

FORTY-SECOND DAY

Tuesday, April 5, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 11:35 a.m. with the President in the Chair.

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

The President announced that he had read and approved the Journal of the Forty-First Day.

At this time, Senator Espero welcomed former State Senator and Senate President Robert Bunda, who was present in the gallery with his sons, JR and Robson Bunda.

Senator Wakai recognized the United States Small Business Administration's State of Hawai'i Small Business Award recipients, and presented the following remarks:

"Thank you, Mr. President. Hawai'i is open for business: Many of those doors are being opened by the Hawai'i Small Business Administration. Under the leadership of District Director Jane Sawyer, the SBA has nurtured thousands of small businesses that benefit all of us. Over the last three decades, the Small Business Administration of Hawai'i has recognized those who have proven their excellence in small business. These awards continue to be the most competitive and comprehensive awards presented in the State of Hawai'i. Today's winners are both entrepreneurs and advocates, and have proven that they have the drive to turn adversity into great opportunity.

"Our first honoree is Jayna Uyehara. Jayna is the 2016 Small Business Advocate for Veterans. As the manager of the Business Action Center for DCCA, Ms. Uyehara keeps the Business Action Center focused on assisting Hawai'i's small business owners. Under her leadership, the agency has established several centers on the neighbor islands and extended partnerships to get important information about business licensing and startup requirements to more individuals in our community.

"Going above the basic duties of her position, Jayna plans and participates in more than 30 activities each year, including Boots to Business for veterans, following up on SBA officers on veteran-owned businesses, and the Kaneohe Marine Corps Base programs assisting spouses on base; as well as the Patsy Mink Center for Business & Leadership.

"Here to help Jayna celebrate the honor is her nominator, Naomi Masuno of Bank of Hawaii; I believe Naomi is in the gallery. Thank you, Naomi. Congratulations, Jayna. Mr. President, with your permission, I'd like to yield my time to fellow colleague Senator Michelle Kidani."

Senator Kidani rose to present the following remarks:

"Thank you, Mr. President; thank you, Senator Wakai. Colleagues, it is my privilege to introduce Elsa Talavera, president of All Island Case Management Corporation. Thank you. Elsa is a registered nurse, and in that role, she was in a position to recognize the need for healthcare services outside the traditional hospital setting. She established her healthcare case management company and quickly adopted the highest of operating standards that many others in Hawai'i now aspire to. Elsa's company works with an extensive network of nearly 300 quality care homes. She provides them with regular updates on changes in the laws that affect their operations. She also makes sure that this growing industry is kept current on best practices in care home operation.

"Along the way, Elsa has helped to provide opportunities for new nursing graduates to enter the field. She works with nursing professional organizations, social workers, healthcare administrators, and countless community organizations to assure the best health care possible for those who choose the care home alternative.

"For her good work and solid reputation in the case management field, Elsa Talavera is being recognized as the 2016 Women in Business Advocate for the State of Hawai'i. Congratulations, Elsa; mahalo for your good work and your well-deserved recognition.

"Mr. President, Elsa has several guests in the gallery this morning; first and foremost is her husband, Edgar. Also in the gallery this morning are two of Elsa's associates from her company, Vangie Abellada and Charmen Valdez; also, Angeline Shiroma, who nominated Elsa for this year's award.

"Finally, Mr. President, I would be remiss if I did not note that Elsa is a resident of Mililani. I am proud to acknowledge her as a neighbor and another outstanding member of our community. I now yield the floor to Senator Ihara."

Senator Ihara rose to present the following remarks:

"Mr. President, good morning. It is my honor to introduce SBA's 2016 Small Business Advocate for Minority-Owned Businesses, Julie Percell, owner of 21st Century Marketing. For over 24 years, Julie has supported the dreams of Hawai'i's entrepreneurs by providing leadership and training in marketing, sales, promotions, market research, financial management, venture capital, customer service, and price modeling. In the past five years, Julie worked with SBA to help establish the successful Emerging Leaders accelerator program that has graduated over 60 CEOs and created new jobs and increased annual sales. She is also active with SBA's Women in Business Committee and the Mink Center for Business and Leadership.

