

FOURTEENTH DAY

Thursday, February 9, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, 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 Ihara who was excused.

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

At this time, Senator Galuteria welcomed, on behalf of Senator Ihara, 25 students from Kaimuki Christian School, who were seated in the gallery with their teachers, Ms. Morgan and Mrs. Sachs.

Senator Chang introduced the following guests from Kilohana Senior Enrichment Center in Niu Valley: Ann Chang, Stanley Fujimoto, Iris Fukui, Annie Hayashita, Ronald Kimura, Shigeo Komoga, George Maeyama, Sharon Mowat, Yaeko Muramoto, Gladys Takaki, Willy Toyama, Harry Tsuji, and Sandra Tengan. The visitors were seated in the gallery with Kilohana staff members Marcia, Lay, Maricris, and Shana.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 2 and 506) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 2, letter dated February 7, 2017, transmitting proposed changes to the Fiscal Biennium 2017-2019 Executive Budget Request for the Department of Accounting and General Services; Department of Agriculture; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Defense; Department of Education; Department of Health; Department of Human Services; Department of Land and Natural Resources; Department of Public Safety; University of Hawai'i; and Department of the Attorney General, was placed on file.

Gov. Msg. No. 506, submitting for consideration and confirmation, the nomination of DERRICK H.M. CHAN as Associate Judge of the State of Hawai'i Intermediate Court of Appeals, for a term of ten years, was referred to the Committee on Judiciary and Labor.

STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 66) recommending that S.B. No. 968 pass Second Reading and be referred to the Committee on Judiciary and Labor 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. 968, entitled: "A BILL FOR AN ACT RELATING TO SERVICES PERFORMED BY CIVIL SERVICE EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senator Espero, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 67) recommending that S.B. No. 1111 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. 1111, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," 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. 68) recommending that S.B. No. 1142 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. 1142, entitled: "A BILL FOR AN ACT RELATING TO 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. 69) recommending that S.B. No. 912, 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. 912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DOWNPAYMENT LOAN ASSISTANCE PROGRAM," 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. 70) recommending that S.B. No. 967, as amended in S.D. 1, 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. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 71) recommending that S.B. No. 619 pass Second Reading and be referred to the Committee on Ways and Means and 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. 619, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 72) recommending that S.B. No. 1042 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. 1042, 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. 73) recommending that S.B. No. 1044 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. 1044, 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. 74) recommending that S.B. No. 1099 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. 1099, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 75) recommending that S.B. No. 617 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. 617, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH AND TECHNOLOGY GRANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 76) recommending that S.B. No. 762 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. 762, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 77) recommending that S.B. No. 763 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. 763, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 78) recommending that S.B. No. 764 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. 764, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 79) recommending that S.B. No. 761, 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. 761, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT," 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. 80) recommending that S.B. No. 123, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 13, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 81) recommending that S.B. No. 316, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VICTIMS OF CRIME," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 13, 2017.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 82) recommending that S.B. No. 416, 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. 416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 83) recommending that S.B. No. 554, 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. 554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," 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. 84) recommending that S.B. No. 624, 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. 624, 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. 85) recommending that S.B. No. 708, 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. 708, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LAND," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 86) recommending that S.B. No. 781, 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. 781, 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. 87) recommending that S.B. No. 783, 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. 783, 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. 88) recommending that S.B. No. 803, 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. 803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SAFETY," 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. 89) recommending that S.B. No. 881, 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. 881, 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. 90) recommending that S.B. No. 162, as amended in S.D. 1, 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. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 91) recommending that S.B. No. 332 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. 332, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," 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. 92) recommending that S.B. No. 394 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. 394, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Kahele and Keith-Agaran, for the Committee on Higher Education and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 93) recommending that S.B. No. 723, 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 joint report of the Committees was adopted and S.B. No. 723, 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 Kahele and Keith-Agaran, for the Committee on Higher Education and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 94) recommending that S.B. No. 1112, 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 joint report of the Committees was adopted and S.B. No. 1112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 95) recommending that S.B. No. 709, 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. 709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAILS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 96) recommending that S.B. No. 990, 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. 990, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST STEWARDSHIP," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 97) recommending that S.B. No. 690 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. 690, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Keith-Agaran and Baker, for the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 98) recommending that S.B. No. 948 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 joint report of the Committees was adopted and S.B. No. 948, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Keith-Agaran and Kahele, for the Committee on Judiciary and Labor and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 99) recommending that S.B. No. 429, as amended in S.D. 1, 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 joint report of the Committees was adopted and S.B. No. 429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senators Keith-Agaran and Kahele, for the Committee on Judiciary and Labor and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 100) recommending that S.B. No. 406, 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 joint report of the Committees was adopted and S.B. No. 406, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," 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. 101) recommending that S.B. No. 247, 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. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," 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. 102) recommending that S.B. No. 412, 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. 412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," 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. 103) recommending that S.B. No. 687, 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. 687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Kidani, for the Committee on Agriculture and Environment and the Committee on Education,

presented a joint report (Stand. Com. Rep. No. 104) recommending that S.B. No. 1195 pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1195, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Gabbard and Kidani, for the Committee on Agriculture and Environment and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 105) recommending that S.B. No. 882 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO FARM TO SCHOOL MONTH IN HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 10, 2017.

Senators Gabbard and Kidani, for the Committee on Agriculture and Environment and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 106) recommending that S.B. No. 807, 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 joint report of the Committees was adopted and S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOCALLY GROWN FOOD," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

S.B. No.:	Re-referred to:
S.B. No. 510	Committee on Education, then jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means
S.B. No. 589	Committee on Housing, then jointly to the Committee on Ways and Means and the Committee on Judiciary and Labor
S.B. No. 718	Jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
S.B. No. 1303	Committee on Hawaiian Affairs, then to the Committee on Judiciary and Labor

ADJOURNMENT

At 11:39 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Friday, February 10, 2017.