

## EIGHTH DAY

## Tuesday, January 30, 2018

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2018, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

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

At this time, Senator Galuteria introduced the following visitors from the University of Hawai'i at Mānoa School of Communications Journalism program: lecturer Bernadette Baraquio; media director Sherrie White; and students Chanel Dias, Bronson Doria, Ka'ainoa Fernandez, Harrison Patino, Jenice Lam, Nicole Tam, and Brandon Rivera.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 265 to 315) were read by the Clerk and were placed on file:

Dept. Com. No. 265, from the Department of Accounting and General Services dated December 27, 2017, transmitting the Report on the Implementation of the Recycling Pilot Program pursuant to Act 217, SLH 2017.

Dept. Com. No. 266, from the University of Hawai'i System dated December 27, 2017, transmitting the Report on Revenues Used to Pay Principal and Interest from the Tuition and Fees Special Fund pursuant to Act 124, Section 78.1, SLH 2016.

Dept. Com. No. 267, from the Public Utilities Commission dated December 29, 2017, transmitting its Annual Report for Fiscal Year 2017 pursuant to Sections 269-5 and 269-33(c), HRS.

Dept. Com. No. 268, from the Department of Business, Economic Development, and Tourism dated December 20, 2017, transmitting the 2017 Small Business Regulatory Review Board Annual Report pursuant to Section 201M-5(f), HRS.

Dept. Com. No. 269, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the Hoisting Machine Operators' Certification Revolving Fund Report for the fiscal year ending June 30, 2017, pursuant to Section 396-20, HRS.

Dept. Com. No. 270, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the Hoisting Machine Operators' Advisory Board Report for the fiscal year ending June 30, 2017, pursuant to Section 396-20, HRS.

Dept. Com. No. 271, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the Special Compensation Fund Program Report for the fiscal year ending June 30, 2017, pursuant to Section 37-47, HRS.

Dept. Com. No. 272, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the Special Compensation Fund for Temporary Disability Benefits Report for the fiscal year ending June 30, 2017, pursuant to Section 37-47, HRS.

Dept. Com. No. 273, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the Special Compensation Fund for Temporary Disability Benefits Report for the fiscal year ending June 30, 2017, pursuant to Section 37-47, HRS.

Dept. Com. No. 274, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the

WIOA Implementation Activities Report (system integration support) for the fiscal year ending June 30, 2017, pursuant to Sections 37-47 and 37-52.5, HRS.

Dept. Com. No. 275, from the Department of Labor and Industrial Relations dated December 8, 2017, transmitting the WIOA Implementation Activities Report (support for implementation) for the fiscal year ending June 30, 2017, pursuant to Sections 37-47 and 37-52.5, HRS.

Dept. Com. No. 276, from the Office of Information Practices dated December 27, 2017, transmitting its 2017 Annual Report pursuant to Sections 92F-42(7) and 92-1.5, HRS.

Dept. Com. No. 277, from the Honolulu Authority for Rapid Transportation (HART) dated December 18, 2017, transmitting its 2017 Annual Report pursuant to Honolulu City Council Resolution 15-79, C.D. 1.

Dept. Com. No. 278, from the Department of Budget and Finance dated December 27, 2017, transmitting the Actuarial Asset and Liability Stress Test 2017 Report pursuant to Act 85, SLH 2017.

Dept. Com. No. 279, from the Department of Health transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund pursuant to Section 321-22.5(g), HRS.

Dept. Com. No. 280, from the City and County of Honolulu Police Department dated January 5, 2018, transmitting the report concerning electric guns in the custody and control of the HPD and their use during the past year pursuant to Section 134-16(d), HRS.

Dept. Com. No. 281, from the Department of Education dated January 5, 2018, transmitting the Report on Implementing Measures to Comply with the Behavior Analyst Licensure and Certification Requirements pursuant to Act 107, SLH 2016.

Dept. Com. No. 282, from the Department of Transportation dated January 9, 2018, transmitting the Transportation Improvement Special Fund Report pursuant to Section 264-19(e), HRS.

Dept. Com. No. 283, from the Department of Transportation dated January 9, 2018, transmitting the Safe Routes to School Report pursuant to Section 291C-3, HRS.

Dept. Com. No. 284, from the Department of Transportation dated January 9, 2018, transmitting the Bikeway Projects and Expenditures Report pursuant to Section 264-18, HRS.

Dept. Com. No. 285, from the Department of Business, Economic Development, and Tourism dated January 9, 2018, transmitting the report, "The Feasibility of Establishing a Training and Mentoring Program for Qualified Prison Inmates" pursuant to Act 227, SLH 2016.