"Julie's award nominator, Winfred Cameron of American Savings Bank, says Julie is not known for keeping normal working hours – because student entrepreneurs don't. And her colleagues agree, calling her a 'tireless advocate for small business and promoting integrity in business, marketing, and advertising.' Julie recognized the need for business support in the Native Hawaiian community, so she partnered with the Office of Hawaiian Affairs and other organizations to provide training, coaching, and enabling entrepreneurship specifically for the Native Hawaiian community. One of her clients said, 'Not only was the class informative – covering everything from A to Z – Julie was knowledgeable, experienced, and, above all, possessed a real desire for helping all of her students succeed. And to top it all off, she was Hawaiian at heart.' It is these qualities, combined with her extensive business knowledge, that contributes to Julie's success. Hawai'i's small-business community is indeed fortunate to have the support of someone like Julie Percell.

"Please join me again in congratulating Julie for this year's award. Mr. President, in the gallery, I'd like to also recognize Julie's husband, Jimmy Percell, and Julie's nominator, Winfred Cameron. Thank you. Thank you, Mr. President. I now yield the floor to Senator Green."

Senator Green rose to present the following remarks:

"Thank you, Mr. President. It's my distinct pleasure to make the next award announcement. This is for the 2016 Family-Owned Small Business for the State of Hawai'i. This award honors family-owned and -operated businesses with more than a

15-year history and have passed their ownership across generations from one to another. In this case, it's for Kealakekua Ranch, and we're honoring Meg Greenwell and Nick Greenwell and Rhonda Kavanaugh.

"First, let me say that, established in 1881, Kealakekua Ranch has succeeded for more than 130 years under the guidance of four generations of the Greenwell family, and they're now led by siblings Meg and Nick. Transitioning over the generations from cattle ranching operations to ag and commercial operations, today Kealakekua Ranch includes a regional shopping center and independent food market, ChoiceMART, which was started in 2000, and this new venture has created over 70 new jobs. They have over 52,000 square feet of retail space at their center, and Kealakekua Ranch leases to restaurants, medical practices – which are essential to Kona – service industries, and retail outlets to provide the necessary products and services to all of our local residents and businesses.

"The ranch is a major employer, as I've said, and is a hub of the South Kona community, providing employment opportunities and really supporting hundreds of local farmers, ranchers, and fishermen by featuring local produce – which we've been emphasizing here – grass-fed beef, fresh-caught fish from the waters off of our coast, along with other natural products from the island. They create business strategies and market awareness by combining their long-term commitment to their community – they're legendary in the community – and the next generation continues to be a formula of success for the Greenwell family and West Hawai'i. We're so honored to have you; let's give them a round of applause. And Mr. President, with your permission, may I yield time to my fellow colleague, Senator Chun Oakland?"

Senator Chun Oakland rose to present the following remarks:

"Thank you, Mr. President. I have the honor of speaking about Maui Varieties, Ltd., for being the 2016 Entrepreneurial Success of the Year for Small Business Administration. With us today is Guy Kamitaki; congratulations for being here. Guy Kamitaki is one of the officers of Maui Varieties, Ltd., and he, along with Wayne, Paul, and Lynn, represent the third generation of the Kamitaki family to own and operate this thriving chain of craft and hardware retail stores in Hawai'i, with locations on the West Coast as well as here locally in Hawai'i.

