

SEVENTEENTH DAY

Wednesday, February 17, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 11:37 a.m. with the President in the Chair.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 596) was read by the Clerk and was placed on file:

Gov. Msg. No. 596, informing the Senate that on February 16, 2016, the Governor appointed Kaiali'i Kahele to the Senate, effective immediately, to temporarily serve as the Senator from the First Senatorial District until elections are held to fill the vacancy created due to the passing of Senator Gilbert Kahele.

At this time, the Chair appointed Senators English, Galuteria, Kidani, and Slom to escort the Honorable Kaiali'i Kahele to the rostrum.

The Chair then called upon the Honorable Mark E. Recktenwald, Chief Justice of the Supreme Court, State of Hawai'i, to administer the oath of office to the newly appointed member of the Senate.

At the rostrum, Chief Justice Recktenwald administered the oath of office to the newly appointed member of the Senate, the Honorable Kaiali'i Kahele.

The Chair then presented to the members and guests Senator Kaiali'i Kahele of the First Senatorial District.

Senator English introduced the following family members of Senator Kahele who were present in the gallery: his wife, Maria, and their two-year-old daughter, Iolana; Maria's parents, John and Eleanor Day; and Senator Kahele's sister, Ihilani Zymonis.

Senator Galuteria introduced friends of the late Senator Gilbert Kahele who were seated in the gallery: Stan Roehrig, member of the Board of Land and Natural Resources; former State Representative Devin Nakoba; Bolo Dulatre; Micah Alameda, former staff member; Kalai and Mike Needham; Kehau Watson; Daniel Anthony; Danny Kaleikini; Linda Wong; and Ernie Wilson.

Senator Espero recognized the presence of the Honorable Shan S. Tsutsui, Lieutenant Governor of the State of Hawai'i, in the gallery.

Senator Nishihara acknowledged members of the Hawai'i Air National Guard 204th Airlift Squadron who were present in the gallery.

Senator Dela Cruz introduced Kenichi Goto, Issho Kajiwara, Takao Inagami, and Taro Takahashi, visitors from Obihiro and Tokachi in Hokkaido, Japan. Senator Dela Cruz noted that the group had a partnership with the Agribusiness Development Corporation and Hawai'i Department of Agriculture, and would be holding a park golf demonstration that afternoon at 1:30 p.m. in front of the nearby Hawai'i State Art Museum.

Senator Kahele acknowledged his friend, Major Steve Aguilar, an F-22 Raptor pilot with the Hawai'i Air National Guard currently deployed to the Middle East with other members of the 199th Fighter Squadron. Senator Kahele remarked on his longtime friendship with Major Aguilar, who had recently notified him that he dedicated his first bomb to Senator Kahele's father and flew an American flag in honor of him on that sortie. Senator Kahele then introduced Major Aguilar's wife, Angel Aguilar, and their daughter, Anolani, who

were present in the gallery, and thanked them for their contribution to our state and the defense of freedom for our country, and prayed for the safe return of Major Aguilar and the rest of the deployed members of the 199th Fighter Squadron.

At 11:44 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 a.m.

The Roll was called showing all Senators present.

At this time, Senator Slom honored Lenore S. Johnson for her lifelong contributions to Hawai'i and her community, and presented the following remarks:

"Thank you. Mr. President, colleagues, and guests, this is indeed a very historic day, a very important day, and a happy day. Seated on the Senate floor today is a remarkable woman that I would like to introduce. Some of you may know her already; others should know her. She has been tremendous in our community, and we would like to honor her today.

"Born a few years ago, Lenore Johnson moved to Hawai'i in 1949 from Los Angeles, and she's made Hawai'i her home since. As the wife of a University of Hawai'i history professor, Lenore became involved in all things related to the bustling, growing UH Mānoa campus. For nearly 70 years, Lenore Johnson has been active in the University of Hawai'i Women's Campus Club, serving in a variety of leadership roles, including president from 1970 to '72.

