long been in the shadows of a big mistake, which was not to be completely compassionate for the families that need care.

“We’re joined today by Luke Pinnow, for whom we have had the honor to name this Luke’s Law. He has fought hard and long for this bill. Children will now be able to get up to \$25,000 of insurance coverage from age 0 to 13. Their lives will be strong; their bodies will be strong; their minds will be stronger. They will do well in society; they will take care of their mothers as they age instead of the opposite. They will be loved by society. Today we pass Luke’s Law and take care of people who need a little help sometimes with some services. Congratulations, everyone. Congratulations, Luke.”

Senator Baker rose to speak in strong support of the measure as follows:

“I have some written remarks that I’d like to have included, but I just want to say for the record how much I have appreciated working with Senator Green on this measure and on the behavioral analysts measure that we passed earlier on a consent calendar. Because clearly, with the incidence of autism continuing to rise in our country and the estimates from other jurisdictions, this is not only the right thing to do, it’s a cost-effective thing to do, and it will not add to the financial burden of the overall insured population.

“I’ve often been at odds with some of our insurers; I do appreciate the fact that they did come to the table. We already had a court decision that ruled that we had to provide autism services for Medicaid. This measure levels the playing field, but

our insurance companies came forward, and without us having to put in grandfathering language in this measure, to say that they will not be seeking to charge back to the state for any of the other plans that would be included by this measure as well in our efforts to make sure that we have seamless services for families with children who have disorders in the autism spectrum.

“It’s a good thing that all stakeholders came together to do the right thing, and I’m really proud of being part of this legislature that finally accomplishes this goal. Mahalo.”

The Chair having so ordered, Senator Baker’s additional remarks read as follows:

“Madam President, I rise in support of SB791 SD1 HD2 CD1, ‘A Bill for an Act Relating to Autism Spectrum Disorders.’

“This measure requires accident and health or sickness insurers, mutual benefit societies, and health maintenance organizations to provide coverage for autism diagnosis and treatment. The Legislature has worked hard to make autism insurance coverage a reality.

“No child with autism in Hawai‘i should be denied proper treatment due solely to the cost of the treatment.

“The State Department of Health, the State Council on Developmental Disabilities, the Special Education Advisory Council, the Hawai‘i Disability Rights Center, Autism Speaks, the Autism Behavior Consulting Group, and The Lovaas Institute of Early Intervention have all testified that adequate early diagnosis and treatment of autism, including applied behavior analysis, often results in increased independence and coping skills, reduced long-term impairment and decreased long-term services through a person’s lifetime. Requiring insurance coverage now will decrease costs to the State in the long-run and help children with autism spectrum disorders grow into adults who function at the highest of their capabilities.

“The Hawai‘i Disability Rights Center emphasized that the point of insurance is to spread risk and cost among an entire population, so that disproportionate, catastrophic expenses are not heaped upon specific individuals or groups. The Autism Society testified that the cost of care taken on by a family for a child with autism is \$42,000 per year, as cited by the Harvard School of Public Health. Act 185 of the 2014 Hawai‘i Session Laws estimates that the cost to policy holders would be \$2 per month, or \$24 per year. As the Hawai‘i Disability Rights Center reminded us, this is the point and benefit of insurance. Thirty-seven states and the District of Columbia have mandates that require autism coverage. The experience of these states is that required coverage causes a very small increase in insurance costs.

“While requiring this benefit may trigger an obligation to the State to defray the costs of coverage, the largest health maintenance organizations under Chapter 432D have agreed not to seek reimbursement from the State for providing coverage. This means that there will be coverage for autism in all markets without a cost to the State. This will create a huge benefit for the State and significant savings for families.

“The Centers for Disease Control found that autism is occurring at a rate of 1 in 68 births. These statistics are staggering and mean that each of us, whether or not someone in our family has autism, will be impacted by it. Children and families with children who have autism will feel the impacts of mandated coverage now, and our community will see the positive impacts in the long-run.

“I urge my colleagues to join me in supporting this important measure. Let’s vote ‘yes’ and make Luke’s Law a reality.”

Senator Galuteria rose to speak in strong support of the measure as follows:

"Many times, colleagues, we fly at 30,000 feet. I want to take this opportunity to thank you, as a grandfather of a young man, 10 years old, with autism. He lives up in Arizona, and this may just be his parents' reason to bring him back to Hawai'i, because we now can support my grandson. Thank you so much for that."

Senator Chun Oakland requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"I stand in support of SB 791, CD 1. Having been supportive of this issue for over 25 years, this is a wonderful day. Thank you to all the parents and children over the years who advocated so hard at the Legislature. Thank you to everyone who worked so hard in crafting this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 100 was adopted and S.B. No. 791, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM SPECTRUM DISORDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 110 (H.B. No. 174, H.D. 2, S.D. 1, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 110 be adopted and H.B. No. 174, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure as follows:

"Again, because it is a mandatory bill, and I would just add that compassion doesn't come from forcing people to do things. Thank you."

Senator Green rose to speak in support of the measure as follows:

"Ironically, sometimes compassion does seem to come from forcing people to do things. In this case, it was forcing ourselves to make sure that children who are born with orofacial anomalies – and kind of an easier term is 'cleft lip and palate.' You see a lot of people walking around in society with a scar in the middle of their lip. What that means is that when they were young, they were born with a hole through part of their face, through their palate – they couldn't eat properly; they couldn't speak. Their families, unfortunately, were unable to get services because we don't cover all of those services in our state, until today. To imagine that a family that's poor might not be able to get that care for their baby is really just something that is unconscionable.

"Today we honor Anya, and these bills happen to come next to each other, so forgive me for the emotion. But today we recognize Anya because this beautiful little girl came, and we actually passed the bill on her birthday. Her mom's up there. Families will all be able to get this care; that is exactly what insurance is about. We all pay a little bit more for the problems that affect any one of us, whether it's our grandchild or our child or our next-door neighbor or someone we just heard about who had severe struggles.

"So Hawai'i has become extraordinarily compassionate today, not just for autism services, but today for children who

are born with what can be a very serious challenge. These children deserve to be beautiful, just like all the rest of the children. Thank you, Madam President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 110 was adopted and H.B. No. 174, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 123 (S.B. No. 273, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 273, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 128 (S.B. No. 519, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Kahele, seconded by Senator Baker and carried, Conf. Com. Rep. No. 128 was adopted and S.B. No. 519, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 136 (S.B. No. 359, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Ruderman and carried, Conf. Com. Rep. No. 136 was adopted and S.B. No. 359, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 142 (H.B. No. 553, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 142 was adopted and H.B. No. 553, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Baker, Harimoto, Ruderman, Thielen). Noes, 2 (Slom, Wakai).

Conf. Com. Rep. No. 150 (H.B. No. 1509, H.D. 3, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 150 be adopted and H.B. No. 1509, H.D. 3, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Gabbard.

Senator Slom rose to speak in opposition to the measure as follows:

"This bill attempts to have a net zero energy policy for the University of Hawai'i, and it talks about saving money and the university paying back the state. Actually, the university does not pay back the state; the reduction in energy, to the extent that

it occurs, will be a reduction in the amount of money that the university comes to us every year and asks us for, for increased costs, including energy costs. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 1509, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Galuteria). Noes, 1 (Slom).

Conf. Com. Rep. No. 152 (H.B. No. 830, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 152 be adopted and H.B. No. 830, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Thielen.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Madam President, I rise in support of this measure. It addresses a problem that arises with increasing frequency in many established local neighborhoods throughout our state. The important and well-intended chapter 6E of Hawai'i Revised Statutes concerning historic preservation has, in the course of many years of application, now run up against the simple fact that not every older home is of particularly historical or cultural significance, simply because of the structure's age.

"This measure strikes a compromise set of standards that would protect those residences deemed valuable based on important recognition according to other civic programs, in place of applying a simple '50 years' test. Without this bill, many local homes in Dream City in Kahului, older communities in Wailuku, Paukukalo, Waikapu and other neighborhoods on Maui would have to undergo a full review by the State Historic Preservation Division before undertaking even relatively simple renovations, alterations, or additions. Taken in tandem with SB504, SD2, HD1, CD1, which appropriates funds for SHPD to conduct a survey identifying potential historic districts and single-family residences that may be eligible for listing on the Hawai'i Register of Historic Places, this bill will encourage local investment in housing and allow the State Historic Preservation Division to dedicate its limited resources on identifying and protecting truly significant and historic homes. I support this measure and encourage my colleagues to do likewise."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 152 was adopted and H.B. No. 830, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ihara). Noes, none.

