

THE SENATE
OF THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2014

FORTY-FOURTH DAY

APRIL 2, 2014-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 246-249

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 246	Dated March 14, 2014, transmitting the Report on Rental Motor Vehicle Customer Facility Charge, prepared by the Department of Transportation pursuant to Act 226, SLH 2008.	FILE
G.M. No. 247	Dated March 20, 2014, transmitting the 2012-2013 Annual Report of the State Foundation on Culture and the Arts pursuant to Section 9-3, HRS.	FILE
G.M. No. 248	Dated March 21, 2014, transmitting the Hawaii Small Business Regulatory Review Board's 2014 Periodic Review - Evaluation Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201M-7, HRS.	FILE

[G.M. No. 249](#) Dated March 24, 2014, transmitting the 2011-2013 Environmental Health Management Report, prepared by the Department of Health pursuant to Act 290, SLH 1996. FILE

2. Departmental Communication No. 82

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 82	From the Office of the Auditor dated March 27, 2014, transmitting its 2013 Annual Report pursuant to Section 23-9, HRS.	FILE

3. House Communications Nos. 408-417

	Informing the Senate that on April 1, 2014, the House disagreed to the amendments proposed by the Senate to the following House bills:	<u>REFERRAL</u>
408	H.B. No. 1604, H.D. 2, S.D. 1 "RELATING TO ELECTIONS."(Campaign Spending Commission Package; Elections)	FILE
	H.B. No. 1616, H.D. 1, S.D. 1 "RELATING TO HEALTH PLANNING."(OHA Package; State Planning Act; Health Disparities)	
	H.B. No. 1618, H.D. 1, S.D. 1 "RELATING TO THE COMPOSITION OF THE BOARD OF LAND AND NATURAL RESOURCES."(OHA Package; Board of Land and Natural Resources; Composition)	
	H.B. No. 1638, H.D. 2, S.D. 2 "RELATING TO THE JUDICIARY."(Judiciary Package; Supplemental Appropriations; Budget)	

[H.B. No. 1700, H.D. 1, S.D. 1](#)

"RELATING TO THE STATE BUDGET."(State budget.)

Informing the Senate that on April 1, 2014, the following House Concurrent Resolutions were adopted in the House:

409

[H.C.R. No. 45](#)

"EXPRESSING CONCERN OVER PERSISTENT AND CREDIBLE REPORTS OF SYSTEMATIC, STATE-SANCTIONED ORGAN HARVESTING FROM NON-CONSENTING PRISONERS OF CONSCIENCE, IN THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING FROM LARGE NUMBERS OF FALUN GONG PRACTITIONERS IMPRISONED FOR THEIR RELIGIOUS BELIEFS AND MEMBERS OF OTHER RELIGIONS AND ETHNIC MINORITY GROUPS."(China; Organ Harvesting; Falun Gong Practitioners; Legislature Opposes)

410

[H.C.R. No. 46, H.D. 1](#)

"URGING THE DEPARTMENT OF EDUCATION TO TAKE NECESSARY STEPS TO REINFORCE INSTRUCTION REGARDING AMERICAN CIVICS."(Public Education; Civics)

411

[H.C.R. No. 104](#)

"ENDORISING AND SUPPORTING THE ALOHA+ CHALLENGE."(Aloha+ Challenge)

- 412 [H.C.R. No. 155, H.D. 1](#)
"URGING THE DEPARTMENT OF AGRICULTURE TO COLLABORATE WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CREATE ECONOMIC DEVELOPMENT INITIATIVES FOR THE PERPETUATION AND USE OF NATIVE HAWAIIAN PLANTS AND RESOURCES."(Native Hawaiian Plants; Department of Agriculture; DBEDT; Economic Development Initiatives; Report)
- 413 [H.C.R. No. 163, H.D. 1](#)
"STRONGLY URGING THE DEPARTMENT OF HEALTH AND THE UNIVERSITY OF HAWAII WINDWARD COMMUNITY COLLEGE TO CONDUCT A COMMUNITY MEETING TO EXPLAIN THEIR CURRENT AND ONGOING PLANS FOR THE PARCELS OF LAND ALONG THE SOUTHERN BOUNDARY OF THE WINDWARD COMMUNITY COLLEGE CAMPUS."(Land Exchange; Department of Health; University of Hawaii Windward Community College)
- 414 [H.C.R. No. 192, H.D. 1](#)
"ENCOURAGING THE POLICE DEPARTMENTS OF THE COUNTIES OF HAWAII, KAUAI, AND MAUI, AND THE CITY AND COUNTY OF HONOLULU TO CONTINUE TAKING AFFIRMATIVE STEPS TOWARDS IMPLEMENTING BEST PRACTICES IDENTIFIED IN MODEL POLICIES AND PROCEDURES TO INCREASE THE ACCURACY OF EYEWITNESS IDENTIFICATION AND INTERROGATION OF SUSPECTS IN CRIMINAL INVESTIGATIONS."(Eyewitness Identification; Confession Evidence)

