

TENTH DAY

Thursday, February 4, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 11:36 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senator Riviere who was excused.

The President announced that he had read and approved the Journal of the Ninth Day.

At this time, Senator Baker introduced the following members of Faith Action for Community Equity (FACE) O'ahu, who were visiting the State Capitol to advocate for the passage of Senate Bill 2478: Karen Muranaka, Bob Muranaka, Gary Tanimitsu, Karen Ginoza, Patrick Zukimura, Louise South, and Bill South.

Senator Thielen welcomed students from Kainalu Elementary School, who were seated in the gallery with their teachers, Mrs. Young and Mrs. Mosher.

Senator Galuteria recognized students from the University of Hawai'i at Mānoa's master of public health program, who were visiting the State Capitol to discuss Native Hawaiian health governance and how policy affects Native Hawaiian health as part of their Native Hawaiian Health Determinants and Indigenous Health courses. The students were accompanied in the gallery by Professor Maile Taualii.

Senator Taniguchi extended an additional welcome to Karen Muranaka of FACE O'ahu, and noted that she was his high school science teacher.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 228 to 257) were read by the Clerk and were placed on file:

Dept. Com. No. 228, from the Department of Labor and Industrial Relations dated January 7, 2016, transmitting the 2014-2015 Annual Report of the Hawai'i Civil Rights Commission pursuant to Sections 368-3, 368-4 and 515-9, HRS.

Dept. Com. No. 229, from the Department of Labor and Industrial Relations dated January 7, 2016, transmitting the Hoisting Machine Operators' Advisory Board Program Annual Report for the fiscal year ending June 30, 2014, pursuant to Section 396-20, HRS.

Dept. Com. No. 230, from the Department of Labor and Industrial Relations dated January 7, 2016, transmitting the Annual Evaluation of the Hawai'i Unemployment Compensation Trust Fund pursuant to Section 383-126.5, HRS.

Dept. Com. No. 231, from the Department of Business, Economic Development, and Tourism dated January 11, 2016, transmitting the 2015 Annual Report of the Hawai'i Community Development Authority pursuant to Section 206E-19, HRS.

Dept. Com. No. 232, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Annual Report of the Hawai'i Labor Relations Board for the fiscal year ending June 30, 2014, pursuant to Section 89-5, HRS.

Dept. Com. No. 233, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Hawai'i Occupational Safety and Health Annual Report on Contested Cases for the fiscal year ending June 30, 2015, pursuant to Section 396-11, HRS.

Dept. Com. No. 234, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Trust Fund for Premium Supplementation Report pursuant to Section 37-47, HRS.

Dept. Com. No. 235, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Special Compensation Fund Report pursuant to Section 37-47, HRS.

Dept. Com. No. 236, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Employment and Training Special Fund Report pursuant to Section 37-47, HRS.

Dept. Com. No. 237, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Reduced Ignition Propensity Cigarette Program Special Fund Report for the fiscal year ending June 30, 2015, pursuant to Section 37-47, HRS.

Dept. Com. No. 238, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Unemployment Compensation Trust Fund Annual Report pursuant to Section 37-47, HRS.

Dept. Com. No. 239, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Special Unemployment Insurance Administration Fund Report pursuant to Section 37-47, HRS.

Dept. Com. No. 240, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Trust Fund for Disability Benefits Report pursuant to Section 37-47, HRS.

Dept. Com. No. 241, from the Department of Labor and Industrial Relations dated January 19, 2016, transmitting the Human Trafficking Victim Services Fund Report pursuant to Section 37-47, HRS.

Dept. Com. No. 242, from the Department of Labor and Industrial Relations dated January 15, 2016, transmitting the Boiler and Elevator Special Fund Annual Report, pursuant to Section 37-47, HRS.

Dept. Com. No. 243, from the Department of Labor and Industrial Relations dated January 19, 2016, transmitting the Hawai'i State Fire Council Annual Report.

Dept. Com. No. 244, from the Department of Labor and Industrial Relations dated January 19, 2016, transmitting the Hoisting Machine Operators' Certification Revolving Fund Report pursuant to Section 37-47, HRS.

Dept. Com. No. 245, from the Department of Labor and Industrial Relations dated January 19, 2016, transmitting the Workforce Development Council Annual Report pursuant to Section 202-2(8), HRS.