Conf. Com. Rep. No. 158 (S.B. No. 213, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Espero and carried, Conf. Com. Rep. No. 158 was adopted and S.B. No. 213, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 160 (S.B. No. 654, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 160 was adopted and S.B. No. 654, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 164 (S.B. No. 555, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Espero and carried, Conf. Com. Rep. No. 164 was adopted and S.B. No. 555, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 166 (H.B. No. 134, H.D. 1, S.D. 2, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 166 be adopted and H.B. No. 134, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Slom rose to speak in opposition to the measure as follows:

"This is such a terrible bill. This has been such a wrenching time during this legislative session. The City and County of Honolulu, HART, and the City Council are extorting the taxpayers in this state because this rail project failed from the beginning, and have not kept the promises to the people, have not met any of their deadlines, and have not met any of their budget.

"Let's just remember that this started out as a \$3 billion project, then went to \$5 billion, then went to \$6 billion, and with less than 10 percent of the construction completed, it's over \$1 billion in debt already. And we had the situation of the mayor down here, camping out; I thought he was homeless, Madam President. He was here every day, and I was worried about the sit-and-lie law, because he's sitting and he's certainly lied.

"The point is, the taxpayers are being fleeced again. We already have the surcharge that goes until 2022, and now we're about to extend that tax to 2027. Remember, the mayor wanted it ad infinitum, then he settled for 25 years; we're down to 5 years. But it's a heck of a lot of money, and it's hurting the people of Honolulu, who are called upon to subsidize the rest of the people in the state.

"And then we have the state, which has been dipping its beak into this fund since 2007 and taking 10 percent for administrative costs, even though it does not cost 10 percent to administer the funds. Perhaps if the state had not misappropriated that 10 percent, then the rail would have had more money and they wouldn't have had to come and beg us for an extension, which the governor had said was not necessary – which we all know is not necessary. But yet, this body is poised to give that extension and more money.

"There are so many problems with the bill and so many problems with the taking of this money. We get back to the fact that this project is not a transportation project. It did not create the 10,000 jobs it promised. It has not provided economic benefits. Instead, it is wreaking havoc in terms of traffic and dislocations in the western part of our island. It is a project for

development, transit-oriented development. In league with Ho'opili and Koa Ridge, it takes farmland to make sure that there's more development, more of the things that the rail needs to succeed. Then the mayor came and asked for more money to add another \$4 billion to the cost of this project, to \$10 billion, to extend the project to Kapolei and to the University of Hawai'i.

"This project was ill-conceived. It cannot succeed. It is costing us money. We can't get any accurate and honest figures from HART or from the mayor. And yet, there are many members of the Legislature who are willing to keep on paying the taxpayers' money – not our own, the taxpayers' money! Please rethink your thoughts on this. If we talk about money that we should have to go to needy causes, to deserving people, this rail to nowhere is not one of them. Thank you."

Senator Nishihara rose to speak in support of the measure as follows:

"Madam President, I rise in support of this measure, but I'd like to have my comments be placed into the Journal as opposed to what was debated here already. Thank you." (The Chair so ordered.)

The Chair having so ordered, Senator Nishihara's additional remarks read as follows:

"Madam President, colleagues: I rise in support of this measure and ask for your support for this bill. The committees of both houses spent a considerable effort to see its passage. The purpose of this bill, as we all know, proposes to extend the current 0.05 percent of the state general excise tax and use tax from January 1, 2023, until December 31, 2027.

"It also limits the surcharge revenues to capital costs and authorizes the counties that have not yet established a surcharge to do so by adopting an ordinance prior to July 1, 2016, but no earlier than July 1, 2015. The county surcharge on state tax may be authorized but not levied prior to January 1, 2018.

"The locally preferred alternative (the HART rail project) cannot be used to build or repair public roads or highways, bicycle paths, or other transportation systems built prior to July 1, 2005.

"Counties other than Honolulu shall use the surcharge for operating or capital costs for public transportation systems including public roadways or highways, buses, trains, ferries, pedestrian paths, sidewalks, or bicycle paths as well as includes nonrecurring costs that are intended to construct a transit system and all costs associated with its construction.

"The bill further grants in the use of public lands the air rights over any portion of state land upon which the rail is developed.

"The Senate Ways and Means and Transportation committees negotiated an agreement with the House that makes it possible for the rail project to complete its plan to build a 20 mile, 21 stations system that will extend from a part of Kapolei to Ala Moana and be in operation by January 2020.

"The major infrastructure undertaking will ensure that the citizens of Honolulu will have the option to travel on a multi-modal system, relieving some of the traffic congestion that occurs regularly along the H-1 freeway. So I ask again for the support of my colleagues in this Senate to vote in favor of this bill."

Senator Riviere rose to speak in opposition to the measure as follows:

"My comment today involves the full funding grant agreement, which has been talked about quite often for the last few months: that we must do this; we must do 20 miles, 21

stations, 80 cars; et cetera; we must do it and we must do it this year, and you guys have to act. On page 5 of that FFGA, there's a clause that says, 'Should the grantee ever realize that it has gone over budget, it must immediately notify the government of the cost overruns. Further, the grantee must establish a recovery plan to bring the figures back in line and to balance the budget.'

"HART has not presented a recovery plan; it's not there. So it's my observation that probably by passing this tax, that is the recovery plan. And I've said from day one in the debates, I'm not opposed to the rail going forward, but I am opposed to the blank check and the fact that we're not holding them accountable this year, which is the year when we need to hold them accountable and see some responsibility on the funding. So for those reasons, I oppose this bill. Thank you."

Senator Thielen rose to speak in opposition to the measure as follows:

"Again, I'd like to say my vote on this bill is not in opposition to the rail project, but I noticed in the headlines in today's paper, the council chairman is saying, in order for the council to support extending the GE tax, there needs to be more oversight and accountability on the rail project.

"Members, I feel like we got played and we blew it. This was our one chance to make sure that we put into place parameters that would hold the city and county accountable for greater fiscal transparency and greater oversight of this spending. And while many people may say that's a home rule issue, it's not a home rule issue about whether we were going to extend the GE tax another five years; and that should have been the bargain where we held the mayor's feet to the fire and the council's feet to the fire on this.

"The general excise tax is the most regressive tax that we have. It is hitting our lower-income people harder than anybody else on this island. And because the state does take a 10 percent amount of that tax, we are taxing low-income people on O'ahu to fund services and programs that are going to the neighbor islands under the state budget. It is grossly unfair, and I feel that we were very derelict in our duties."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 166 was adopted and H.B. No. 134, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Gabbard, Ihara, Shimabukuro). Noes, 4 (Riviere, Slom, Thielen, Wakai).

S.B. No. 218, S.D. 1, H.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Green and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 218, S.D. 1, and S.B. No. 218, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORDER OF SUCCESSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 14 (S.B. No. 1177, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 14 was adopted and S.B. No. 1177, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 21 (S.B. No. 521, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 21 was adopted and S.B. No. 521, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO WAIMEA NUI COMMUNITY DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (H.B. No. 775, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kahele, seconded by Senator English and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 775, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 46 (H.B. No. 582, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Green and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 582, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 50 (S.B. No. 1117, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 50 was adopted and S.B. No. 1117, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (H.B. No. 482, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 482, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 52 (H.B. No. 573, S.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 52 was adopted and H.B. No. 573, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII GOOD AGRICULTURAL PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (H.B. No. 850, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Ruderman and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 850, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL

EXTENSION SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (H.B. No. 1332, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 54 was adopted and H.B. No. 1332, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (H.B. No. 1513, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 1513, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (H.B. No. 1394, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 61 was adopted and H.B. No. 1394, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RECLAMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (H.B. No. 1214, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 1214, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-COUNTY FUNCTIONS WORKING GROUP," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77 (S.B. No. 996, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Riviere and carried, Conf. Com. Rep. No. 77 was adopted and S.B. No. 996, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 84 (S.B. No. 250, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 84 was adopted and S.B. No. 250, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 85 (S.B. No. 253, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 85 was adopted and S.B.

No. 253, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEBT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88 (S.B. No. 376, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ruderman, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 88 was adopted and S.B. No. 376, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A FARM TO SCHOOL PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 90 (S.B. No. 40, S.D. 3, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 90 be adopted and S.B. No. 40, S.D. 3, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB40 SD3 HD2 CD1, 'Relating to Licensing.'

"SB40 CD1 establishes the Behavior Analyst Program within the Department of Commerce and Consumer Affairs. This new program will require licensing of behavior analysts beginning January 1, 2016. This measure goes hand in hand with SB791 SD1 HD2 CD1, 'Relating to Autism Spectrum Disorders.

"SB40 CD1 is necessary to ensure that those providing services for autism spectrum disorders are able to provide an appropriate level of care and be reimbursed for their services. Furthermore, federal requirements specify that providers of services must be licensed in their profession in order to participate in Medicaid. In order to make sure there isn't a gap in services, it is imperative that SB40 and SB791 become law in the same year.