"Best known for their 28 HouseMart Ace Hardware and HouseMart Ben Franklin stores, Maui Varieties, Ltd., is the parent holding company for five wholly owned subsidiaries. The small business was started 65 years ago by an industrious female barber, Shikano Kamitaki, who purchased a dry-goods store in Kahului and later acquired a franchise for their first Ben Franklin store. As the business grew, it was on to Hilo then to O'ahu to develop four more stores with this brand. In 1978, they took on the Ace Hardware cooperative and soon had 14 stores across the islands. Expansion and diversification efforts started in the 1990s, a strategy to allow the company to compete with big boxes entering the local market, and continues today. SBA entered the picture in 2004, with SBA funding to purchase the Kamuela store.

"From its humble beginnings, Maui Varieties has created over 478 jobs, generated millions of dollars for the state, and provided opportunities within their organization for budding entrepreneurs and crafters. It is with great pleasure that we would like to recognize Maui Varieties, Ltd. Congratulations. I would also like to ask anyone who is here from Maui Varieties, if you could please stand and be recognized as well. Thank you very much. Thank you, Mr. President. Mr. President, with your permission, I yield my time to fellow colleague and final presenter, Senator Brian Taniguchi. Thank you."

Senator Taniguchi rose to present the following remarks:

"Thank you, Mr. President; thank you, Senator Chun Oakland. It's my pleasure this morning to introduce the 2016 Young Entrepreneur of the Year, Kurt Milne. He and his partner, David Farmer, run Aloha 2 Go. Aloha 2 Go is O'ahu's largest online restaurant marketplace, allowing customers to order food and delivery from over 85 local restaurants and food menus. Specializing in B2B, corporate, and office catering, the company has facilitated over 125,000 food deliveries and generated millions in additional sales for their restaurant partners since 2010. The owners have strategically built Aloha 2 Go into one of the largest single-market delivery companies in the nation.

"Kurt and partner David have secured SBA financing for two different phases of their fast expansion, in 2010 and again in 2015. Much of the capital has gone to staffing, obtaining a liquor license, printing a quality promotional magazine, and opening an 'Aiea office. These enterprising young men have created 13 full-time positions and plan to achieve their goal of reaching the entire O'ahu market in 2017. Another hand for Kurt and Aloha 2 Go. He was nominated by Jared Kashiwabara and Michael Libertini of Bank of Hawaii. Also sitting in the gallery is Kurt's partner, David Farmer. Mr. President, I'd like to yield my time back to Senator Wakai."

Senator Wakai rose and stated:

"Thank you, Mr. President. Colleagues, there are other award winners in our gallery today. First is Mabel Hashisaka of the Kauai Kookie company – she has won the Lifetime Legacy award; Barbara Bennett of *For Kua'i Magazine*, Small Business Advocate of Journalism and Media; also Art Taniguchi of Bank of Hawaii, Small Business Advocate for Financial Services; Raymond Jardine of Native Hawaiian Veterans, LLC, Small Business Person of the Year for the State of Hawai'i; Toshihisa Aoki of Hawaiian Fresh Products, Small Business Exporter for the State of Hawai'i; Pamela Tumpap of Maui Chamber of Commerce, Small Business Advocate for Industry and Business. Those are our winners for 2016; members, if we could give them a round of applause. Thank you, Mr. President."

Senator Baker recognized and honored the Bennett Foundation, and presented the following remarks:

"Thank you, Mr. President. Colleagues, it is my distinct honor and privilege to introduce Michael Bennett, Jr. and his wife, Pele. Michael and Pele are founders of the Bennett Foundation, and they're here for their third annual OCEAN Health Fest, to be held on April 23, 2016, at the Kroc Center, and the fourth annual Michael Bennett Football Camp, to be held at the University of Hawai'i on July 9, 2016.

"Seattle Seahawks defensive lineman – and, Mr. President, I tried to wear at least some Seahawks colors today – Michael Bennett and his wife grew up in Houston, Texas, not very far from my hometown, although when I mentioned that to the Bennetts, Michael said he didn't have really very good food there. I can appreciate that – probably lots of fried stuff and not very healthy. But in their many trips to Hawai'i to visit Pele's family living in Lā'ie, Hawai'i grew on them and really came to be a special place in both Michael and Pele's hearts. Their love for the islands has led them to make Hawai'i their off-season home.