"But perhaps her greatest achievement was as part of the team of enterprising young women who opened a thrift shop in 1971. In the ensuing 45 years, the thrift shop has raised over a half a million dollars to fund the campus's first daycare center, a cello for the music department, landscaping around campus, and numerous scholarships.

"In 1957, Lenore and her family moved to 'Āina Haina and into the home where she still lives today. In 1971, she and a small group of residents filed organization documents for the 'Āina Haina Community Association. As the AHCA's first president, she was the driving force behind the association's charter: 'To promote the general welfare of the 'Āina Haina community, to plan and assist other concerned organizations in planning, to foster a positive community attitude, and to take informed action when necessary on community problems.' In many, many ways, her vision for the community association was a blueprint for the City and County of Honolulu neighborhood board system, which was formed two years later. Lenore continues to serve the community as an emeritus director of the AHCA board.

"The Friends of the 'Āina Haina Library, another group that Lenore helped to found, celebrates its fifty-fifth anniversary this year with Lenore still firmly at the helm as president of this respected community organization. Over the years, she has volunteered countless days of her life to the library, including collecting and sorting books for the famed annual book sale. Those book sales have helped the library and the community immensely.

"And if that wasn't enough, Lenore once led a U.S. Census team, canvassing Pālolo door to door, driving and drawing out participants of every race, age, and gender with her warmth and her sincere interest.

"She's been a donor and a volunteer through the years for so many community organizations, the list would be too long to read. But I'll name just a few: University of Hawai'i Women's Campus Club, Nature Conservancy, Hawaii Opera Theatre,

Bishop Museum, Waikīkī Aquarium, Diamond Head Theatre, the League of Women Voters, the Outdoor Circle, and the American Red Cross.

“For those of us who have had the honor of knowing Lenore, she is a model, a role model, and a heroine. For those who are just hearing of her today, we ask that you join in expressing our sincere gratitude for allowing us all to share in the bounty of her life’s work.

“At this time, I’d like to introduce her son-in-law, Rick Wagner, who’s seated with her on the floor today. Rick, could you rise, please? I would also like to recognize the wonderful ladies in the gallery who are part of the Friends of the ‘Āina Haina Library, ‘Āina Haina Community Association, University of Hawai‘i Women’s Campus Club – all in the gallery to express admiration and deepest gratitude for Lenore Johnson. Could you all please stand and be recognized? And, colleagues, I’m now really honored to introduce a true heroine of our community and a very, very strong woman: Mrs. Lenore Johnson. Thank you, Mr. President.”

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

At 12:02 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 8 and 9) were read by the Clerk and were placed on file:

Gov. Msg. No. 8, letter dated February 12, 2016, as provided in Article VII, Section 9 of the Constitution of the State of Hawai‘i, requesting the immediate consideration and passage of H.B. No. 2569, H.D. 1, Relating to Energy.

Gov. Msg. No. 9, letter dated February 12, 2016, requesting the immediate consideration and passage of S.B. No. 2383, Relating to the Hawaii Health Connector; S.B. No. 2894, S.D. 1, Relating to Health Insurance; H.B. No. 2478, Relating to the Affordable Care Act Section 1332 State Innovation Waiver; and, as provided by Article VII, Section 9 of the Constitution of the State of Hawai‘i, S.B. No. 2898, Making Emergency Appropriations for the State to Comply with the Affordable Care Act.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 11 and 12) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 11, transmitting H.B. No. 799, H.D. 2, which passed Third Reading in the House of Representatives on February 16, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 799, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM AERONAUTICS ACT,” passed First Reading by title and was deferred.

Hse. Com. No. 12, transmitting H.B. No. 1044, H.D. 1, which passed Third Reading in the House of Representatives on February 16, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1044, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,” passed First Reading by title and was deferred.