"Colleagues, please join me in voting 'yes' to support this important measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 40, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 95 (S.B. No. 544, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Thielen, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 544, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 97 (S.B. No. 661, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 661, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMANNED AERIAL

SYSTEMS TEST SITES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 99 (S.B. No. 1211, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 1211, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAJOR DISASTER FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 103 (H.B. No. 73, S.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 103 was adopted and H.B. No. 73, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 105 (H.B. No. 1069, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Wakai, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 105 was adopted and H.B. No. 1069, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 106 (H.B. No. 241, S.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 106 was adopted and H.B. No. 241, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 107 (H.B. No. 242, S.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 107 was adopted and H.B. No. 242, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 108 (H.B. No. 1343, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Espero and carried, Conf. Com. Rep. No. 108 was adopted and H.B. No. 1343, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112 (H.B. No. 581, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 112 was adopted and H.B. No. 581, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 115 (H.B. No. 1440, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kidani, seconded by Senator Green and carried, Conf. Com. Rep. No. 115 was adopted and H.B. No. 1440, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 119 (H.B. No. 158, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 119 was adopted and H.B. No. 158, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 130 (S.B. No. 423, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 423, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131 (S.B. No. 524, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 131 was adopted and S.B. No. 524, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING A GRANT TO THE HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 132 (S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 132 was adopted and S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE COUNTY OF KAUAI OFFICE OF THE PROSECUTING ATTORNEY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 137 (S.B. No. 964, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Green and carried, Conf. Com. Rep. No. 137 was adopted and S.B. No. 964, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 138 (S.B. No. 64, S.D. 3, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 138 was adopted and S.B. No. 64, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (S.B. No. 1001, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 139 was adopted and S.B. No. 1001, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 140 (S.B. No. 504, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Thielen and carried, Conf. Com. Rep. No. 140 was adopted and S.B. No. 504, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (H.B. No. 126, S.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Conf. Com. Rep. No. 141 was adopted and H.B. No. 126, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 145 (H.B. No. 547, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 145 was adopted and H.B. No. 547, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 149 (H.B. No. 1471, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Baker and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 1471, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF GOVERNMENT

PROGRAMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 151 (H.B. No. 444, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Kahele, seconded by Senator Thielen and carried, Conf. Com. Rep. No. 151 was adopted and H.B. No. 444, H.D. 3, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BEACH PROTECTION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 153 (H.B. No. 461, S.D. 2, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 153 was adopted and H.B. No. 461, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 155 (S.B. No. 1312, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator English and carried, Conf. Com. Rep. No. 155 was adopted and S.B. No. 1312, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE FUNDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 161 (S.B. No. 1072, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 161 was adopted and S.B. No. 1072, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF THE ATTORNEY GENERAL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 44 (H.B. No. 896, H.D. 1, S.D. 2, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 44 be adopted and H.B. No. 896, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in support of the measure with reservations as follows:

“Every year, we go through this bill and we find that there are more claims against the state, some of them very questionable, and it comes down to a point of whether or not our largest law firm in the state—that is, the state attorney general and his staff—are willing to go to battle and tell people we are not deep pockets. A lot of people see that as an easy way of getting money, and that separates out from those legitimate expenses. So I would just urge that we do a better job and that we have legislative oversight into approving all of these amounts. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 896, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE,

ITS OFFICERS, OR ITS EMPLOYEES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 56 (H.B. No. 11, H.D. 2, S.D. 2, C.D. 1):

Senator Kidani moved that Conf. Com. Rep. No. 56 be adopted and H.B. No. 11, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Harimoto.

Senator Slom rose to speak in opposition to the measure as follows:

“Thank you, Madam President. We’ll be discussing other bills that add increased costs for collective bargaining and teachers this year, but what this bill does, in effect, is remove the control of local schools, particularly principals and superintendents, from the process of providing merit pay. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 56 was adopted and H.B. No. 11, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TEACHERS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 63 (H.B. No. 1432, H.D. 2, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 63 be adopted and H.B. No. 1432, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

“Yes, Madam President. I rise in opposition because of the creation of the new special fund. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 63 was adopted and H.B. No. 1432, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE INTERIM ASSISTANCE REIMBURSEMENT SPECIAL FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 78 (S.B. No. 1345, H.D. 1, C.D. 1):

Senator Kidani moved that Conf. Com. Rep. No. 78 be adopted and S.B. No. 1345, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

“The bill seeks to end the multi-track system; the multi-track system has been problematic for a lot of families and a lot of parents, and I get that and I understand that. But what I don’t understand—maybe somebody can explain it to me—is why we need \$200,000 and a legal bill to have the DOE do what the DOE should do, and that is to simply end multi-track. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 78 was adopted and S.B. No. 1345, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 81 (S.B. No. 104, S.D. 1, H.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 81 be adopted and S.B. No. 104, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Slom rose to speak in opposition to the measure as follows:

"I'm all for efficiency and improvements in the budgeting process. I'm afraid, however, the way this bill is structured, where one agency is selected and there's no criteria for the way it's selected for the pilot program, may prove that we overlook many other agencies that should be subject to scrutiny and changes in the budgetary process."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 104, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGETING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 83 (S.B. No. 118, S.D. 1, H.D. 2, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 83 be adopted and S.B. No. 118, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"We spent last year and this session talking about the evils of the REITs. They're not evil; they provide investment. And while this bill has been toned down to provide a study, the inclination has been clear that there are forces within our community that want to tax, restrict, or eliminate REITs. I think they serve a valuable purpose. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 83 was adopted and S.B. No. 118, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE INVESTMENT TRUSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 92 (S.B. No. 1080, S.D. 1, H.D. 1, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 92 be adopted and S.B. No. 1080, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

"As I've said previously on the floor, I don't believe that we can afford all of these union demands for increases. The increases alone—increases alone—this year will total nearly \$1 billion. The fact that many of the unions have reopened their contract negotiations and have been able to get more money from this legislature, even before the ink was dry on their recently negotiated contracts, I think, should be something that we would be opposed to and that we would stand up and say so. But if I've got to be the one to vote 'no' on all of them, I will do so. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 1080, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING

COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 93 (S.B. No. 1081, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 93 was adopted and S.B. No. 1081, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 94 (S.B. No. 1082, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 94 was adopted and S.B. No. 1082, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 102 (H.B. No. 290, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 102 was adopted and H.B. No. 290, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104 (H.B. No. 209, H.D. 2, S.D. 2, C.D. 1):

Senator Shimabukuro moved that Conf. Com. Rep. No. 104 be adopted and H.B. No. 209, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in support of the measure with reservations as follows:

"We're talking about the OHA budget, and during the budget hearings it was interesting to hear some of the testimony and the positions of OHA, which, from some quarters now, is disputing whether or not it's actually a state agency. OHA is a state agency—that was determined in 1978 at the Constitutional Convention. And OHA has no trouble trying to get salary and benefit and healthcare benefits like people in other state agencies, but they seem to have difficulty in also being required to provide information as do other state agencies. I know this has been very frustrating; we went through this in Ways and Means. Questions were asked; data was requested; it has not been provided. I think we need to do a better oversight on OHA. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 104 was adopted and H.B. No. 209, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 113 (H.B. No. 943, H.D. 1, S.D. 2, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 113 be adopted and H.B. No. 943, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Slom rose to speak in opposition to the measure as follows:

“A new special fund. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 113 was adopted and H.B. No. 943, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE CIVIL MONETARY PENALTY SPECIAL FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 118 (H.B. No. 1366, S.D. 2, C.D. 1):

Senator Dela Cruz moved that Conf. Com. Rep. No. 118 be adopted and H.B. No. 1366, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

“This is the bill to purchase the Ali‘i Place luxury office building across the street. Some of us have asked questions from the very beginning as to the cost; as to the length of the fee; as to the operations, operational costs, maintenance costs; how many of the current tenants were going to remain; and other fiscal matters as well as an independent assessment of how much the building is actually worth. We’ve not gotten those answers.

“I don’t know why we’re rushing to purchase this building, but I do know that it is a symptom of the fact that as government continues to grow here and the taxpayers have to pay more money, then we ask for more personnel, then we ask for more offices and more expenses. And I think until these questions are answered, we should not rush headlong into the purchase. Right now, we’re looking at between \$2 million and \$3 million to study whether or not we should even purchase it. We should have an inventory, as was requested by this legislature years ago, in the state. We still don’t know, completely, all of the buildings and all of the square footage that we have. We should take it one step at a time; this is putting the cart before the horse. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 118 was adopted and H.B. No. 1366, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE ACQUISITION OR DEVELOPMENT OF REAL PROPERTY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Gabbard, Riviere). Noes, 2 (Slom, Thielen).

Conf. Com. Rep. No. 126 (S.B. No. 1028, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 126 be adopted and S.B. No. 1028, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

“No, no, no. The Hawai‘i Health Connector, which has added nothing to our value in this state; which took away from

the successful Prepaid Health Care Act, which did not add bureaucracy, which did not come in for subsidies – we’re now asked to support, at the state level, the Hawai‘i Health Connector. The Hawai‘i Health Connector has burned through nearly \$200 million of federal funds, came to this body, wanted \$28 million in questionable bond funds – they called them debentures but they were a charge against the taxpayers. They then lowered their request, or the Legislature lowered the request, to \$5 million. This bill lowers it to \$2 million. They should not get another penny. They haven’t been able to run their program fiscally in a responsible manner, and the taxpayers should not have to give them any more money. It should be disbanded. We should work as hard as we can to get the exemption that we should have had to go back to the Hawai‘i Prepaid Health Care Act. Thank you.”