"In 2014, Michael participated in a roundtable discussion at the Hawai'i State Capitol to address the growing epidemic of obesity in Hawai'i. At the time, many campaigns were pitched to be rolled out in a five-year plan. Michael and Pele realized the urgency of the matter and, without hesitation, created the Bennett Foundation with the vision of effecting positive change in the wellness of our state. Within three months, the inaugural

OCEAN Health Festival was held at Saint Louis School on O'ahu.

"Now, OCEAN is an acronym for 'Tackling Obesity through Community Education, Activity and Nutrition.' Through the Bennett Foundation, all activities in the weeklong OCEAN Health Festival are provided free to all participants. Attendees are provided with valuable information on making better choices that is hoped will help lead to positive health changes and a healthier lifestyle. Events include cooking demonstrations with local celebrity chefs, a family health day, health screenings, and a series of football-related youth camps.

"So, please once again join me in honoring Michael and Pele Bennett for their dedication and tireless efforts to promote, educate, and advocate for a healthy and active lifestyle for the people of Hawai'i – welcome home. Colleagues, we're joined in the gallery by some other folks with the Bennett Foundation: executive director Kevin Chang, board member Elix Villafuerte; Vicky Villafuerte, another board member; and Ross Oshiro. Thank you all for joining us today."

At 11:57 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 780 to 814) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 780, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of SUMMER KOZAI, term to expire June 30, 2017, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 781, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of GARY ROPERT, term to expire June 30, 2019, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 782, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of EDWIN MURANAKA, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 783, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of MAY AU, term to expire June 30, 2017, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 784, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of JAMES PASQUINO, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 785, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of STEVEN SKLADANEK, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 786, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of REID NOGUCHI, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 787, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of STEWART BURLEY, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 788, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of SANDRA RYAN, term to expire June 30, 2019, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 789, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of MICHAEL BRUNO, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 790, informing the Senate that on April 1, 2016, the Governor withdrew the nomination of ARUN SAVARA to the Hawai'i Workforce Development Council, under Gov. Msg. No. 639 dated February 26, 2016, from consideration by the Senate, was placed on file.

In compliance with Gov. Msg. No. 790, the nomination listed under Gov. Msg. No. 639 was returned.

Gov. Msg. No. 791, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of LETITIA UYEHARA, term to expire June 30, 2020, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 792, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of DENISE ALBANO, term to expire June 30, 2020, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 793, submitting for consideration and confirmation to the Hawai'i Advisory Council on Emergency Management, the nomination of JAN TENBRUGGENCATE, term to expire June 30, 2020, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 794, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of THOMAS NOYES, term to expire June 30, 2018, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 795, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of JUSTIN KOLLAR, term to expire June 30, 2020, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 796, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of MITCHELL ROTH, term to expire June 30, 2020, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 797, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of DARREN IZUMO, term to expire June 30, 2020, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 798, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of JEEN KWAK PANG, term to expire June 30, 2020, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 799, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of LAWRENCE REDMOND, term to expire

June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 800, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of MARIE WEITE, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 801, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of RAY GALAS, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 802, submitting for consideration and confirmation to the Board of Registration of the Island of Oahu, the nomination of ALAN BURDICK, term to expire June 30, 2020, was referred to the Committee on Judiciary and Labor.

Gov. Msg. No. 803, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, the nomination of JOHN DELONG, term to expire June 30, 2019, was referred to the Committee on Transportation and Energy.

Gov. Msg. No. 804, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of JACQUELINE HOOVER, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 805, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawaii, the nomination of KELLI GOODIN, term to expire June 30, 2019, was referred to the Committee on Higher Education and the Arts.

Gov. Msg. No. 806, submitting for consideration and confirmation to the Education Commission of the States, the nomination of CARMIELITA MINAMI, term to expire June 30, 2020, was referred to the Committee on Education.