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2204) recommending that S.B. No. 2872, 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 joint report of the Committees was adopted and S.B. No. 2872, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REQUIREMENTS FOR CHILD CARE PROVIDERS,” passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2205) recommending that S.B. No. 2213, 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 joint report of the Committees was adopted and S.B. No. 2213, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2206) recommending that S.B. No. 2396, 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 joint report of the Committees was adopted and S.B. No. 2396, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the Committee on Transportation and Energy and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 2207) recommending that S.B. No. 3088, 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 joint report of the Committees was adopted and S.B. No. 3088, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HYDROELECTRIC POWER,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the majority of the Committee on Transportation and Energy and the majority of the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 2208) recommending that S.B. No. 2653, 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 joint report of the majority of the Committees was adopted and S.B. No. 2653, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the Committee on Transportation and Energy and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep.

No. 2209) recommending that S.B. No. 2367 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 joint report of the Committees was adopted and S.B. No. 2367, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Baker, for the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2210) recommending that S.B. No. 2513 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 joint report of the Committees was adopted and S.B. No. 2513, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," 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. 2211) recommending that S.B. No. 3038, 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. 3038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," 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. 2212) recommending that S.B. No. 3000, 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. 3000, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Harimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 2213) recommending that S.B. No. 2509, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and 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. 2509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senator Kim, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2214) recommending that S.B. No. 3092, 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. 3092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2215) recommending

that S.B. No. 2501, 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. 2501, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2216) recommending that S.B. No. 2293, 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. 2293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kim, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2217) recommending that S.B. No. 2249, 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. 2249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAILUKU PROPERTIES," 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. 2218) recommending that S.B. No. 2149, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and 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. 2149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary and Labor and 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. 2219) recommending that S.B. No. 2813, 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. 2813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2220) recommending that S.B. No. 2887, 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. 2887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," 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. 2221) recommending that S.B. No. 2619, 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. 2619, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," 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. 2222) recommending that S.B. No. 2544, 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. 2544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," 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. 2223) recommending that S.B. No. 2176, 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. 2176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MARIJUANA OVERSIGHT COMMISSION," 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. 2224) recommending that S.B. No. 2865 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. 2865, entitled: "A BILL FOR AN ACT RELATING TO THE REAL ESTATE EDUCATION FUND," 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. 2225) recommending that S.B. No. 2394 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. 2394, entitled: "A BILL FOR AN ACT RELATING TO INFLUENZA IMMUNIZATION," 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. 2226) recommending that S.B. No. 2077, 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. 2077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION BENEFITS," 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. 2227) recommending that S.B. No. 2780, 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. 2780, S.D. 1, 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. 2228) recommending that S.B. No. 2595, 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. 2595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC PREKINDERGARTEN PROGRAM," 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. 2229) recommending that S.B. No. 2594, 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. 2594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 2230) recommending that S.B. No. 2593, 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. 2593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 2231) recommending that S.B. No. 2592, 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. 2592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDIZED TESTING," 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. 2232) recommending that S.B. No. 2589, 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. 2589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 2233) recommending that S.B. No. 2586, 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. 2586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kidani and Inouye, for the Committee on Education and the Committee on Transportation and Energy, presented a joint report (Stand. Com. Rep. No. 2234) recommending that

S.B. No. 3126, 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 joint report of the Committees was adopted and S.B. No. 3126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Gabbard, for the Committee on Transportation and Energy and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 2235) recommending that S.B. No. 2369 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 joint report of the Committees was adopted and S.B. No. 2369, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Keith-Agaran, for the Committee on Transportation and Energy and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2236) recommending that S.B. No. 2348 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 joint report of the Committees was adopted and S.B. No. 2348, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Energy, presented a report (Stand. Com. Rep. No. 2237) recommending that S.B. No. 80, as amended S.D. 1, be recommitted to the Committee on Transportation and Energy.

On motion by Senator Green, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was recommitted to the Committee on Transportation and Energy.