Senator Baker rose to speak in strong support of the measure as follows:

“I always enjoy having an opportunity to spar with the Minority Leader, particularly over the health connector, because he so often gets the facts wrong. But be that as it may, after a very rocky start, which all of us acknowledge, partly due to the fits and starts and different rules and mandates from the federal government, we finally have leadership in place at the connector and the connector had a very successful open enrollment this year. We have over 40,000 folks, both in SHOP and in the individual market, enrolled. These are folks who have never had health insurance before. Because of Prepaid, we are in the enviable position by states across the country of having very low uninsured rates to begin with, so we didn’t have huge numbers to bring into the connector. And because the feds require a sustainability plan, not taking into account some of our unique circumstances here in Hawai‘i, we don’t have huge numbers going into the connector to create sustainability just from enrollments.

“But the folks who are there – whether they are COFA migrants, students, others who have been able to participate in the program and receive tax benefits or credits – it’s really been a boon for them. For the first time, they’re covered and they’re able to access high-quality health care as a result of having insurance.

“The sad thing would be if we do not continue to work with the connector to make sure that it can be successful and access the additional federal funds that are being withheld at the moment to enable some of the IT fixes that all of the other state-based exchanges are having, we run the risk of losing Prepaid by being forced into a federal-facilitated marketplace. That would mean that there would be no ability for us to take into account Prepaid. We wouldn’t be able to factor it in in the rules engine; we wouldn’t be able to factor it in as a monitor to make sure that all employers who are required to offer their employees health insurance do so. This bill is very important because it helps us keep Prepaid; it keeps us from having to disenroll everybody who’s in the current exchange and go to another exchange.

“And, oh, by the way, if we have to go to a federally facilitated marketplace, the feds are going to make us pay for the move; pay for the exchange that would continue with SHOP, because they say they don’t want SHOP because they don’t want to have to deal with it; and then, in six months, when we would be allowed to bring it back, we have to pay for it again. It doesn’t make good economic sense, but this bill does. I ask my colleagues to join me in supporting it. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 1028, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR,” having been read

throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Gabbard, Slom).

Conf. Com. Rep. No. 129 (S.B. No. 892, S.D. 2, H.D. 3, C.D. 1):

Senator Wakai moved that Conf. Com. Rep. No. 129 be adopted and S.B. No. 892, S.D. 2, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator English rose to speak in support of the measure as follows:

"I'd like to have comments supporting this inserted into the Journal, as well as the Hawai'i Resilience and Sustainability Strategy and the 2015 Senate Majority Legislative Program."

The Chair having so ordered, Senator English's additional remarks read as follows:

"Senate Bill 892 is an important omnibus bill to address many of the State's critical infrastructure needs. Many of the objectives in this measure emerge from our Hawai'i Resilience and Sustainability Strategy and the 2015 Senate Majority Legislative Program. The Senate held a bi-partisan retreat that featured military leadership discussing important aspects of their operations—power, water, and communications—that are also critical to everyone in our State.

"As a body, we sought guidance from expert researchers on these crucial topics and developed a white paper on where new technologies can be applied to the state's strategic and critical infrastructure to improve the resilience of our communities while promoting economic development. The white paper and retreat discussions were the foundations for the Hawai'i Resilience and Sustainability Strategy. The Senate utilized a comprehensive and collaborative process in order to solicit feedback from all of the Senators and combine it to shape an overall Legislative program for the full Senate to support. The final program, the 2015 Senate Majority Legislative Program highlighted a number of resilience and sustainability issues to include specifics for alternative energy and food security as well as this comprehensive omnibus bill that focused on the dire improvements to the State's broadband communication, energy, and water infrastructure."

The Chair having so ordered, the Hawai'i Resilience and Sustainability Strategy and 2015 Senate Majority Legislative Program are identified as "**ATTACHMENT A**" to the Journal of this day.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 892, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OMNIBUS HAWAII RESILIENCE AND SUSTAINABILITY STRATEGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 133 (S.B. No. 1214, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 133 be adopted and S.B. No. 1214, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure as follows:

"Normally, I'm very ecumenical about passing SPRB, special purpose revenue bonds. But in this case, one has to ask, 'Why does Hawaiian Electric want the state to guarantee the

issuance of SPRB for \$80 million?' And then they talk about the need for \$800 million over the years.

"We know that they're going through a horizontal merger with NextEra of Florida, which raises a number of questions. And so the issue really becomes, if the State of Hawai'i is condoning and supporting the issuance of this on behalf of HECO, how does that play out with the potential merger? And if the merger does occur, what is NextEra's role in special purpose revenue bond, or if someone buys out NextEra after that merger? There are a lot of unanswered questions here, but the main one is why the utility monopoly feels necessary to come and get legislative support at this time. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 133 was adopted and S.B. No. 1214, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAIIAN ELECTRIC COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, AND HAWAII ELECTRIC LIGHT COMPANY, INC.," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 144 (H.B. No. 697, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 697, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 154 (S.B. No. 101, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 154 was adopted and S.B. No. 101, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Conf. Com. Rep. No. 156 (S.B. No. 1299, H.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 156 be adopted and S.B. No. 1299, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Dela Cruz.

Senator Thielen rose to speak in opposition to the measure as follows:

"Thank you. Colleagues, I was really torn on how to vote on this bill, but I think, when it came down to it, what was clear to me is the policy change that was made in this bill is something that I cannot support.

"We've had a year where our Ways and Means Committee has taken a look at a number of special funds: the barrel tax, the conveyance tax, the tobacco tax among them. This bill, in particular, affects the conveyance tax. It caps the amount of money that goes to the Rental Housing Trust Fund but allows the continued dedicated revenues from the conveyance tax to that purpose. But it eliminates the dedication of conveyance tax revenues for the Natural Area Reserves System.

"This tax was put into place with very broad-based public support because of the fact that, over the years, it's been clear

that this legislative body, when it's making allocations of general fund revenues, does not place as great an importance on our natural resources as it does on our people. The Department of Land and Natural Resources' general fund revenues has remained flat at just under \$30 million for the last 20 years. The only increase in revenues to the department have come through the special funds, due to the support of a lot of people who have supported our natural and cultural resources. And it's with that reliable stream of revenue that the department has been able to build strong programs to take care of the additional hundreds of thousands of acres of land that have been put in the department's jurisdiction and responsibility without a single increase in general fund dollars, without a single increase in staff. It's with that steady revenue that they have been able to build programs to combat the increasing number of invasive species, the increasing number of tourists who go to the Natural Area Reserves System, the increasing threats that are destroying these areas.

"In discussing the budget, our Ways and Means chair talked about how some of these decisions were assuring a continuation of funds. That was true for many of the other special funds, but it was not true for the Natural Area Reserves System. It could have been true; we could have dedicated those funds in the budget itself for the first and second year of the biennium, but we didn't. We have a one-year appropriation in this bill, with no guarantee of continued funds for these programs in the upcoming years. And while we have moved some staff over to the general funds, we're not moving the other programmatic funds over there. We're leaving the department in a very precarious and vulnerable position, at the whim of what we're going to do in the upcoming years.

"An article caught my eye back on February 26, where the Ways and Means Committee was taking a look at S.B. 844, dealing with early childhood programs. The WAM Committee decided to amend the bill to remove a blank appropriation amount. Instead, what the Chair said is she wanted to put the funding directly in the budget because she wanted a little more permanency so that the program—this is a new program, I should say—doesn't have to come back every single year to request funding. That bill, S.B. 844, was passed by the Ways and Means Committee two days after passing S.B. 1299. What we've done is cut an established, long-term, popularly supported funding for natural and cultural resource programs in order to create a new program in other parts of our state.

"I hope I'm wrong. I hope next year we come back and put these funds into the budget. But in the conversations I've had, I keep hearing things like, 'lack of transparency,' 'we haven't had accountability.' This is not accurate. Every single budgetary transfer within DLNR is on the budget tables that the department provided to this legislature. They are also provided to B&F. Yes, you have to look at it, but that's because we ask for a heck of a lot of paper here. But they're all there on record. Furthermore, many of these transfers of money are because the Legislature itself has frequently ordered transfers from the special funds within DLNR to support other programs. When I was chair, the Legislature cut the general funding for the dam safety staff, and ordered that their salaries be paid out of the Special Land and Development Fund. In the past, the Legislature has ordered that the lifeguard contracts be paid out of the special funds. It's not new.