Gov. Msg. No. 807, submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, the nomination of RONALD BUSH, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 808, submitting for consideration and confirmation to the Health Planning Council, West O'ahu Suabera, the nomination of BEVERLY INOCENCIO, term to expire June 30, 2016, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 809, submitting for consideration and confirmation to the Health Planning Council, West O'ahu Suabera, the nomination of BEVERLY INOCENCIO, term to expire June 30, 2020, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 810, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse, the nomination of JODY JOHNSON, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 811, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse, the nomination of LORI KARAN, term to expire June 30, 2017, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 812, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse, the nomination of CARL BERGQUIST, term to expire

June 30, 2017, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 813, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse, the nomination of JAMI KNOX, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 814, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse, the nomination of KENNETH TANO, term to expire June 30, 2018, was referred to the Committee on Commerce, Consumer Protection, and Health.

STANDING COMMITTEE REPORTS

Senator Nishihara, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 3317) recommending that the Senate advise and consent to the nominations to the Reentry Commission of the following:

BLAYNE HANAGAMI, in accordance with Gov. Msg. No. 601;

TONI BISSEN, in accordance with Gov. Msg. No. 602; and

KIMBERLY TAKATA, in accordance with Gov. Msg. No. 629.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3317 and Gov. Msg. Nos. 601, 602, and 629 was deferred until Wednesday, April 6, 2016.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3318) recommending that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

MICHAEL MOORE, in accordance with Gov. Msg. No. 612; and

MICHAEL MOORE, in accordance with Gov. Msg. No. 613.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3318 and Gov. Msg. Nos. 612 and 613 was deferred until Wednesday, April 6, 2016.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 3319) recommending that S.C.R. No. 160 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3319 and S.C.R. No. 160, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF TRANSPORTATION TO ESTABLISH MINIMUM DIMENSIONS FOR PASSENGER SEATS ON AIRCRAFT," was deferred until Wednesday, April 6, 2016.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 3320) recommending that S.R. No. 121 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3320 and S.R. No. 121, entitled: "SENATE RESOLUTION REQUESTING THE SECRETARY OF TRANSPORTATION TO ESTABLISH MINIMUM DIMENSIONS FOR PASSENGER SEATS ON AIRCRAFT," was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3321) recommending that the Senate advise and consent to the nomination of JAY ALAN RAYMUNDO to the Health Planning Council, West O'ahu Subarea, in accordance with Gov. Msg. No. 678.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3321 and Gov. Msg. No. 678 was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3322) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Tri-Isle Subarea of the following:

ANNE TRYGSTAD, in accordance with Gov. Msg. No. 674;

KAREN HOLT, in accordance with Gov. Msg. No. 675;

KATHLEEN HAGAN, in accordance with Gov. Msg. No. 676; and

MARY CATIEL, in accordance with Gov. Msg. No. 677.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3322 and Gov. Msg. Nos. 674, 675, 676, and 677 was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3323) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Hawai'i Service Area Board of the following:

JEAN PAMMER, in accordance with Gov. Msg. No. 679; and

SUSAN MCCREE, in accordance with Gov. Msg. No. 680.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3323 and Gov. Msg. Nos. 679 and 680 was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3324) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, O'ahu Service Area Board of the following:

MICHAEL STEWART, in accordance with Gov. Msg. No. 681; and

TRENNA SYKES-HEBERT, in accordance with Gov. Msg. No. 682.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3324 and Gov. Msg. Nos. 681 and 682 was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3325) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

JACQUELINE INDREGINAL, in accordance with Gov. Msg. No. 683;

LOUISE IWAISHI, in accordance with Gov. Msg. No. 684;

