

TWELFTH DAY

Monday, February 8, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 9:36 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Baker, Harimoto, Ihara, Inouye, and Ruderman who were excused.

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

At this time, Senator Espero welcomed a group of students from Northwest Agriculture and Forestry University in Yangling, China, who were participating in an exchange program through the University of Hawai'i at Mānoa's College of Tropical Agriculture and Human Resources.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 532, 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. 532, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MOOKINI LUAKINI, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2050) recommending that S.B. No. 2873 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2873, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR IMMEDIATE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2051) recommending that S.B. No. 2340 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. 2340, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2052) recommending that S.B. No. 2811, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2811, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RIGHTS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2053) recommending that S.B. No. 2869, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2869, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORDS CHECKS UNDER THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2054) recommending that S.B. No. 2385, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2385, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGES FOR CHILDREN," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2055) recommending that S.B. No. 2698, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2698, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT INFORMED CONSENT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2056) recommending that S.B. No. 2606, 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. 2606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY IN SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2057) recommending that S.B. No. 2426 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. 2426, entitled: "A BILL FOR AN ACT RELATING TO STUDENT MEALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2058) recommending that S.B. No. 2797 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. 2797, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2059) recommending that S.B. No. 2866 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. 2866, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN'S SALARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2060) recommending that S.B. No. 2312, 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 Committee was adopted and S.B. No. 2312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2016.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2061) recommending that S.B. No. 2723, 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. 2723, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2062) recommending that S.B. No. 2152 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. 2152, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2063) recommending that S.B. No. 2480, 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. 2480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITY COMMISSARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2064) recommending that S.B. No. 2628 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. 2628, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2065) recommending that

S.B. No. 2629, 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. 2629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUUHONUA COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2066) recommending that S.B. No. 2630 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. 2630, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2067) recommending that S.B. No. 2631 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. 2631, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 2068) recommending that S.B. No. 2704, 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. 2704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXABLE INCOME EXCLUSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2069) recommending that S.B. No. 2879, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2070) recommending that S.B. No. 2227, 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. 2227, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2071) recommending that S.B. No. 2678, 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. 2678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2072) recommending that S.B. No. 2315, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2315, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Gabbard, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2073) recommending that S.B. No. 2217, 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. 2217, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the majority of the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2074) recommending that S.B. No. 2440, 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 majority of the Committee was adopted and S.B. No. 2440, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2075) recommending that S.B. No. 2137, 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. 2137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2076) recommending that S.B. No. 2803, 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. 2803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL LOAN REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 2289, S.D. 1:

By unanimous consent, action on S.B. No. 2289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was deferred until Tuesday, February 9, 2016.

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. 2732 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means

S.B. No. 3081 Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.B. No. 3109 Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Ways and Means

S.B. No. 3110 Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Ways and Means

At this time, Senator Green announced the birth of Aviva Rose Ruderman, daughter of Senator Russell E. Ruderman.

Senator Kidani announced that a framed set of United States and Hawai'i flags, which were flown over the State Capitol that morning, would be presented to the Kahele family at the memorial service that afternoon on behalf of the Senate. Senator Kidani noted that the U.S. flag had also been flown over the United States Capitol by former United States Representative Patsy T. Mink.

Senator Kidani then announced that the Committee on Education would be holding a hearing that morning at 9:45 a.m. in Conference Room 229.

The Chair reminded the members about ground transportation arrangements that had been made for the memorial services in Hilo that afternoon.

ADJOURNMENT

At 9:41 a.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 9, 2016.