

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

FIFTY-SIXTH DAY

APRIL 23, 2014-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: No. 253

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 253	Dated April 17, 2014, transmitting a proposed conference draft (C.D. 1) amending S.B. No. 2073, H.D. 1, to fund the arbitration award and Employer-Union Trust Fund (EUTF) employer contributions agreement concerning Collective Bargaining Unit 6.	FILE

2. Departmental Communications: None

3. House Communication No. 712

Informing the Senate that on April 22, 2014, the House made changes to conferee assignments to the following bill:

REFERRAL

712

[H.B. No. 2482, H.D. 1, S.D. 1](#)

FILE

"RELATING TO CONDOMINIUMS."(Condominiums; Cumulative Voting; Associations; Board of Directors; Unit Owners; Majority Vote; Clarifying Amendments)

Representatives McKelvey, Rhoads discharged as Co-Chairs. Representatives Brower, McDermott discharged as Conferees.

4. Senate Communications: None

5. Judiciary Communications: None

6. Conference Committee Reports: Nos. 2-4

[2-14](#)
(48 Hrs. Notice)

[S.B. No. 2657, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO RENEWABLE ENERGY."
(Recommends passage on FINAL READING
as amended C.D. 1)

[3-14](#)
(48 Hrs. Notice)

[S.B. No. 2134, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO EDUCATION."
(Recommends passage on FINAL READING
as amended C.D. 1)

[4-14](#)
(48 Hrs. Notice)

[S.B. No. 2768, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO KINDERGARTEN."
(Recommends passage on FINAL READING
as amended C.D. 1)

7. Standing Committee Report Nos. 3505-3513

[3505](#) (EGH)
(One Day Notice)

[G.M. No. 693](#)
"Submitting for consideration and confirmation to the Board of Directors of the Hawaii Housing Finance and Development Corporation, gubernatorial nominee, PAUL KYNO, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[3506](#) (EGH)
(One Day Notice)

[G.M. No. 691](#)
"Submitting for consideration and confirmation to the Stadium Authority, gubernatorial nominee, MICHAEL IOSUA, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[3507](#) (EGH)
(One Day Notice)

[G.M. No. 597](#)
"Submitting for consideration and confirmation to the Stadium Authority, gubernatorial nominee, ROSS YAMASAKI, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[3508](#)
(One Day Notice)

(EGH)

[G.M. No. 594](#)

"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, ROY IREI, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[3508](#)
(One Day Notice)

(EGH)

[G.M. No. 595](#)

"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, STEVEN SCHUTTE, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[3508](#)
(One Day Notice)

(EGH)

[G.M. No. 596](#)

"Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, JEFF RIEWER, for a term to expire 6-30-2016."

(Recommends Senate Consent to Nomination)

[3509](#)
(One Day Notice)

(EGH)

[G.M. No. 584](#)

"Submitting for consideration and confirmation as the Administrator of the State Procurement Office, Gubernatorial Nominee, SARAH-JANE ALLEN, for a term to expire 10-15-2017."

(Recommends Senate Consent to Nomination)

[3510](#)
(One Day Notice)

(EGH)

[G.M. No. 557](#)

"Submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, Gubernatorial Nominee, LEIGH-ANN MIYASATO, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

[3511](#)
(One Day Notice)

(EGH)

[G.M. No. 503](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, HARRIS NAKAMOTO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[3512](#)
(One Day Notice)

(EGH)

[G.M. No. 502](#)

"Submitting for consideration and confirmation to the Hawaii Community Development Authority (Kakaako District), Gubernatorial Nominee, BRIAN TAMAMOTO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[3513](#)
(One Day Notice)

(EGH)

[G.M. No. 623](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Board, Gubernatorial Nominee, BARBARA BENNETT, for a term to expire 6-30-2018."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

8. Deferred Matters – Agree / Disagree

<u>HSE. COM. NO.</u>		<u>REFERRAL</u>
697	<u>S.C.R. No. 47, S.D. 1, H.D. 1</u> "RECOGNIZING JANUARY 17 OF EVERY YEAR AS HO‘OKU‘IKAHI DAY, OR RECONCILIATION DAY, IN HONOR AND REMEMBRANCE OF THE JUSTICE, RECONCILIATION, AND NONVIOLENCE OF QUEEN LILI‘UOKALANI."(Hookuikahi – Reconciliation Day)	AGREE/DISAGREE
698	<u>S.C.R. No. 51, S.D. 1, H.D. 1</u> "REQUESTING THE ADMINISTRATION OF THE YOUTH RISK BEHAVIOR SURVEY TO STUDENTS IN GRADES SIX TO TWELVE IN SELECT SCHOOLS."(Youth Risk Behavior Survey; Department of Education)	AGREE/DISAGREE
699	<u>S.C.R. No. 57, H.D. 1</u> "SUPPORTING A BID TO THE COUNCIL OF PACIFIC ARTS AND CULTURE FOR HAWAII TO HOST THE 2020 FESTIVAL OF PACIFIC ARTS."(Festival of Pacific Arts; Host)	AGREE/DISAGREE
700	<u>S.C.R. No. 73, H.D. 1</u> "REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TASK FORCE TO STUDY THE EFFECTS OF THE JANUARY 2014 FUEL TANK LEAK AT THE RED HILL UNDERGROUND FUEL STORAGE FACILITY."(DOH; Task Force; Red Hill; Fuel Leak)	AGREE/DISAGREE