"So I'm not real clear why in Senate Bill 1299 we have permanently ended the conveyance tax revenues to go to the Natural Area Reserves System. Again, I hope I'm wrong; I hope that I can stand on this floor next year and say that I was proven wrong and that we have the funding then in the budget so that there is that security that Ways and Means has provided to other new programs, for these longstanding important programs. While they may not affect people in the same way that early

childhood education does or affordable housing does, they affect our 'āina, our sense of place, our economy, our history, and our obligation to future generations to maintain these places for them. Thank you."

Senator Tokuda rose to speak in support of the measure as follows:

"I'd like to just make some brief comments, and I would also like to insert some comments into the Journal in support of this particular measure. In response to some of the things that have been said about S.B. 1299, I will say this: All change is very difficult, especially when you take a look at longstanding fiscal practices that have been going on for multiple administrations, under multiple chairs, and especially given that we are coming to some understanding about some practices that perhaps may not have been so appropriate.

"But fortunately, now, we do know that we have a hardworking team at DLNR that is very open to taking a look at how they can work better with us to make sure that we can properly fund our natural resources, and we have, through S.B. 1299, provided two-year funding, as they have requested, for the natural area reserves. In fact, this bill represents just under \$21 million in general fund support for NARF as well as other programs and services for DLNR. If you also read H.B. 500 and the committee report, it explains the intent that we will be funding these particular programs in the budget in the supplemental requests that come forward next year.

"Also, all of the NARF positions—and we painstakingly went through every single one of the positions funded by NARF—are generally funded as well. As many of us know, having positions funded on special funds is a very precarious position at times; in fact, that was the situation with ERRF. That could not be sustained; that was something that we had to take off of special funds and move toward general funds. What we have done is made sure that all of those NARF positions are now put onto general funds. And that is not reflected only in this particular measure, but it's also reflected in the budget. As I mentioned in my floor speech on H.B. 500, the budget and these bills work in concert together to reflect the kind of sound fiscal policies we want to see.

"And, yes, the process of going through conference means that we cannot only have what we would like to have reflected from our Senate draft in the end; it is a compromise that we reach with our House counterparts. Working with the House, we were able to come up with what I believe is a very good policy that reflects a balanced approach to supporting our natural resources as well as other legislative priorities that we felt were important.

"One of those things was S.B. 1299, again, where we were able to provide supports just under \$21 million for DLNR as well as being able to, for once, generally fund all of those particular positions under NARF. We painstakingly—again, I will say this—had our staff go through and make sure that we accounted for all the warm bodies, all the filled positions, that were specially funded and made sure that we converted those positions to general funds, giving those the permanency and security so that we can make sure that they are priorities going forward. And we are committed with our staff to working to make sure that we can work with them to get the transparency and good management and help make it a priority that we would like to see it made. I don't disagree with the Water and Land chair that this is something that we would like to see going forward, and I believe that S.B. 1299 puts us on that good path as we move ahead.

"So, again, I do have some additional comments I would like to have placed in the Journal, and humbly ask for your support on this measure. Thank you." (The Chair so ordered.)

The Chair having so ordered, Senator Tokuda's additional remarks read as follows:

"Senate Bill 1299, HD 1, SD 1, CD 1 amends the distribution of conveyance tax revenues. It caps the distribution to the land conservation (or legacy land) fund and rental housing trust fund. It also repeals the distribution to the natural area reserve fund. Conveyance tax revenues in excess of the caps now will become general fund realizations.

"SB 1299 is one of a trio of bills passed this session that cap revenues from specific sources to certain non-general funds. The other two bills are SB 101, which amends the distribution of tobacco master settlement agreement moneys, and SB 1297, which caps the distribution of the cigarette tax.

"The general purpose of caps on the revenue streams for the non-general funds is to improve legislative budgeting. The caps are intended to:

- (1) Make forecasts of general fund revenues more reliable;
- (2) Increase legislative oversight of the agencies and programs supported by non-general funds; and
- (3) Subject those agencies and programs to competition for limited public funds if the agencies or programs want more than the amount automatically distributed to their non-general funds.

"With respect to SB 1299, most attention and concern have been focused on the repeal of the conveyance tax distribution to the natural area reserve fund.

"Under present law, the natural area reserve fund receives twenty-five per cent of the conveyance tax revenues, and the Department of Land and Natural Resources expends the revenues for various purposes besides the management, operation, and maintenance of the natural area reserves. The Department also has made expenditures for watershed management, forest stewardship, and forestry programs, all of which are worthy of support.

"Under SB 1299, the natural area reserve fund will not receive conveyance tax revenues but, instead, receive general funds appropriated to the Department of Land and Natural Resources for the management, operation, and maintenance of programs and projects formerly funded by the natural area reserve fund. The general fund appropriations in SB 1299 for the forestry (LNR172), native resources and fire protection (LNR402), and natural area reserves and watershed (LNR407) are at least equivalent, if not greater, to what the special fund appropriation for those programs would have been in the budget bill.

"This year is a transition year. SB 1299 is intended to complement the actions in HB 500, the General Appropriations Act of 2015. In HB 500, the ceiling of the natural area reserve fund is reduced to reflect the loss of conveyance tax revenues, and the means of financing for positions funded by those revenues are changed to general funds. SB 1299 appropriates just under \$21 million for fiscal year 2015-16 and fiscal year 2016-17 to fund those positions and programs, the means of financing of which are now general funds under HB 500. The Governor is provided with explicit authority to transfer the general fund appropriations in SB 1299 to fund positions and programs authorized in HB 500. This intent also is explicitly stated by the Legislature in Conference Committee Report 101 (page 16) for HB 500.

"After this year, the intent is to appropriate the general funds for those positions and programs in the general or supplemental appropriations acts. The intent is to include in the Supplemental Appropriations Act of 2016 the general fund appropriations for fiscal year 2016-17 for the program IDs funded under SB 1299.

By doing so, the appropriations will become part of the Department of Land and Natural Resources' base budget going forward. (Correspondingly, when these appropriations are made, SB 1299 should be amended to delete the appropriations in that bill for fiscal year 2016-17. The appropriations in SB 1299 will no longer be necessary since they will be replaced by the appropriations in the Supplemental Appropriations Act of 2016.)

"These remarks close with a comment on the natural area reserve fund. The Department of Land and Natural Resources, apparently for some years, has expended and transferred amounts from the fund in excess of the legislatively set ceiling. The House Finance Committee raised a concern about this practice, which resulted in a request for an Attorney General opinion on the legality of the practice. Basically, the Attorney General opined that the expenditures and transfers from the fund should not have exceeded the ceiling."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 156 was adopted and S.B. No. 1299, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF TAX REVENUES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Riviere, Ruderman). Noes, 2 (Slom, Thielen). Excused, 1 (Taniguchi).

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 a.m.

Conf. Com. Rep. No. 157 (S.B. No. 1180, S.D. 2, H.D. 1, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 157 be adopted and S.B. No. 1180, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Nishihara requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Nishihara's remarks read as follows:

"Madam President and members, I rise to speak in support of SB 1180. The purpose of this measure is to ensure that the Metropolitan Planning Organization(s) in Hawai'i are in compliance with federal laws, thus ensuring that federal transportation funding will continue.

"The clarifying language in this bill makes it comport with the federal requirements for MPOs. O'ahu's MPO was under scrutiny by the Federal Transportation Agency for not aligning with the requirements. This attempt via this bill is a best effort on both Transportation committees of the Legislature to fulfill those requirements.

"I ask that my colleagues support that effort and vote in favor of this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 157 was adopted and S.B. No. 1180, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Galuteria, Harimoto, Inouye).

Conf. Com. Rep. No. 159 (S.B. No. 1083, S.D. 1, H.D. 1, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 159 be adopted and S.B. No. 1083, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Keith-Agaran rose to speak in support of the measure as follows:

“Just a clarification for my colleagues: This only covers the EUTF portion. The unit is going to arbitration for the remainder of their contract.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 159 was adopted and S.B. No. 1083, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Chun Oakland, Inouye).

Conf. Com. Rep. No. 162 (S.B. No. 1077, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 162 was adopted and S.B. No. 1077, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Chun Oakland, Ihara, Inouye).

Conf. Com. Rep. No. 163 (S.B. No. 1084, S.D. 1, H.D. 1, C.D. 1):

Senator Keith-Agaran moved that Conf. Com. Rep. No. 163 be adopted and S.B. No. 1084, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tokuda.

Senator Baker rose to speak in support of the measure with reservations as follows:

“This is a cost item for unit (9), which are the nurses. Many of these nurses are at our Hawaii Health Systems Corporation. I rise with strong reservations on this measure, not because I don’t think the nurses deserve a raise, not because I don’t think they deserve step movement; I actually do. I think we should get our public hospital nurses as close to the private sector as possible.

“My objection to this measure is that it’s paid with special funds. The hospitals simply don’t have the funds to pay for it, so rather than nurses getting a pay raise and a step movement, I’m afraid that some of the hospitals are going to be forced to provide reductions in force or reductions in services, and I don’t think that’s what any of us want to see.