SARAH AHINA, in accordance with Gov. Msg. No. 685; and

SOL RAY DUNCAN, in accordance with Gov. Msg. No. 686.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3325 and Gov. Msg. Nos. 683, 684, 685, and 686 was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3326) recommending that H.B. No. 2422, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3326 and H.B. No. 2422, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred until Wednesday, April 6, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3327) recommending that H.B. No. 2626, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3327 and H.B. No. 2626, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," was deferred until Thursday, April 7, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3328) recommending that H.B. No. 1733, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3328 and H.B. No. 1733, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT FACILITIES," was deferred until Thursday, April 7, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3329) recommending that H.B. No. 2030, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3329 and H.B. No. 2030, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," was deferred until Thursday, April 7, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3330) recommending that H.B. No. 2077, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3330 and H.B. No. 2077, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HYDROELECTRIC POWER," was deferred until Thursday, April 7, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 3331) recommending that H.B. No. 1541, H.D. 1, 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 English and carried, the report of the Committee was adopted and H.B. No. 1541, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 7, 2016.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM MONDAY, APRIL 4, 2016

S.B. No. 2312, S.D. 1 (H.D. 1):

Senator Keith-Agaran moved that the Senate agree to the amendments proposed by the House to S.B. No. 2312, S.D. 1, seconded by Senator Shimabukuro.

Senator Keith-Agaran noted:

“Yes, Mr. President. The only change was to make the date effective, so they’ve accepted our language.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2312, S.D. 1, and S.B. No. 2312, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PENAL CODE,” was placed on the calendar for Final Reading on Wednesday, April 6, 2016.

S.B. No. 305, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 305, S.D. 1 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII HEALTH SYSTEMS CORPORATION PREMISES,” was deferred until Wednesday, April 6, 2016.

ADVISE AND CONSENT

Stand. Com. Rep. No. 3277 (Gov. Msg. Nos. 672 and 673):

Senator Baker moved that Stand. Com. Rep. No. 3277 be received and placed on file, seconded by Senator Kidani and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Health Planning Council, Hawai‘i County Subarea of the following:

MALIA PRUETT, term to expire June 30, 2019 (name amended to MALIA TALLETT by Gov. Msg. No. 729) (Gov. Msg. No. 672); and

SCOTT DANIELS, term to expire June 30, 2019 (Gov. Msg. No. 673),

seconded by Senator Kidani.

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

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

Stand. Com. Rep. No. 3278 (Gov. Msg. Nos. 599, 600, 652, 653, and 654):

Senator Nishihara moved that Stand. Com. Rep. No. 3278 be received and placed on file, seconded by Senator Espero and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Advisory Board on Veterans’ Services of the following:

BRIDGET KOMINE, term to expire June 30, 2017 (Gov. Msg. No. 599);

HAROLD BUGADO, term to expire June 30, 2019 (Gov. Msg. No. 600);

ANN GREENLEE, term to expire June 30, 2020 (Gov. Msg. No. 652);

CHELSEA FERNANDEZ, term to expire June 30, 2020 (Gov. Msg. No. 653); and

WILLIAM PARK, term to expire June 30, 2020 (Gov. Msg. No. 654),

seconded by Senator Espero.

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

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

Stand. Com. Rep. No. 3279 (Gov. Msg. No. 590):

Senator Tokuda moved that Stand. Com. Rep. No. 3279 be received and placed on file, seconded by Senator Dela Cruz and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of ALAN BERNALDO to the Board of Taxation Review, 2nd Taxation District (Maui), term to expire June 30, 2016, seconded by Senator Dela Cruz.

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

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

Stand. Com. Rep. No. 3280 (Gov. Msg. No. 591):

Senator Tokuda moved that Stand. Com. Rep. No. 3280 be received and placed on file, seconded by Senator Dela Cruz and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of ALAN BERNALDO to the Board of Taxation Review, 2nd Taxation District (Maui), term to expire June 30, 2020, seconded by Senator Dela Cruz.