Dept. Com. No. 286, from the Department of Health dated January 9, 2018, transmitting the report, "Strategic Plan to Reduce Suicides in Hawaii by at Least Twenty-Five Percent by 2025" pursuant to H.C.R. No. 66, H.D. 1, S.D. 1 (2016).

Dept. Com. No. 287, from the University of Hawai'i System dated January 9, 2018, transmitting a report of hire pursuant to Act 49, Section 96, SLH 2017.

Dept. Com. No. 288, from the Department of Health dated January 10, 2018, transmitting the Annual Report on Child Death Review and Maternal Mortality Review Activities pursuant to Act 203, SLH 2016.

Dept. Com. No. 289, from the Department of Human Resources Development dated January 10, 2018, transmitting the revised State of Hawaii Executive Branch Workforce Profile pursuant to Section 76-1.5, HRS.

Dept. Com. No. 290, from the Department of Agriculture dated January 10, 2018, transmitting its Annual Report pursuant to Act 100, SLH 1999.

Dept. Com. No. 291, from the Department of Agriculture dated January 10, 2018, transmitting the Annual Report on Administratively Established Appropriations pursuant to Act 178, SLH 2002.

Dept. Com. No. 292, from the Department of Agriculture dated January 10, 2018, transmitting the Annual Report on the Agricultural Development and Food Security Special Fund pursuant to Act 73, SLH 2010.

Dept. Com. No. 293, from the Department of Agriculture dated January 10, 2018, transmitting the Annual Report on the Biosecurity Program pursuant to Act 236, SLH 2008.

Dept. Com. No. 294, from the Department of Agriculture dated January 10, 2018, transmitting the Report on All Moneys Deposited into and Disbursed from the Pesticide Use Revolving Fund pursuant to Act 154, SLH 2000.

Dept. Com. No. 295, from the Department of Agriculture dated January 10, 2018, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of the Important Agricultural Land Tax Credit Program pursuant to Act 233, SLH 2008.

Dept. Com. No. 296, from the Department of Agriculture dated January 10, 2018, transmitting the Report on the State's Progress Toward Meeting the Milestones and Objectives of the Energy Feedstock Program pursuant to Act 159, SLH 2007.

Dept. Com. No. 297, from the Department of Agriculture dated January 10, 2018, transmitting the Report on the Transfer of Agricultural Loan Monies pursuant to Sections 155-14 and 219-4, HRS.

Dept. Com. No. 298, from the Department of Health dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Special Fund, Including the Amounts of Moneys Deposited into and Expended from the Fund, and Sources of Receipts and Uses of Expenditures pursuant to Section 321-1.4, HRS.

Dept. Com. No. 299, from the Department of Health dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Dietitian Licensure Special Fund, Including the Amount of Moneys Deposited into and Expended from the Fund, and Sources of Receipts and Uses of Expenditures pursuant to Section 448B-10, HRS.

Dept. Com. No. 300, from the Department of Health dated January 11, 2018, transmitting the Annual Report that Outlines the Status of Office of Health Care Assurance Aggregate Number of Announced and Unannounced Visits and Inspections Conducted on State-Licensed or State-Certified Care Facilities and the General Outcomes and Corrective Actions Taken by the Department pursuant to Act 184, SLH 2016.

Dept. Com. No. 301, from the Department of Health dated January 11, 2018, transmitting the Annual Report on the Authorization to Allow Two Private-Pay Individuals to Be Cared for in the Same Community Foster Family Home as Provided under This Act Including its Impact on the Availability of Space for Medicaid Clients pursuant to Act 30, SLH 2017.

Dept. Com. No. 302, from the Department of Budget and Finance dated January 11, 2018, transmitting the Status of

Employer Reporting of Information 2017 Report pursuant to Act 87, SLH 2015.

Dept. Com. No. 303, from the Department of Budget and Finance dated January 11, 2018, transmitting the Direct Holdings in Sudan Scrutinized Companies 2017 Report pursuant to Act 192, SLH 2007.

Dept. Com. No. 304, from the Department of Budget and Finance dated January 11, 2018, transmitting the Innovation Economy 2017 Report pursuant to Act 260, SLH 2007.

Dept. Com. No. 305, from the County of Maui Department of Finance transmitting the Comprehensive Annual Financial Report of the County of Maui for the fiscal year ending June 30, 2017, with the Independent Auditors' Report, pursuant to Section 9-13, Maui County Charter.

Dept. Com. No. 306, from the University of Hawai'i System dated January 12, 2018, transmitting the Annual Report on Campus Safety and Accountability pursuant to Section 304A-120, HRS.

Dept. Com. No. 307, from the Office of the Auditor dated January 18, 2018, informing the Senate that the financial audit report of the Hawai'i Tourism Authority for the fiscal year ending June 30, 2017, was issued on December 19, 2017, as directed by Article VII, Section 10, of the State Constitution, and as authorized by Chapter 23, HRS.