“I’m disappointed that this has come down to us with a special fund method of financing; I don’t fault the Ways and Means or Finance folks. I do fault the negotiators who negotiated this provision without giving us the resources to take care of the employees involved. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 163 was adopted and S.B. No. 1084, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING

COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker). Noes, 1 (Slom). Excused, 2 (Chun Oakland, Ihara).

Conf. Com. Rep. No. 167 (S.B. No. 284, S.D. 2, H.D. 2, C.D. 1):

Senator Kahele moved that Conf. Com. Rep. No. 167 be adopted and S.B. No. 284, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Thielen.

Senator Riviere rose to speak in strong support of the measure as follows:

“Thank you. I want to thank everybody for working so hard this year: Senate President, Ways and Means chair, the vice chair, to everybody in the membership here, to the Speaker of the House and the members in the House who made the Turtle Bay conservation easement a better project that’s more palatable for the members. I know it was a traumatic experience last year when it was dropped on the membership, and I appreciate the efforts made last year to pull it off, to the governor for his insightful planning and fundings mechanism. This year, I know the members are more comfortable with fee simple acquisition and the conservation easement.

“This is important, members, to the State of Hawai‘i. The Turtle Bay plan to build 3,500 hotel rooms at the end of a narrow two-lane road out in the rural area was a mistake in the eighties. The developers have, for 30 years, claimed that they have a right and they’re entitled to do what was approved. The Land Use Commission did zoning changes. In the mid-eighties, there was a plan to put a four-lane highway out to Kahuku; the visioning plans in 1985 envisioned a four-lane highway. By the time this project was approved, that four-lane highway was no longer there. So this has been an ongoing problem, not to mention the fact that monk seals are now there, the wildlife, the native and endangered bird species that are there adjacent to the Campbell Estate and the natural wildlife sanctuary.

“This is a pristine area that is worth saving for future generations, not just for the wildlife, but for the residents and the visitors to the state. They don’t all come here to ride elevators up and down in Waikiki. As a matter of fact, the majority of visitors to the state now go to the North Shore on every visit that they’re here, so preserving this is in everybody’s interests. I know it didn’t come cheap, and I know it’s been with some effort, but I really applaud everybody for making this happen. I thank you, and so, with strong support, mahalo.”

Senator Kouchi rose to speak in support of the measure as follows:

“I also just want to add, over the last two sessions, to the Tourism Committee chair, who has played an instrumental role in making this happen, and extend my thanks to him as well. Thank you.”

Senator Slom rose to speak in opposition to the measure as follows:

“Madam President, reluctantly, I rise in opposition. I have supported the preservation of the North Shore and the property, Turtle Bay. As was previously noted by the senator from the North Shore, last year’s last-minute haste did make waste; it was a terrible financing attempt. This year, it was a much more careful approach, and I was able to sit in with the governor. Congratulations to the governor for talking to the Legislature first before announcing this bill.

“My opposition comes from the fact that it creates a new special fund, and that’s what I’m bound by. Otherwise, I think

it's a good measure, although it is a costly measure: It's now \$45 million – \$35 million from the state, \$7.5 million from the city and county, and \$1.5 million from an environmental fund. It remains to be seen whether we, in fact, will protect the land and still allow for the development under the contract for two new hotels on the Turtle Bay property. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 167 was adopted and S.B. No. 284, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 168 (S.B. No. 1078, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 168 was adopted and S.B. No. 1078, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 169 (S.B. No. 1079, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 169 and S.B. No. 1079, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were recommitted to the Committee on Conference.

#### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 6 and 7) were read by the Clerk and were placed on file:

Misc. Com. No. 6, letter from the Honorable Donna Mercado Kim, President of the Senate, and the Honorable Joseph M. Souki, Speaker of the House of Representatives, dated May 1, 2015, transmitting a Legislative Communication extending the Conference Committee negotiation and committee report filing deadlines for H.B. No. 321, H.D. 1, S.D. 2.

Misc. Com. No. 7, letter from the Honorable Donna Mercado Kim, President of the Senate, and the Honorable Joseph M. Souki, Speaker of the House of Representatives, dated May 1, 2015, transmitting a Legislative Communication extending the filing deadline for conference committee reports and conference drafts for S.B. No. 284, S.D. 2, H.D. 2; S.B. No. 1078, S.D. 1, H.D. 1; and S.B. No. 1079, S.D. 1, H.D. 1.

#### SENATE RESOLUTION

The following resolution (S.R. No. 136) was read by the Clerk and was disposed of as follows:

S.R. No. 136 "SENATE RESOLUTION ELECTING THE SENATE PRESIDENT AND VICE PRESIDENT OF THE TWENTY-EIGHTH LEGISLATURE."

Offered by: Senator English.

Senator Kidani moved that S.R. No. 136 be adopted, seconded by Senator Nishihara.

Senator Slom rose to request a Roll Call vote, and the Chair so ordered.

The motion was then put by the Chair and carried, and S.R. No. 136, entitled: "SENATE RESOLUTION ELECTING THE SENATE PRESIDENT AND VICE PRESIDENT OF THE TWENTY-EIGHTH LEGISLATURE," Roll Call vote having been requested, was adopted on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Chun Oakland). Noes, 6 (Ihara, Kim, Riviere, Ruderman, Slom, Thielen).

Senator Ronald D. Kouchi was declared elected President of the Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2015.

Senate President Kouchi then approached the rostrum to preside as Chair.

Senator Slom rose to speak on a point of personal privilege as follows:

"First of all, congratulations, but this is certainly a session with changes and unexpected occurrences and all of that. Let me just say, since I can speak freely – I'm not a member of any club; no club would have me here. I'm not with the Opihis; I'm not with the Chess Club or anyone else, just my own club. But I find it interesting that we do take a vote while we are still in session to change leadership.

"I would just like to say that I have always found the former president to be what she has a poster on her door saying: a strong woman for a strong America. I know that a lot of people had feathers ruffled because of her dogged determination to ask questions during committees. And I would hope that that process would continue because I think that we have been derelict in our duty in oversight of specific programs and the expenditure of public monies. We need to ask more questions; more importantly, we need to get answers. And I think too few of us raise those questions or continue until we get a real answer from the people that are getting paid, again, by taxpayers' money.

"So, I fully support the new leadership. I appreciate and say thank you for prior leadership. For someone who is really on the outside, I think I've been treated fairly by five separate Senate presidents; I hope that will continue with the sixth. We have always worked together well.

"But I would just tell my colleagues: It's extremely important that we hold people accountable for the use of public money and public trust, and we have not done that. And we have to do it. It's not being disrespectful to ask a question or to demand that somebody indicate how, in fact, their mission statement or their requirement from the Legislature has been attained. We've allowed the auditor's reports that have been excellent in detail to go unattended; and some agencies basically thumb their noses at the Legislature, figuring that they will be there long after we are and that they will continue to be able to do what they do.

"So I hope that we will take a more measured approach and make sure that, in fact, we do not only ask questions, but even in this body, be willing to stand up and say why you support something or why you oppose something. Thank you, and congratulations, Mr. President."

Senator Kim rose to speak on a point of personal privilege as follows:

"I'd just like to say it's been a privilege to have served this body as president for the past three sessions. I congratulate you and pledge my support to work with you and the new leadership. Mahalo."

---

Senator Thielen rose to speak on a point of personal privilege as follows:

“I would also like to thank the prior president for her three years of service as president, and I look forward to working with the new leadership as well. Thank you.”

**ADJOURNMENT**

At 12:09 p.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 10:30 a.m., Thursday, May 7, 2015.

**ATTACHMENT A**

*The State of Hawai'i's Resilience and  
Sustainability Initiative*



*28<sup>th</sup> State of Hawai'i Legislature*

Senator J. Kalani English  
Senate Majority Leader  
Maui

February 24, 2015

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**ATTACHMENT A**

3

**Executive Summary**

This document identifies what is needed to make Hawaii resilient and sustainable, which is vital to achieving growth, safety and security within the global community. In many ways, resilience and sustainability are buzzwords among those inside and out of government because they are at a loss on how to translate these concepts into a coherent strategy. This public private partnership initiative seeks to transcend this problem by adopting an approach focused on developing a knowledge-based workforce, diversifying the economic base by promoting research, education and technological innovation and simultaneously strengthen our critical infrastructure.

**SB 892** is an omnibus bill that describes the key components of this new strategy designed to specifically address the vulnerabilities of our critical infrastructure, as well as develop a technologically advanced, knowledge-based workforce. Each section of this document provides a roadmap for how we can address our critical infrastructure needs in partnership with the private and civil sectors through manageable, prioritized next steps without putting the overall strategy at risk.

**SB 890** and **SB 893** provide for the expansion of a smart grid analysis, which is already underway on Oahu, and initiates a similar study for water and sewer distribution systems. **SB 887** provides for a research and development business model designed to integrate new technology. These industries include unmanned aerial vehicles (UAVs), next generation buoys, and advanced satellites to develop an operational framework for improving ocean hazard modeling — weather and seismic events (e.g. tsunami).