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

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

Stand. Com. Rep. No. 3282 (Gov. Msg. Nos. 669 and 670):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3282 be received and placed on file, seconded by Senator Riviere and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Commission on Fatherhood of the following:

ALEXANDER HARRIS, term to expire June 30, 2019 (Gov. Msg. No. 669); and

JAMES KAWIKA RILEY, term to expire June 30, 2019 (Gov. Msg. No. 670),

seconded by Senator Riviere.

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

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

Stand. Com. Rep. No. 3285 (Gov. Msg. Nos. 630, 631, 632, 633, 634, 645, 646, 647, and 648):

Senator Nishihara moved that Stand. Com. Rep. No. 3285 be received and placed on file, seconded by Senator Espero and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Correctional Industries Advisory Committee of the following:

AARON KIBOTA, term to expire June 30, 2019 (Gov. Msg. No. 630);

JAMES WATARU, term to expire June 30, 2019 (Gov. Msg. No. 631);

JAY ISHIBASHI, term to expire June 30, 2019 (Gov. Msg. No. 632);

JENNIFER DOTSON, term to expire June 30, 2019 (Gov. Msg. No. 633);

LEE SHINSATO, term to expire June 30, 2018 (Gov. Msg. No. 634);

MARLENE KUFROVICH, term to expire June 30, 2016 (Gov. Msg. No. 645);

MARLENE KUFROVICH, term to expire June 30, 2020 (Gov. Msg. No. 646);

HOWARD WIIG, term to expire June 30, 2018 (Gov. Msg. No. 647); and

JON MATSUO, term to expire June 30, 2017 (Gov. Msg. No. 648),

seconded by Senator Espero.

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

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

At this time, Senator Chun Oakland introduced Kawika Riley and Alexander Harris, newly confirmed members of the Commission on Fatherhood, who were present in the gallery with their wives, Lorinda Riley and Lieutenant Colonel Jamalrah Munir.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM MONDAY, APRIL 4, 2016

Stand. Com. Rep. No. 3281 (S.R. No. 102):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO EVALUATE THE IMPACTS OF GENERAL EXCISE AND USE TAX INCREASES PROPOSED DURING THE REGULAR SESSION OF 2016," was adopted.

Stand. Com. Rep. No. 3286 (S.C.R. No. 64, S.D. 1):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE ANALYSIS OF MANDATORY HEALTH INSURANCE COVERAGE FOR NUTRITION AND LIFESTYLE PROGRAMS, INCLUDING AN ANALYSIS OF MANDATORY INSURANCE COVERAGE FOR THE NATIONAL DIABETES PREVENTION PROGRAM OFFERED TO PATIENTS FOUND TO HAVE ABNORMAL BLOOD GLUCOSE," was adopted.

Stand. Com. Rep. No. 3287 (S.C.R. No. 31, S.D. 1):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EXECUTIVE OFFICE ON AGING'S EFFORTS TO INCORPORATE A NO WRONG DOOR SYSTEM APPROACH INTO THE AGING AND DISABILITY RESOURCE CENTER HAWAII NETWORK," was adopted.

Stand. Com. Rep. No. 3288 (S.R. No. 13, S.D. 1):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE EXECUTIVE OFFICE ON AGING'S EFFORTS TO INCORPORATE A NO WRONG DOOR

SYSTEM APPROACH INTO THE AGING AND DISABILITY RESOURCE CENTER HAWAII NETWORK," was adopted.

Stand. Com. Rep. No. 3310 (S.C.R. No. 32):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RENAME A SECTION OF KAPULE HIGHWAY IN THE COUNTY OF KAUA'I AS THE KAUA'I VETERANS MEMORIAL HIGHWAY," was adopted.

Stand. Com. Rep. No. 3311 (S.R. No. 14):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO RENAME A SECTION OF KAPULE HIGHWAY IN THE COUNTY OF KAUA'I AS THE KAUA'I VETERANS MEMORIAL HIGHWAY," was adopted.