- 701 [S.C.R. No. 74, S.D. 1, H.D. 1](#) AGREE/DISAGREE
"REQUESTING AN EXAMINATION AND
AUDIT OF THE ADVANCE DISPOSAL
FEE PROGRAM."(Requesting an
examination and audit of the advance disposal
fee program.)
- 702 [S.C.R. No. 97, S.D. 1, H.D. 1](#) AGREE/DISAGREE
"REQUESTING THE CONVENING OF A
COTTAGE FOOD BUSINESS WORKING
GROUP COMPRISING
REPRESENTATIVES FROM THE
DEPARTMENT OF HEALTH AND THE
COTTAGE FOOD INDUSTRY."(Cottage
Food Business Working Group; Department
of Health; Food Safety)

9. Advise and Consent

- [3496](#) EDU [G.M. No. 706](#)
"Submitting for consideration and
confirmation to the Board of Education,
Gubernatorial Nominee, DONALD
HORNER, for a term to expire 6-30-2017."
[Status & Testimony](#)
- [3496](#) EDU [G.M. No. 707](#)
"Submitting for consideration and
confirmation to the Board of Education,
Gubernatorial Nominee, JAMES
WILLIAMS, for a term to expire 6-30-2017."
[Status & Testimony](#)
- [3497](#) WTL [G.M. No. 504](#)
"Submitting for consideration and
confirmation to the Land Use Commission,
Gubernatorial Nominee, AARON MAHI, for
a term to expire 6-30-2014."
[Status & Testimony](#)

3497	WTL	G.M. No. 505 "Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, AARON MAHI, for a term to expire 6-30-2018."
Status & Testimony		
3498	WTL	G.M. No. 702 "Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, EDMUND ACZON, for a term to expire 6-30-2018."
Status & Testimony		
3499	WTL	G.M. No. 647 "Submitting for consideration and confirmation to the Kokee State Park Advisory Council, Gubernatorial Nominee, DAVID ALEXANDER, for a term to expire 6-30-2014."
Status & Testimony		
3499	WTL	G.M. No. 648 "Submitting for consideration and confirmation to the Kokee State Park Advisory Council, Gubernatorial Nominee, DAVID ALEXANDER, for a term to expire 6-30-2018 (term amended to 6-30-2017 by GM688)."
Status & Testimony		
3500	WTL	G.M. No. 705 "Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, THOMAS OI, for a term to expire 6-30-2016."
Status & Testimony		

[3501](#) WTL

[Status & Testimony](#)

[G.M. No. 703](#)

"Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, MICHAEL BUCK, for a term to expire 6-30-2018."

[3502](#) WTL

[Status & Testimony](#)

[G.M. No. 554](#)

"Submitting for consideration and confirmation to the Kaneohe Bay Regional Council, Gubernatorial Nominee, MAURICE RADKE, for a term to expire 6-30-2017."

10. Adopt Resolutions

[3491](#) WAM

[Prior Versions/Status & Testimony](#)

[H.C.R. No. 176](#)

"REQUESTING THE STATE PROCUREMENT OFFICE TO CONDUCT A STUDY ON THE FEASIBILITY, NECESSARY PROCESSES, AND COSTS RELATIVE TO REQUIRING THE CONSIDERATION OF PAST PERFORMANCE AS A FACTOR IN AWARDING PUBLIC CONTRACTS, INCLUDING LOW BID CONTRACTS."

[3492](#) WAM

[Prior Versions/Status & Testimony](#)

[H.C.R. No. 121](#)

"REQUESTING A FEASIBILITY STUDY ON THE ATTACHMENT OF THE OFFICE OF INFORMATION PRACTICES ON A PERMANENT BASIS TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES."

[3493](#) WAM
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 100](#)
"REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR MEDICALLY NECESSARY TREATMENT OF OROFACIAL ANOMALIES."

[3494](#) WAM
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 66](#)
"REQUESTING THE STATE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF VETERINARY TECHNICIANS AND THE PRACTICE OF VETERINARY TECHNOLOGY."

[3495](#) HTH
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 74](#)
"REQUESTING A SUNRISE REVIEW OF THE ESTABLISHMENT OF A SYSTEM OF REGISTERED DISPENSARIES WITHIN THE DEPARTMENT OF HEALTH TO DISPENSE MEDICAL MARIJUANA."