**SB 891** provides the resources to build cable landing sights and attracts new capital investment to lay a new transpacific cable, which will provide the necessary connectivity for workforce development and economic growth.

**SB 889** establishes a Joint Emergency Management Center (JEMC) which could prototype the suite of operational tools—providing a space for education and training to prepare the necessary workforce—including operational cyber ranges, thus providing additional funding for our infrastructure needs.

Perhaps the most complex challenge for this approach is the non-technological attributes, such as fostering a culture of innovation and developing partnerships to implement new ideas across the spectrum of community stakeholders. This approach calls for the integration of science, social transformation and leadership into a coherent framework for community resilience that implements awareness-based collective action requiring collaborative solutions among stakeholders.

4

**Comprehensive Critical Infrastructure Strategy***Intermediate Objective and Resources:*

- Support SB 892, which is an omnibus bill focused on the strategy of addressing our critical infrastructure
- Establish a project management staff of 3 Full Time Equivalents (FTEs) with the Lt. Governor's office to implement SB2742 and this strategy

*Methods:*

In 2014 the Hawaii State Legislature passed Senate Bill 2742, which facilitated the creation of the Pacific-Asia Institute for Resilience and Sustainability (AIRS). This bill calls for the integration of science, social transformation, and leadership into a coherent framework for community resilience and requires an all-hands effort that extends beyond state jurisdictions and conventional security.

AIRS is managed by Swansea University's Network Science Research Center (NSRC) in the United Kingdom, hosted on the mainland in San Diego, and is hosted locally in Honolulu at Hawaii Pacific University (HPU).

Through the NSRC, AIRS has access to a wealth of technology and human capital in the form of the Sensemaking-PACOM Fellowship. The fellowship is a cadre of doctoral students and post-doctoral fellows from around the world that specialize in innovative solutions for complex community issues. Additionally, they bring in the commercial and military specification technological horsepower of IBM, especially in the new world of cognitive computing technologies (e.g. Aurora and Watson platforms).

The Sensemaking-PACOM Fellowship has already been established in Hawaii with the assistance of the U.S. Pacific Command and leadership of the State Adjutant General to begin examining Hawaii's power grid. To conduct the project, and all future AIRS research on Hawaii's critical infrastructure, the Maui High Performance Computing Center will be installing the latest technology from IBM as part of a research and development effort.

The AIRS research team is committed to Hawaii because of its strategic importance and gateway to the Pacific and Asia, and as an archipelago the literal bounded problem sets represented by each island are attractive for demonstrating the capabilities for new solutions to problems shared around the globe.

**ATTACHMENT A**

5

**Smart Grid***Intermediate Objectives and Resources:*

- Support SB 890, which expands the smart grid study to include the neighbor islands
- Support two full-time equivalent (FTE) project management staff members to administer projects with neighbor islands and explore a smart grid, micro grid for the rail

*Methods:*

A Smart Grid combines communications networks with the standard electric grid. The primary difference between an electric grid and a smart grid is the generation and exploitation of the massive amounts of data (petabytes per year) generated by smart sensors and meters along the entire system's pathways. A Smart Grid management system will use this data to effectively and efficiently control the production and distribution of electricity.

The AIRS research team and the State of Hawaii Adjutant General initiated a study with HECO to architect and develop a "Smart Grid" using predictive analytics and state of the art edge processing technology to meet the various challenges posed by challenges generated by the high penetration of renewables. Edge processing will allow HECO to mortgage the data transmission latency inherent in a central computing model.

This initial study will focus on the Oahu power grid, including hardware and software upgrades at specific substations. The equipment is expected to start with a phased delivery and installation starting in January 2015. The key benefits of this study include better integration of renewables that enhance the stability of the grid, peak load shifting, and robust data sets to inform more prudent decisions on capital investments on electricity supply, transmission and distribution, and demand.

As the research is further developed on Oahu and other islands, the smart grid's real-time analytics can find discoveries where automatic decisions can be executed or alerts can be sent to users. Alerts can trigger real time responses by HECO or a more deliberate decision process, such as further system adaptation or reconfiguration to prevent increased system instability. HECO will also be able to modify other grid parameters including: security settings, bandwidth allocation and pathway selection.

Ideally, the development of a true "Smart Grid" will give HECO the ability to monitor, command, and control the power generation from multiple sources (renewables) and distribute to areas of peak load demand. This study is moving forward and is the first step to meeting this capability.

6

**Water and Sewer***Intermediate Objectives and Resources*

- Support SB 893 on Water and Sewer Distribution Systems
- Evaluate regulatory mandates to facilitate water utility improvement projects
  - Specifically consider the Environmental Protection Agency's SRF program administered by the State Department of Health.
- Support two project management staff to initiate projects with county governments

*Methods:*

As water and sewer management costs continue to increase, information technology and collaborative innovation play a vital role in helping communities, businesses and governments deal with complex water issues.

Current systems are generally stand-alone and limited in scalability, but water and sewer management systems need to provide an integrated operating picture with robust real-time analytics, modeling and decision-support capabilities. Using this approach and deploying the right technology, the AIRS research team can provide comprehensive visibility and situational awareness that spans water and wastewater operations to include an advanced level of event and incident management, improved decision-making, and enhanced efficiency to benefit the population.

Addressing aging infrastructure problems requires greater visibility into what is happening across the water network. The AIRS research efforts will be designed to continuously capture data on the location, condition of assets, and water flows. This data can be analyzed and visualized in real-time to generate insight on water consumption behavior and supply conditions, as well as generate alerts of actual or potential losses from leaks and aging equipment across the network.

Users can use the insights to more effectively manage their demand, while utilities can more effectively control supply through better decisions about what, when, and how much water to store, treat and distribute. It also enables improved collaboration and more coordinated management across multiple stakeholders by enabling them to access and share data on a single platform.

Given the scale of intensifying water management problems, effectively tackling these challenges requires a shift in thinking and actions around how water is managed and used. The AIRS research team can assist in bringing together different partners and funding opportunities to address our mounting water management challenges.

**ATTACHMENT A**

7

**Broadband**Intermediate Objectives and Resources:

- Develop the process and budget to establish a Broadband Initiative focused on the development of cable landing sites
- Provide for two project management staff to facilitate an initial study and begin the process of establishing an offshore, high tech park to implement the Buoy in the Middle Project and garner private sector support for a transpacific cable

Method

As the great infrastructure challenge of the 21<sup>st</sup> Century, broadband is the set of technologies that enables the high-speed transfer of digital data and represents the foundation for economic growth, job creation and global competitiveness.

Broadband contributes to fiscal growth by improving productivity and streamlining business processes. It provides the means for delivering new and innovative services and provides our public, private and civil sectors worldwide access to talent, information, and consumers – ultimately driving sustainable, economic growth. As more data and metadata are created from consumers and businesses, data must transmit faster, in real-time and in unprecedented volumes, all while being analyzed, verified, and made secure.

Currently, Hawaii's broadband infrastructure is inadequate to provide this level of service and places us at a competitive disadvantage. The exponential increase in technological devices, like GPS, smartphones, and sensors, means that broadband capacity will only be further stressed in the near future and to address these issues requires a more astute and capable workforce.

The bandwidth need and associated security requirements for this infrastructure requires a new transpacific cable and multiple cable landing sites throughout the State to provide more overall capacity.

AIRS is creating a partnership with various business groups, and academia to create and deliver a cutting-edge solution that will bring a transpacific broadband cable to the State. The partnership will be predicated on the deployment of a new model for monitoring and analyzing tsunami and weather related threats to Hawaii. Academic Institutions and industry operators in the Pacific are also interested in this improved information source and can support the deployment of the transpacific cable and sensing array.

The significant private and civil sector investment to deliver a transpacific broadband cable will need to be met with an investment from the State of Hawaii to secure landing sites and commission the requisite authorities to begin the terrestrial development for a new age of information capacity available to everyone in the State.

8

**Joint Emergency Management Center (JEMC)**Intermediate Objectives and Resources:

- Support SB 889, which authorizes a study that will identify the scope, design and costs for building a Joint Emergency Management Center
- Provide for two project management staff to facilitate an initial study and begin the process of identifying the needs and requirements of the JEMC

Method:

Developing a Joint Emergency Management Center (JEMC) will provide the Governor, Mayors and municipal leaders a single, unified view of all the information they require for situational awareness and provide the opportunity to make decisions in emergency situations based on real-time information. The JEMC is meant to optimize municipality and state functioning, especially in the face of large-scale events, and to respond proactively to emergency situations.