Stand. Com. Rep. No. 3312 (S.C.R. No. 33):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 33, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ASSIST THE STATE IN NEGOTIATING WITH THE FEDERAL GOVERNMENT FOR THE ACQUISITION OF THE FEDERAL DETENTION CENTER, HONOLULU," was adopted, with Senator Thielen voting "No."

Stand. Com. Rep. No. 3313 (S.R. No. 15):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ASSIST THE STATE IN NEGOTIATING WITH THE FEDERAL GOVERNMENT FOR THE ACQUISITION OF THE FEDERAL DETENTION CENTER, HONOLULU," was adopted, with Senator Thielen voting "No."

Stand. Com. Rep. No. 3314 (S.C.R. No. 41, S.D. 1):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.C.R. No. 41, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO LANDSCAPE HAWAII'S PUBLIC HIGHWAYS AND ROADS BY PLANTING MORE TREES," was adopted.

Stand. Com. Rep. No. 3315 (S.R. No. 19, S.D. 1):

On motion by Senator Green, seconded by Senator English and carried, the report of the Committee was adopted and S.R. No. 19, S.D. 1, entitled: "SENATE RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO LANDSCAPE HAWAII'S PUBLIC HIGHWAYS AND ROADS BY PLANTING MORE TREES," was adopted.

Stand. Com. Rep. No. 3316 (S.C.R. No. 34):

Senator Green moved that Stand. Com. Rep. No. 3316 be adopted, seconded by Senator English.

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

"I rise in opposition to Committee Report 3316 and it's the Concurrent Resolution 34, which calls for statehood for the District of Columbia. So, it's that part of the resolution that I must oppose, the reason being: The District of Columbia was created in 1790 as the capital. In 1846, the Virginia portion of the District retroceded to Virginia; the remaining two-thirds of the District are still the District of Columbia. They are in former Maryland land; if we are looking to enfranchise or provide representation to the residents, I think retrocession to Maryland would be more appropriate, and I don't think that creating another state – which would sit two more senators and another congressman – is in the best interest of the nation at large, so thank you for allowing me to share those thoughts."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 34, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION GRANTING BUDGET AUTONOMY, LEGISLATIVE AUTONOMY, AND STATEHOOD TO THE DISTRICT OF COLUMBIA," was adopted, with Senator Thielen voting "Aye with Reservations" and Senators Kim and Riviere voting "No."

THIRD READING

Stand. Com. Rep. No. 3283 (H.B. No. 1894, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 3283 was adopted and H.B. No. 1894, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3284 (H.B. No. 2494):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 3284 was adopted and H.B. No. 2494, entitled: "A BILL FOR AN ACT RELATING TO BLOOD GLUCOSE MONITORING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3289 (H.B. No. 2639):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3289 was adopted and H.B. No. 2639, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS TELECOMMUNICATIONS SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3290 (H.B. No. 2329):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3290 was adopted and H.B. No. 2329, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3291 (H.B. No. 2311, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3291 was adopted and H.B. No. 2311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING DEATHS TO STATE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3292 (H.B. No. 2084, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3292 was adopted and H.B. No. 2084, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3293 (H.B. No. 901, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3293 was adopted and H.B. No. 901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At this time, Senator Galuteria announced that the fourth annual Kūpuna Power Day would be held the following day from 9:00 a.m. to 11:00 a.m. in the State Capitol Rotunda, with over three dozen service providers and entertainment from Danny Kaleikini, Marlene Sai, Nina Keali'iwahamana, and Frank DeLima, and invited the members to participate. Senator Galuteria noted that the Daniel Kahikina Akaka Award for outstanding senior service would also be awarded the following day, and that Senator Suzanne Chun Oakland had previously been honored with the award.

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

"I would just like to welcome the Sons and Daughters of the 442nd, who are with us today in the rotunda from 11:30 a.m. to 1:30 p.m. They are exercising the democratic process by getting involved. Mahalo."

ADJOURNMENT

At 12:20 p.m., on motion by Senator Green, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 6, 2016.