Senators Wakai and Nishihara, for the Committee on Economic Development, Environment, and Technology and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2238) recommending that S.B. No. 3107 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 joint report of the Committees was adopted and S.B. No. 3107, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Nishihara, for the Committee on Economic Development, Environment, and Technology and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2239) recommending that S.B. No. 2097 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 joint report of the Committees was adopted and S.B. No. 2097, entitled: "A BILL FOR AN ACT RELATING TO WATER RECLAMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Nishihara, for the Committee on Economic Development, Environment, and Technology and the Committee on Public Safety, Intergovernmental, and Military

Affairs, presented a joint report (Stand. Com. Rep. No. 2240) recommending that S.B. No. 2358, 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 joint report of the Committees was adopted and S.B. No. 2358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT," 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. 2241) recommending that S.B. No. 2008, 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. 2008, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE AREA BOARDS," 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. 2242) recommending that S.B. No. 2007, 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. 2007, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE COUNCIL ON MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Baker, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2243) recommending that S.B. No. 2412, 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 joint report of the Committees was adopted and S.B. No. 2412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Baker, for the majority of the Committee on Public Safety, Intergovernmental, and Military Affairs and the majority of the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 2244) recommending that S.B. No. 2805, 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 joint report of the majority of the Committees was adopted and S.B. No. 2805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 2553:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 2553, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Espero).

Stand. Com. Rep. No. 2200 (S.B. No. 2117, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2200 was adopted and S.B. No. 2117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Espero).

Stand. Com. Rep. No. 2201 (S.B. No. 2106):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2201 was adopted and S.B. No. 2106, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Espero).

Stand. Com. Rep. No. 2202 (S.B. No. 2540):

Senator Tokuda moved that Stand. Com. Rep. No. 2202 be adopted and S.B. No. 2540, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

"Thank you. I just want to begin by saying I fully support the goals of the chairs of Consumer Protection and Health and Ways and Means to get this forensic facility built; it is long overdue. But I am just registering a protest. The Department of Health had full funding and authority to begin demolition years ago. They did not do it, and I am tired of departments coming to us and saying things like procurement are the obstacle when the real obstacle is the fact that there are many staff in the department that are not moving forward with the programs and the capital improvement projects that we have fully funded. Thank you, Mr. Chair."

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

"Thank you. This measure simply extends the authority granted in HRS 353-16.35 to allow the governor to negotiate and award a contract to develop or expand a correctional facility due to overcrowding or health and safety issues. As we all are well aware, the Hawaii State Hospital is a 100 percent forensic facility where the patients there have been remanded to its care by the courts, and it is constantly over census and overcrowded on a daily basis at the Hawaii State Hospital. If ever there was a time when we'd consider extending this authority, it would be now.

"As you know, we have been extremely aggressive in pushing for the demolition of the Goddard building, as noted by the previous speaker, and an expedited time frame for the construction of a new forensic facility is needed. I've been getting almost weekly updates from the department, and I'm very pleased that a contract has been executed on February 10th for demolition with a notice to proceed by month's end.

"Mirroring HRS 353-16.35, this bill adds two additional weeks to the public comment period when doing an EIS to allow for extensive review and public participation. Our workers, our patients, and our community that live, play, and go to school steps away from the Hawaii State Hospital need us to take action now. They needed it yesterday. I understand that some of you have serious concerns, but I humbly ask for your support of this measure. Thank you, Mr. President."

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

"A lot of this work and urgency is predicated on the Senate's investigative committee of the last two years, and I understand the concern about expediting the process. But much of this need is a result of just the severe and unfortunate explosion in mental health needs in our state, so we'll definitely continue to watch over this program, make sure it's done right. But I think that the necessary health care will be delivered once we build the forensic facility."

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

"Mr. President, I rise to state my reservations regarding this matter. Any exemption of procurement code should have been referred to GVO. Thank you."

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

"Thank you, Mr. President. If I could have the words of the senator from Kāne'ohe entered into the Journal as if they were my own?" (The Chair so ordered, by reference only.)

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2202 was adopted and S.B. No. 2540, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Kim). Noes, 2 (Slom, Thielen). Excused, 1 (Espero).

Stand. Com. Rep. No. 2203 (S.B. No. 2114, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2203 was adopted and S.B. No. 2114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLASS C FELONIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Espero).