Returning the following Senate Bill which passed Third Reading in the House on April 1, 2014, in an amended form:

415	<u>S.B. No. 2329, S.D. 1, H.D. 1</u> "RELATING TO PROVISIONAL LICENSES."(Provisional and Drivers Licenses; Requirement Waivers; Out-of-State)	AGREE/DISAGREE
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Returning the following Senate Bills which passed Third Reading in the House on April 1, 2014:

416	<u>S.B. No. 2229, S.D. 2</u> "RELATING TO THE UNIFORM POWER OF ATTORNEY ACT."(Uniform Power of Attorney Act; Authority; Principals; Agents)	FILE
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417	<u>S.B. No. 2420, S.D. 1</u> "RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR STATE AND COUNTY EMPLOYEES."(Criminal History Record Checks; State and County Employees)	FILE
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4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 3172-3181

[3172](#)
(One Day Notice)

(HWN)

[G.M. No. 593](#)

"Submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, Gubernatorial Nominee, T. KEIKIALOHA KEKIPI, for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[3173](#)
(One Day Notice)

(HWN)

[G.M. No. 617](#)

"Submitting for consideration and confirmation to the Hawaiian Homes Commission, Gubernatorial Nominee, WILLIAM RICHARDSON, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[3174](#)
(One Day Notice)

(HWN/TIA/TEC)

[S.C.R. No. 71](#)

"URGING THE STATE AND STATE ENTITIES TO SUPPORT THE HOKULE'A AND HER CREW AS THEY JOURNEY AROUND THE WORLD."

(Recommends Adoption)

[3175](#)
(One Day Notice)

(HWN/TEC)

[S.C.R. No. 47, S.D. 1](#)

"RECOGNIZING JANUARY 17 OF EVERY YEAR AS HO'OKU'IKAHU DAY, OR RECONCILIATION DAY, IN HONOR AND REMEMBRANCE OF THE JUSTICE, RECONCILIATION, AND NONVIOLENCE OF QUEEN LILI'UOKALANI."

(Recommends Adoption)

[3176](#)
(One Day Notice)

(HWN/TEC)

[S.R. No. 21, S.D. 1](#)

"RECOGNIZING JANUARY 17 OF EVERY YEAR AS HO'OKU'IKAHU DAY, OR RECONCILIATION DAY, IN HONOR AND REMEMBRANCE OF THE JUSTICE, RECONCILIATION, AND NONVIOLENCE OF QUEEN LILI'UOKALANI."

(Recommends Adoption)

[3177](#)
(One Day Notice)

(HWN/TIA/TEC)

[S.C.R. No. 70](#)

"URGING THE GOVERNOR TO PROCLAIM 2014 AS THE YEAR OF THE WORLDWIDE VOYAGE."

(Recommends Adoption)

[3178](#)
(One Day Notice)

(HWN/TIA/TEC)

[S.R. No. 35](#)

"URGING THE GOVERNOR TO
PROCLAIM 2014 AS THE YEAR OF THE
WORLDWIDE VOYAGE."
(Recommends Adoption)

[3179](#)
(One Day Notice)

(PSM/EGH)

[S.C.R. No. 83](#)

"COMMENDING AND SUPPORTING THE
PACIFIC INTERNATIONAL SPACE
CENTER FOR EXPLORATION SYSTEMS'
COLLABORATIVE WORK WITH THE
NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION AND PRIVATE
INDUSTRIES IN THE AREAS OF
BASALTIC CONCRETE AND ADDITIVE
MANUFACTURING AND REQUESTING
COLLABORATION TO EXPLORE
OPPORTUNITIES FOR APPLICATIONS
OF BASALTIC CONCRETE AND
ADDITIVE MANUFACTURING."
(Recommends Adoption)

[3180](#)
(One Day Notice)

(PSM/EGH)

[S.R. No. 40](#)

"COMMENDING AND SUPPORTING THE
PACIFIC INTERNATIONAL SPACE
CENTER FOR EXPLORATION SYSTEMS'
COLLABORATIVE WORK WITH THE
NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION AND PRIVATE
INDUSTRIES IN THE AREAS OF
BASALTIC CONCRETE AND ADDITIVE
MANUFACTURING AND REQUESTING
COLLABORATION TO EXPLORE
OPPORTUNITIES FOR APPLICATIONS
OF BASALTIC CONCRETE AND
ADDITIVE MANUFACTURING."
(Recommends Adoption)