The JEMC will accomplish this by integrating all the stages of a crisis management situation: from the prediction, mitigation and preparedness, to the immediate response to events, and finally to capture feedback from the system to be used in future incidents. By consolidating data from various critical infrastructure systems for real-time visualization, monitoring and analysis, managers will be able to monitor dozens of data feeds for information concerning weather, traffic, transportation systems, police, medical services on a real-time basis and anticipate looming problems—putting defenses in place to diminish their impact. This system will be especially vital for protecting lives in rural areas as well.

While much of the attention paid to the JEMC focuses on its emergency monitoring and response, especially related to weather, a significant portion of the work it can perform relates to ensuring smooth functioning of day-to-day operations. For example, through the JEMC, a municipal waste corporation can monitor where its trucks are and better sequence trash collection, minimizing gas usage and improving waste management services. Real-time traffic monitors allow transit agency employees to redirect traffic around blockages and provide alternate routes for drivers, reducing stall time for vehicles with public notices. Each agency has a small bank of desks with computers in front of a wall of television monitors, which can show real-time images or be used to run modeling. This information managed by the JEMC can also be developed into citizen-friendly formats, including social networking venues, such as Twitter.

The AIRS research team will initiate this work by building a prototype JEMC at HPU in their new Aloha Tower facility. This experimental JEMC will serve as the training ground to begin building the necessary work force and continuously evolve the IT platforms to integrate more information, data feeds and technology as it becomes available. This initiative also provides stakeholders an opportunity to see the importance of why working these focus areas simultaneously is so important.

**ATTACHMENT A**

9

**Developing the Resources and a Sustainable Business Model***Intermediate Objective and Resources:*

- Support SB 887, which provides the structure to organize an offshore, high tech park to attract research and development
- Provide for three project management staff to facilitate an initial study and begin the process of establishing an offshore, high tech park to implement the Buoy in the Middle Project and garner private sector support for a transpacific cable

*Methods:*

AIRS will create a partnership with various business groups, and academia to create and deliver a cutting-edge solution that will bring a transpacific broadband cable to the State. The partnership will be predicated on the deployment of a new model for monitoring and analyzing tsunami and weather related threats to Hawaii. Academic Institutions and industry operators in the Pacific are also interested in this improved information source and can support the deployment of the transpacific cable and sensing array.

This R&D effort includes the deployment of a transpacific cable in partnership with multiple sectors in private industry that have a real interest in developing technology focused on an ocean modeling framework using buoys, UAVS, satellite communications and remote sensing. Various partners are willing to contribute to this plan as they see value in demonstrating the commercial applicability of the technology and in the data itself.

The significant private and civil sector investment to deliver a transpacific broadband cable (approximately \$300 million) will need to be met with an investment from the State of Hawaii to secure cable landing sites (approximately \$75 million) and provide the communication backbone it will need for future economic growth, work force development and competitiveness.

Additionally, the establishment of the prototype JEMC will use high performance computing to perform analytics on the data received from the cable sensor array. This will serve as the demonstration for a full JEMC, which will have a comprehensive set of end-to-end tools that can be used for four-dimensional hydrodynamic modeling for forecasts, real time warnings for weather, and potential catastrophic events caused by seismic activity (e.g. tsunami).

To complete the public-private partnership model for this project, the AIRS researchers will need to integrate the planning for cable landing sites into the overall business plan.

This project will provide an estimated \$300 million in savings to the State of Hawaii, serve as a catalyst for making progress in multiple areas and function as a barometer for gauging our community's overall progress of becoming a more resilient and sustainable community in the future.

10

**Conclusion and Next Steps**

The economic climate continues to place huge budgetary constraints on communities and this limits their ability to respond to the various pressures described in this paper. This means the strategy for developing a resilient and sustainable community is not executed with a typical linear approach that applies step-by-step progression, but rather a non-linear approach characterized by expansion in multiple areas simultaneously (5 focus areas). This increases possible outcomes by not being so certain about the starting point and allows vital areas to progress that may require more collaboration or time.


Nonlinear approaches often produce anxiety because of the fear of the unknown, but these issues can be mitigated through the adoption of scalable solutions that take advantage of information and communication technology to increase efficiencies, reduce costs, and enhance quality of life.

For example, the AIRS approach to the Hawaii problem set has his five distinct functional phases listed below that requires a robust resource development phase throughout the life cycle of this initiative. In addition, certain focus areas (smart grid, broadband etc.) may be completed prior to the comprehensive solution being available.


A non-linear approach allows progress to be made without having to wait and provides the space for the research team to both adapt the schedules and findings as well as provide maximum flexibility to include implementation.

- **Community Assessment Phase** – requires data collection in each of the focus areas to clearly understand exactly where each area stands in relation to the other areas using a multitude of indices. This assessment provides the understanding for the community's current position and how we will pinpoint the important factors to take into account when preparing a strategy, which is integrated into an IAP.
- **Integrated Action Plan (IAP) Phase** – turns the research team analysis into something tangible by providing community decision-makers a dynamic vision for what the community could look like in the long-term, and make sure the various short-term projects and initiatives have a direct line of sight to the longer strategic vision.
- **Findings and Recommendations Phase:** The IAP will be delivered as a written report and formal presentation to the stakeholders of the initiative. The presentation will include a detailed business plan based on the analysis of the data and the completed IAP.
- **Implementation Phase.** This phase will require more typical project management as the findings and recommendations are implemented.
- **Resource Development Phase** – The AIRS team is currently developing resources to provide a sustained funding effort fund the overall effort throughout the duration of the initiative.

## ATTACHMENT A



**2015 SENATE MAJORITY LEGISLATIVE PROGRAM**



**We** of the Democratic Majority of the Hawai'i State Senate, are committed to a vision and future for Hawai'i that will stabilize Hawai'i's economy and improve our quality of life for generations to come. We have a unique opportunity to serve the people of Hawai'i. In that spirit, the Senate Majority is committed to being open, inclusive, and collaborative in its decision-making on behalf of the people of the State of Hawai'i.

We enter the first year of the Twenty-Eighth Legislative biennium with three over-arching themes and priorities for legislation that will improve the quality of life for everyone in Hawai'i, including our keiki, kūpuna, and na 'Ōhana who are most in need.

**The Democratic Majority of the Senate will focus on the following areas during the 2015 Session:**

**Energy and Food Resiliency** - Ensuring a sustainable future for Hawai'i will continue to be a priority. Improving energy resiliency and food self-sufficiency will have positive effects on our local job market and economy.

We will focus on renewable energy alternatives that are practical and economical for the State that take into account Hawai'i's unique geographical and topographical circumstances. As Hawai'i continues to make progress in this area and with our overall clean energy goals in mind, we will encourage the availability of renewable energy, facilitate processes for the development of renewable energy, and advance projects to improve energy efficiencies.

We will ensure that Hawai'i is well-prepared for any disaster, economic disruption, or other external factor by encouraging the production and consumption of locally grown and locally raised food through good agricultural practices and support of local farmers.

**Community Well-Being and Smart Growth** - We will strengthen our social safety net to ensure that our keiki, kūpuna, family care givers, and all members of a family are healthy and safe, while continuing to work together in the community development process of any and all lands to address housing, agricultural, environmental, and health concerns. Smart growth allows for future thinking on how to best utilize the different types of land available for Hawai'i's myriad of communities and their needs.

We will explore opportunities to protect Hawai'i's natural resources through preservation and protective measures, including addressing agricultural practices, climate change, and zoning concerns. Because of Hawai'i's unique geographical features, including coastline, volcanoes, and watersheds, we can implement innovative processes and procedures, as well as explore new technologies and applications to existing systems, to accommodate Hawai'i residents for today and the future.


We will focus on efforts to create a holistic overview and understanding for community development in the State, such as transit-oriented development. Because comprehensive community development presents an opportunity for the State to solve many socio-economic challenges that face Hawai'i's residents, understanding the issues from various parties will further synergize the development to meet housing, critical infrastructure, and community needs.

**Government Effectiveness** - We will support efforts that ensure that the government is providing effective services in which residents are well-served, safe, and protected. We will work toward greater efficiency, security, and accountability.

We will encourage effectiveness, transparency, and accountability across all branches of government by insisting on high standards of ethical conduct, proper training, and reliable systems and procedures.

We will strengthen and protect government infrastructure by upgrading technology and services to meet the demand of Hawai'i's residents and visitors. We will continue to promote the enhancement of the State's information technology services and concentrate on our critical infrastructure such as broadband.

It is our sincere hope that we can work collaboratively with the House of Representatives and the Governor to achieve all the goals outlined in this 2015 Senate Majority Legislative Program.



**Sustainability & Resiliency**- A new approach

A new Legislature, a new administration and a new approach that is what the Hawai'i State Senate Majority considered as we developed this Legislative Program for the 28th Legislative Session. On behalf of the 24 members of the Senate Majority, I am pleased to present our hopes and goals for all of Hawai'i.

*Kalani English*

Senator Kalani English  
Majority Leader

Keep in touch ~ Be informed. Please visit our website at :  
**[www.hawaiiisenatemajority.com](http://www.hawaiiisenatemajority.com)**