

## TENTH DAY

## Thursday, February 2, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 12:00 p.m. with the President in the Chair.

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

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

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 225) was read by the Clerk and was placed on file:

Dept. Com. No. 225, from the City and County of Honolulu Police Department dated January 30, 2017, transmitting the 2016 Annual Misconduct Report pursuant to Section 52D-3.5, HRS.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 45 to 47) were read by the Clerk and were deferred:

S.C.R. No. 45 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO NOT CONSIDER CERTAIN BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT AS INCOME WHEN DETERMINING MEDICAID ELIGIBILITY."

Offered by: Senator Green.

S.C.R. No. 46 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON."

Offered by: Senator Thielen.

S.C.R. No. 47 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAILUA, KOOLAUPOKO, OAHU, FOR THE SEAWALL AND BOAT RAMP, AND FOR THE USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON."

Offered by: Senator Thielen.

## SENATE RESOLUTION

The following resolution (S.R. No. 11) was read by the Clerk and was deferred:

S.R. No. 11 "SENATE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO NOT CONSIDER CERTAIN BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT AS INCOME WHEN DETERMINING MEDICAID ELIGIBILITY."

Offered by: Senator Green.

## STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 5)

recommending that S.B. No. 226, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 350, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUTRIENT CYCLING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 356, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 771, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 771, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 804 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 804, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PESTICIDES LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 779 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 779, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 778 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 778, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 684, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 684, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 347 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 347, entitled: "A BILL FOR AN ACT RELATING TO MOBILE CLINICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 20 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 15) recommending that S.B. No. 181 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 181, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 537 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 537, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 497 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 497, entitled: "A BILL FOR AN ACT RELATING TO PRESCHOOL OPEN DOORS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 539 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 539, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 748 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 748, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 522 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 522, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 368 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 747 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR IMMEDIATE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 185, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE PROVIDERS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Green, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 268, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," 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. 25) recommending that S.B. No. 188, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEPSIS," 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. 26) recommending that S.B. No. 132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STROKE AWARENESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 715, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL ACTION TEAM ON AFFORDABLE RENTAL HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 581 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 584 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 584, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

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| S.B. No.:     | Re-referred to:   |
| S.B. No. 649  | Committee on Transportation and Energy, then to the Committee on Ways and Means   |
| S.B. No. 654  | Committee on Transportation and Energy, then to the Committee on Ways and Means   |
| S.B. No. 1276 | Jointly to the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means  |
| S.B. No. 1291 | Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Government Operations, then to the Committee on Judiciary and Labor |
| S.B. No. 1298 | Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor   |
| S.B. No. 1304 | Committee on Hawaiian Affairs, then to the Committee on Ways and Means  |

**ADJOURNMENT**

At 12:02 p.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Friday, February 3, 2017.

**ORDER OF THE DAY**

**RE-REFERRAL OF SENATE BILLS**

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