Dept. Com. No. 308, from the Department of Business, Economic Development, and Tourism dated January 11, 2018, transmitting the Hawaii Community Development Authority 2017 Annual Report pursuant to Section 206E-19, HRS.

Dept. Com. No. 309, from the Department of Business, Economic Development, and Tourism dated January 16, 2018, transmitting the 2017 Housing Action Plan pursuant to a grant awarded to the Hawaii Institute for Public Affairs from the Twenty-Eighth Legislature of the State of Hawai'i.

Dept. Com. No. 310, from the Department of Business, Economic Development, and Tourism dated January 16, 2018, transmitting the Report on the 13th Festival of Pacific Arts pursuant to Act 104, SLH 2017.

Dept. Com. No. 311, from the University of Hawai'i System dated January 17, 2018, transmitting a report of hire pursuant to Act 49, Section 96, SLH 2017.

Dept. Com. No. 312, from the Office of the Auditor dated January 19, 2018, informing the Senate that the financial and compliance audit report of the Department of Transportation, Administration Division for the fiscal year ending June 30, 2017, was issued on December 5, 2017, as directed by Article VII, Section 10, of the State Constitution, and as authorized by Chapter 23, HRS.

Dept. Com. No. 313, from the Department of the Attorney General dated January 19, 2018, transmitting the 2017 Report of the Commission to Promote Uniform Legislation.

Dept. Com. No. 314, from the Department of Land and Natural Resources dated January 22, 2018, transmitting the Ocean and Submerged Lands Leasing Report pursuant to Act 176, Section 12, SLH 1999.

Dept. Com. No. 315, from the Office of the Auditor dated January 24, 2018, transmitting the report, "Sunrise Analysis: Regulation of Dental Assistants" (Report No. 18-02) pursuant to Act 84, SLH 2017.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 21 to 23) were read by the Clerk and were referred to committee:

S.C.R. No. 21 “SENATE CONCURRENT RESOLUTION ENDORSING AND ADOPTING, AND URGING THE SEVERAL COUNTIES TO ENDORSE AND USE, THE UNITED NATIONS SEVENTEEN SUSTAINABLE DEVELOPMENT GOALS AS COMPONENTS OF A FRAMEWORK FOR ADDRESSING AND ASSESSING HAWAII’S EFFORTS TOWARD SOCIAL JUSTICE AND SUSTAINABILITY.”

Offered by: Senators Rhoads, Chang, Shimabukuro.

Referred to: Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means

S.C.R. No. 22 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO IDENTIFY BARRIERS TO IMPROVING THE STATE’S HIRING PROCESSES.”

Offered by: Senators Dela Cruz, Keith-Agaran, Kidani, Chang, Galuteria, Inouye, Kahele, Nishihara, Shimabukuro, Wakai.

Referred to: Committee on Labor, then to the Committee on Ways and Means

S.C.R. No. 23 “SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO REQUIRE ALL TELEVISION STATIONS THAT BROADCAST IN HAWAII TO DEDICATE TIME SLOTS TO EDUCATE THE GENERAL PUBLIC THROUGH PUBLIC SERVICE ANNOUNCEMENTS ON HOW TO PREPARE FOR NATURAL AND MAN-MADE DISASTERS.”

Offered by: Senators Kidani, Inouye, Chang, Galuteria, Riviere.

Referred to: Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 11 to 13) were read by the Clerk and were referred to committee:

S.R. No. 11 “SENATE RESOLUTION ENDORSING AND ADOPTING, AND URGING THE SEVERAL COUNTIES TO ENDORSE AND USE, THE UNITED NATIONS SEVENTEEN SUSTAINABLE DEVELOPMENT GOALS AS COMPONENTS OF A FRAMEWORK FOR ADDRESSING AND ASSESSING HAWAII’S EFFORTS TOWARD SOCIAL JUSTICE AND SUSTAINABILITY.”

Offered by: Senators Rhoads, Chang, Shimabukuro.

Referred to: Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means

S.R. No. 12 “SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO IDENTIFY BARRIERS TO IMPROVING THE STATE’S HIRING PROCESSES.”

Offered by: Senators Dela Cruz, Galuteria, Kidani, Chang, Inouye, Kahele, Keith-Agaran, Nishihara, Shimabukuro, Wakai.

Referred to: Committee on Labor, then to the Committee on Ways and Means

S.R. No. 13 “SENATE RESOLUTION REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO REQUIRE ALL TELEVISION STATIONS THAT BROADCAST IN HAWAII TO DEDICATE TIME SLOTS TO EDUCATE THE GENERAL PUBLIC THROUGH PUBLIC SERVICE ANNOUNCEMENTS ON HOW TO PREPARE FOR NATURAL AND MAN-MADE DISASTERS.”