[3181](#)
(One Day Notice)

(PSM/EGH)

[S.R. No. 56, S.D. 1](#)

"URGING THE HONOLULU CITY
COUNCIL TO APPLY FOR INCLUSION
OF WHITMORE VILLAGE IN CENTRAL
OAHU IN THE EXISTING ENTERPRISE
ZONE NO. 2 (MILILANI TECH PARK
AND PARTS OF WAHIAWA)."
(AMENDED TITLE)
(Recommends Adoption)

ORDER OF THE DAY

7. Deferred Matters – Agree / Disagree

HSE. COM. NO.

REFERRAL

394	S.B. No. 2033, H.D. 1 "RELATING TO DENTISTS."(Dentists)	AGREE/DISAGREE
395	S.B. No. 2072, H.D. 1 "RELATING TO SERVICE OF PROCESS."(Service of Process; Assumpsit)	AGREE/DISAGREE
396	S.B. No. 2466, S.D. 1, H.D. 1 "RELATING TO CONTINUING EDUCATION FOR MARRIAGE AND FAMILY THERAPISTS."(Marriage and Family Therapists; Continuing Education)	AGREE/DISAGREE

8. Advise and Consent

<u>3169</u>	HMS	<u>G.M. No. 552</u>
<u>Status & Testimony</u>		"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, ARTHUR CABANILLA, for a term to expire 6-30-2017."
<u>3169</u>	HMS	<u>G.M. No. 553</u>
<u>Status & Testimony</u>		"Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, VIVIAN LANDRUM, for a term to expire 6-30-2017."
<u>3170</u>	HMS	<u>G.M. No. 602</u>
<u>Status & Testimony</u>		"Submitting for consideration and confirmation to the Board of Directors of the Hawaii Public Housing Authority, Gubernatorial Nominee, MYOUNG OH, for a term to expire 6-30-2018."
<u>3170</u>	HMS	<u>G.M. No. 603</u>
<u>Status & Testimony</u>		"Submitting for consideration and confirmation to the Board of Directors of the Hawaii Public Housing Authority, Gubernatorial Nominee, SHERI TANAKA, for a term to expire 6-30-2014."
<u>3170</u>	HMS	<u>G.M. No. 604</u>
<u>Status & Testimony</u>		"Submitting for consideration and confirmation to the Board of Directors of the Hawaii Public Housing Authority, Gubernatorial Nominee, SHERI TANAKA, for a term to expire 6-30-2018."

9. Adopt Resolutions

[3171](#)

HTH

[Prior Versions/Status & Testimony](#)

[H.C.R. No. 17, H.D. 1, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF HEALTH DEVELOPMENTAL DISABILITIES DIVISION TO ESTABLISH A TASK FORCE TO REVIEW HAWAII'S STATUTORY DEFINITION OF "DEVELOPMENTAL DISABILITIES"." (AMENDED TITLE)

10. Third Reading

[Stand. Com. Rep. No. 3155](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2560, H.D. 2, S.D. 2](#)

"RELATING TO FAMILY CHILD CARE HOMES." - (PSM)

(Family Child Care Homes; Agriculturally Designated Districts)

[Stand. Com. Rep. No. 3156](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2099, H.D. 1, S.D. 1](#)

"RELATING TO ADVANCED PRACTICE REGISTERED NURSES." - (CPN)

(Advanced Practice Registered Nurse; Scope of Practice)

[Stand. Com. Rep. No. 3167](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 1723, H.D. 2, S.D. 1](#)

"RELATING TO PSYCHIATRIC FACILITIES." - (JDL)

(Psychiatric Facilities; Notice of Intent to Discharge)

[Stand. Com. Rep. No. 3168](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 716, S.D. 1](#)

"RELATING TO THE DISCIPLINARY
AUTHORITY OF THE BOARD OF
PUBLIC ACCOUNTANCY." - (JDL)

(Public Accountancy; Board of Public
Accountancy; Disciplinary Actions;
Administrative Fine)

11. Referrals and Re-Referrals

12. Miscellaneous Communications: None

13. Miscellaneous Business

14. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDU/PSM/WTL	4/2/2014 1:30 PM	414
EGH/JDL	4/2/2014 2:45 PM	016
WAM	4/3/2014 10:00 AM	211
WAM	4/3/2014 10:05 AM	211
JDL	4/3/2014 10:30 AM	016
WAM	4/4/2014 10:00 AM	211
EDU	4/9/2014 1:15 PM	414
HMS	4/10/2014 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Thursday, April 3, 2014.

15. Adjournment