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. 2102	Committee on Ways and Means
S.B. No. 2569	Jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means

At this time, Senator Galuteria rose to speak on a point of personal privilege as follows:

"Mahalo, thank you very much. Colleagues, I briefly speak to legacy and bring to close our past month of life experience. It was several weeks ago to the day that I rose to address this 'august body,' as Senator Gil Kahele would call us, and proclaim kaumaha. I proclaimed grief at the passing of a great Hawaiian man – a man of substance, a man of dignity, a man of aloha. Senator Gilbert Kahele had left us, and, over the days that followed, we mourned individually, collectively, officially, publicly. We said farewell in ways that were fitting of modern-day ali'i. Personally, perhaps we reassessed our roles as leaders and realigned our values and style to that of Brother Gil. And then in a flourish of pomp and circumstance, Senator Kahele was gone and a void was created.

"Thus began a search to fill the seat at the end of this row of senators, a search that I think even the man it sought to replace

would be proud, a search that produced an array of possibilities, and mahalo to those individuals who had stepped up and courageously said, 'I can fill the void; I can fill the shoes of that great Hawaiian man.' And after that formal process and the smoke had cleared, there emerged a name. And, colleagues, as if by manifest destiny, that name is Kahele.

"Our newest member, Kai, is his father's son. Gil would often talk of his family and of this young, now-Senator, Kahele. He would sometimes speak of him in the third person. To some of the innovative campaign moves of his son – he also served as his campaign manager – he would say, 'Well, that's a Kai Kahele move.'

"So, the flag has been passed literally to the next generation – literally to the next generation. Not only new blood, but the same blood now sits in that seat. And Hawai'i's Senate has fresh perspective that, combined with the institutional knowledge and life experience of the rest of the body, will provide an unbroken chain of public service to our beloved state, our beloved Hawai'i. To young Senator Kahele, with your deep loss, Hawai'i thanks you for stepping up. Mahalo to Governor Ige for selecting you. The political winds are at your back. Through you, we can all relive vicariously the first moment each one of us was addressed as 'Senator.' You folks remember that? 'Senator.' We all were levitating at the time.

"As a pilot, you know what to do when the conditions are right, and, I would assume, when those winds turn against you, you would know what to do. And they will. Forgive me for addressing directly, Mr. President.

"So, colleagues, I conclude my remarks with advice that Senator Gil Kahele shared with me and I shared with the body several weeks ago and that, no doubt, will help as our newest member begins his journey with us – the words of his dad, as he continues his father's legacy: 'Be magnanimous; be humble; be benevolent because this, too, shall pass.' Today, our word, colleagues, is 'hulō.' Hulō, hurrah! It's a good day. Welcome and aloha, Senator Kai Kahele. Thank you, Mr. President."

Senator Dela Cruz rose to speak on a point of personal privilege as follows:

"I just wanted to share with my colleagues a text that I got from the late senator on January 2nd. That evening, I saw the current senator from Hilo on the news: He was passing out mosquito punks and Off!. So I texted the late senator, 'Just saw Kai on the news – good job, awesome! The apple doesn't fall far from the tree.' He texted me back, 'Thanks. He was well-trained.' And then the subsequent text says, 'By his mom. Happy New Year and looking forward to getting back to the Senate.' Thank you."

The Chair made the following announcement:

"If there are no objections from the members, pursuant to Senate Rule 13 relating to the types and composition of committees, I hereby appoint Senator Kahele as a member of the following standing committees, effective immediately: Education, Higher Education and the Arts, Judiciary and Labor, and Tourism and International Affairs.

"An updated standing committee list will be distributed and the Clerk is directed to place the same in the Journal."