Offered by: Senators Kidani, Inouye, Chang, Galuteria, Riviere.

Referred to: Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, then 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. 2107 Jointly to the Committee on Agriculture and Environment and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary
- S.B. No. 2111 Committee on Agriculture and Environment, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 2200 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Transportation and Energy, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 2216 Committee on Commerce, Consumer Protection, and Health, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- S.B. No. 2217 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary
- S.B. No. 2225 Committee on Commerce, Consumer Protection, and Health
- S.B. No. 2284 Committee on Labor, then to the Committee on Judiciary
- S.B. No. 2321 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Human Services
- S.B. No. 2324 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Transportation and Energy, then to the Committee on Ways and Means
- S.B. No. 2354 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary
- S.B. No. 2382 Jointly to the Committee on Education and the Committee on Government Operations
- S.B. No. 2389 Jointly to the Committee on Education and the Committee on Water and Land
- S.B. No. 2403 Committee on Housing, then to the Committee on Commerce, Consumer Protection, and Health

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| <p>S.B. No. 2456 Jointly to the Committee on Agriculture and Environment and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 2457 Jointly to the Committee on Economic Development, Tourism, and Technology and the Committee on Housing</p> <p>S.B. No. 2467 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary, then to the Committee on Ways and Means</p> <p>S.B. No. 2493 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 2508 Jointly to the Committee on Ways and Means and the Committee on Judiciary</p> <p>S.B. No. 2522 Committee on Agriculture and Environment, then to the Committee on Ways and Means</p> <p>S.B. No. 2726 Jointly to the Committee on Agriculture and Environment and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 2837 Jointly to the Committee on Agriculture and Environment and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary</p> <p>S.B. No. 2845 Jointly to the Committee on Agriculture and Environment and the Committee on Water and Land, then to the Committee on Ways and Means</p> <p>S.B. No. 2863 Committee on Hawaiian Affairs, then to the Committee on Judiciary</p> <p>S.B. No. 2910 Jointly to the Committee on Transportation and Energy and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 2916 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary</p> <p>S.B. No. 2921 Committee on Education</p> <p>S.B. No. 2922 Committee on Education, then to the Committee on Judiciary</p> <p>S.B. No. 2927 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Housing, then to the Committee on Judiciary</p> <p>S.B. No. 2952 Committee on Hawaiian Affairs, then to the Committee on Judiciary</p> <p>S.B. No. 2955 Committee on Transportation and Energy, then to the Committee on Commerce, Consumer Protection, and Health</p> <p>S.B. No. 2956 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 2978 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Judiciary</p> | <p>S.B. No. 2999 Jointly to the Committee on Ways and Means and the Committee on Economic Development, Tourism, and Technology</p> <p>S.B. No. 3002 Committee on Education</p> <p>S.B. No. 3007 Jointly to the Committee on Transportation and Energy and the Committee on Government Operations, then to the Committee on Ways and Means</p> <p>S.B. No. 3008 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 3044 Committee on Labor, then to the Committee on Commerce, Consumer Protection, and Health</p> <p>S.B. No. 3053 Committee on Commerce, Consumer Protection, and Health, then jointly to the Committee on Judiciary and the Committee on Ways and Means</p> <p>S.B. No. 3063 Committee on Higher Education, then to the Committee on Ways and Means</p> <p>S.B. No. 3066 Committee on Ways and Means</p> <p>S.B. No. 3080 Committee on Water and Land, then to the Committee on Ways and Means</p> <p>S.B. No. 3082 Committee on Commerce, Consumer Protection, and Health</p> <p>S.B. No. 3097 Jointly to the Committee on Higher Education and the Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means</p> <p>S.B. No. 3103 Jointly to the Committee on Transportation and Energy and the Committee on Water and Land and the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Higher Education, then to the Committee on Ways and Means</p> <p>S.B. No. 3105 Committee on Water and Land, then to the Committee on Ways and Means</p> |
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Senator Wakai, Chair of the Committee on Economic Development, Tourism, and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2999.

Senator Wakai noted:

“That bill is regarding short-term vacation rentals; this is our effort to have them pay their fair share of taxes and abide by land-use laws.”

The Chair granted the waiver.

Senator Wakai announced that the Committee on Ways and Means and the Committee on Economic Development, Tourism, and Technology would be holding a public hearing on S.B. No. 2999 the following morning at 9:30 a.m. in Conference Room 211.

**ADJOURNMENT**

At 11:38 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Wednesday, January 31, 2018.