Dept. Com. No. 246, from the Department of Human Services dated January 19, 2016, transmitting the following reports: Annual Report of the Department of Human Services pursuant to Section 346-5, HRS; Interim Report of the Working Group Relating to Identification Cards pursuant to Act 243, SLH 2015; Annual Report of the State Rehabilitation Council pursuant to Section 348-8(c), HRS; and Annual Report on the Spouse and Child Abuse Special Account pursuant to Section 346-7.5, HRS.

Dept. Com. No. 247, from the Hawaii Health Systems Corporation dated January 19, 2016, transmitting its Annual

Audit and Report for Fiscal Year 2015 pursuant to Section 323F-22(b) and (c), HRS.

Dept. Com. No. 248, from the University of Hawai'i dated January 19, 2016, transmitting a report of hire pursuant to Act 119, SLH 2015.

Dept. Com. No. 249, from the University of Hawai'i dated January 19, 2016, transmitting the Annual Report on Net-Zero Energy for the University of Hawai'i pursuant to Section 304A-119, HRS.

Dept. Com. No. 250, from the Department of Business, Economic Development, and Tourism dated January 20, 2016, transmitting the High Technology Development Corporation Annual Report pursuant to Section 206M-3.5, HRS.

Dept. Com. No. 251, from the Department of the Attorney General dated January 21, 2016, transmitting the 2015 Report of the Commission to Promote Uniform Legislation.

Dept. Com. No. 252, from the Department of Health dated January 22, 2016, transmitting the Annual Report on the Mental Health and Substance Abuse Special Fund pursuant to Section 334-15, HRS.

Dept. Com. No. 253, from the Department of Health dated January 22, 2016, transmitting the Annual Report on Solid Waste Management pursuant to Section 342G-15, HRS.

Dept. Com. No. 254, from the Department of Health dated January 25, 2016, transmitting the Annual Report to the Legislature Summarizing Yearly Data on Forensic Patients at Hawaii State Hospital pursuant to Section 334-16, HRS.

Dept. Com. No. 255, from the Office of the Auditor dated January 25, 2016, transmitting the State of Hawai'i Comprehensive Annual Financial Report (CAFR), as directed by Article VII, Section 10 of the Hawai'i State Constitution and as authorized by Chapter 23, HRS.

Dept. Com. No. 256, from the Legislative Reference Bureau dated January 27, 2016, transmitting the Report of the Legislative Family Caregivers Working Group pursuant to S.C.R. No. 107, S.D. 1, H.D. 1 (2015).

Dept. Com. No. 257, from the University of Hawai'i dated January 26, 2016, transmitting a report of hire pursuant to Act 119, SLH 2015.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 5 to 7) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 5, transmitting H.B. No. 32, which passed Third Reading in the House of Representatives on February 3, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 32, entitled: "A BILL FOR AN ACT RELATING TO CROSSWALK SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 6, transmitting H.B. No. 900, H.D. 2, which passed Third Reading in the House of Representatives on February 3, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 900, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD," passed First Reading by title and was deferred.

Hse. Com. No. 7, transmitting H.B. No. 901, which passed Third Reading in the House of Representatives on February 3, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 21 and 22) were read by the Clerk and were referred to committee:

S.C.R. No. 21 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE FIREFIGHTING PROFESSION."

Offered by: Senator Kouchi, by request.

Referred to: Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.C.R. No. 22 "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH."

Offered by: Senator Kouchi, by request.

Referred to: Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor

STANDING COMMITTEE REPORTS

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2016) recommending that S.B. No. 2310 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2310, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 5, 2016.

Senator Keith-Agaran, for the majority of the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2017) recommending that S.B. No. 2289, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 8, 2016.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2018) recommending that S.B. No. 2124, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCREASING THE PAYMENT AMOUNT FOR THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA

SHARE OF THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

- S.B. No.: Re-referred to:
- S.B. No. 3093 Committee on Government Operations, then jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means
- S.B. No. 3100 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Housing, then to the Committee on Ways and Means
- S.B. No. 3106 Jointly to the Committee on Human Services and the Committee on Public Safety, Intergovernmental, and Military Affairs, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means

At this time, Senator Baker announced that National Wear Red Day would be taking place the following day, and encouraged the members to wear red to promote awareness of heart disease and stroke among women. Senator Baker noted that in Hawai'i, more women die of stroke than men, and urged the members to learn the signs of cardiac and stroke events in women.

ADJOURNMENT

At 11:42 a.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 5, 2016.