The Chair having so ordered, the updated list of Senate leadership and committee assignments reads as follows:

Majority Leader:
Senator J. Kalani English

Majority Floor Leader and Majority Whip:
Senator Josh Green

Majority Caucus Leader:
Senator Brickwood Galuteria

Majority Whip:
Senator Donovan M. Dela Cruz

Minority Leader and Minority Floor Leader:
Senator Sam Slom

COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair
Senator Michelle N. Kidani, Vice Chair
Senator Will Espero
Senator Les Ihara, Jr.
Senator Clarence K. Nishihara
Senator Russell E. Ruderman
Senator Sam Slom

ECONOMIC DEVELOPMENT, ENVIRONMENT, AND TECHNOLOGY

Senator Glenn Wakai, Chair
Senator Sam Slom, Vice Chair
Senator Rosalyn H. Baker
Senator Will Espero
Senator Brickwood Galuteria
Senator Les Ihara, Jr.
Senator Gilbert S.C. Keith-Agaran
Senator Russell E. Ruderman
Senator Laura H. Thielen

EDUCATION

Senator Michelle N. Kidani, Chair
Senator Breene Harimoto, Vice Chair
Senator Suzanne Chun Oakland
Senator Donovan M. Dela Cruz
Senator Kaiali'i Kahele
Senator Gil Riviere
Senator Sam Slom

GOVERNMENT OPERATIONS

Senator Donna Mercado Kim, Chair
Senator Les Ihara, Jr., Vice Chair
Senator Donovan M. Dela Cruz
Senator Gilbert S.C. Keith-Agaran
Senator Maile S.L. Shimabukuro
Senator Jill N. Tokuda
Senator Sam Slom

HAWAIIAN AFFAIRS

Senator Maile S.L. Shimabukuro, Chair
Senator J. Kalani English, Vice Chair
Senator Lorraine R. Inouye
Senator Donna Mercado Kim
Senator Sam Slom

HIGHER EDUCATION AND THE ARTS

Senator Brian T. Taniguchi, Chair
Senator Mike Gabbard
Senator Kaiali'i Kahele
Senator Michelle N. Kidani
Senator Sam Slom

HOUSING

Senator Breene Harimoto, Chair
Senator Brickwood Galuteria, Vice Chair
Senator Josh Green
Senator Les Ihara, Jr.
Senator Brian T. Taniguchi
Senator Glenn Wakai
Senator Sam Slom

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair
 Senator Gil Riviere, Vice Chair
 Senator Josh Green
 Senator Breene Harimoto
 Senator Russell E. Ruderman
 Senator Laura H. Thielen
 Senator Sam Slom

JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair
 Senator Maile S.L. Shimabukuro, Vice Chair
 Senator Mike Gabbard
 Senator Kaiali'i Kahele
 Senator Donna Mercado Kim
 Senator Laura H. Thielen
 Senator Sam Slom

PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair
 Senator Will Espero, Vice Chair
 Senator Rosalyn H. Baker
 Senator Lorraine R. Inouye
 Senator Sam Slom

TOURISM AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Vice Chair
 Senator Brickwood Galuteria
 Senator Josh Green
 Senator Kaiali'i Kahele
 Senator Donna Mercado Kim
 Senator Jill N. Tokuda
 Senator Sam Slom

TRANSPORTATION AND ENERGY

Senator Lorraine R. Inouye, Chair
 Senator Mike Gabbard, Vice Chair
 Senator Suzanne Chun Oakland
 Senator J. Kalani English
 Senator Michelle N. Kidani
 Senator Clarence K. Nishihara
 Senator Sam Slom

WATER, LAND, AND AGRICULTURE

Senator Mike Gabbard, Chair
 Senator Clarence K. Nishihara, Vice Chair
 Senator Donovan M. Dela Cruz
 Senator Gil Riviere
 Senator Russell E. Ruderman
 Senator Maile S.L. Shimabukuro
 Senator Laura H. Thielen
 Senator Glenn Wakai
 Senator Sam Slom

WAYS AND MEANS

Senator Jill N. Tokuda, Chair
 Senator Donovan M. Dela Cruz, Vice Chair
 Senator Suzanne Chun Oakland
 Senator J. Kalani English
 Senator Brickwood Galuteria
 Senator Breene Harimoto
 Senator Lorraine R. Inouye
 Senator Gil Riviere
 Senator Brian T. Taniguchi
 Senator Glenn Wakai
 Senator Sam Slom

ADJOURNMENT

At 12:23 p.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, February 18, 2016.