[3504](#) WAM
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 140](#)
"REQUESTING THE DIRECTOR OF HUMAN SERVICES TO REBASE THE BASIC PROSPECTIVE PAYMENT SYSTEM RATES FOR INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES THAT SERVE MEDICAID RECIPIENTS TO BE EFFECTIVE JULY 1, 2015, AND THE DIRECTOR OF HEALTH TO INCLUDE SUFFICIENT FUNDING TO COVER ANY INCREASE IN BASIC PAYMENT SYSTEM RATES RESULTING FROM REBASING IN ITS 2015-2017 BIENNIUM BUDGET."

11. Final Reading

[S.B. No. 2094, S.D. 1, H.D. 1](#)

"RELATING TO COMPUTER DAMAGE."

[Prior Versions/Status & Testimony](#)

(Honolulu Prosecutor's Package; Computer Damage)

12. Referrals and Re-Referrals

13. Miscellaneous Communications: None

14. Miscellaneous Business

- Waiver of Referral; One Day Notice for Adoption of Resolution

[S.R. No. 80, S.D. 1](#)

WTL, WAM

“EXPRESSING SUPPORT FOR HAWAI‘I TO HOST THE 2016 WORLD CONSERVATION CONGRESS OF THE INTERNATIONAL UNION FOR CONSERVATION OF NATURE.”

- Reconsideration of Disagreement to House Amendments; Motion to Agree; One Day Notice for Final Reading

[S.B. No. 2869, S.D. 2, H.D. 1](#)

HTH, JDL

"RELATING TO PRIVACY OF HEALTH CARE INFORMATION."(Privacy of Health Care Information; Health Insurance Portability and Accountability Act of 1996)

15. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/23/2014 8:45 AM	224
CONF	4/23/2014 9:15 AM	229
CONF	4/23/2014 9:30 AM	224
CONF	4/23/2014 9:30 AM	329
CONF	4/23/2014 9:35 AM	224
CONF	4/23/2014 9:40 AM	224
CONF	4/23/2014 10:00 AM	309
CONF	4/23/2014 10:00 AM	329
CONF	4/23/2014 10:00 AM	224
CONF	4/23/2014 10:05 AM	224
CONF	4/23/2014 10:10 AM	016
CONF	4/23/2014 10:10 AM	224
CONF	4/23/2014 10:15 AM	309
CONF	4/23/2014 10:30 AM	325
CONF	4/23/2014 10:30 AM	016
CONF	4/23/2014 10:30 AM	325
CONF	4/23/2014 10:30 AM	229
CONF	4/23/2014 10:30 AM	329
CONF	4/23/2014 10:30 AM	225
CONF	4/23/2014 10:40 AM	325
CONF	4/23/2014 10:59 AM	225
CONF	4/23/2014 11:00 AM	225
CONF	4/23/2014 1:15 PM	312
CONF	4/23/2014 1:20 PM	312
CONF	4/23/2014 1:30 PM	325
CONF	4/23/2014 1:30 PM	309
CONF	4/23/2014 1:30 PM	224
CONF	4/23/2014 1:30 PM	325
CONF	4/23/2014 2:00 PM	016
CONF	4/23/2014 2:00 PM	329
CONF	4/23/2014 2:00 PM	224
CONF	4/23/2014 2:00 PM	325
CONF	4/23/2014 2:10 PM	312
CONF	4/23/2014 2:15 PM	225
CONF	4/23/2014 2:30 PM	309
CONF	4/23/2014 2:30 PM	325
CONF	4/23/2014 2:30 PM	309

CONF	4/23/2014 2:30 PM	016
CONF	4/23/2014 2:45 PM	312
CONF	4/23/2014 3:00 PM	312
CONF	4/23/2014 3:00 PM	229
CONF	4/23/2014 3:00 PM	224
CONF	4/23/2014 3:00 PM	423
CONF	4/23/2014 3:15 PM	423
CONF	4/23/2014 3:20 PM	423
CONF	4/23/2014 3:30 PM	229
CONF	4/23/2014 3:30 PM	423
CONF	4/23/2014 3:30 PM	229
CONF	4/23/2014 3:30 PM	312
CONF	4/23/2014 3:45 PM	325
CONF	4/23/2014 4:00 PM	312
CONF	4/23/2014 4:00 PM	423
CONF	4/23/2014 4:10 PM	423
CONF	4/23/2014 4:15 PM	423
CONF	4/23/2014 4:30 PM	229
CONF	4/23/2014 4:30 PM	312
CONF	4/23/2014 5:00 PM	229
CONF	4/23/2014 5:10 PM	229
CONF	4/24/2014 10:00 AM	329
CONF	4/24/2014 10:00 AM	309
CONF	4/24/2014 10:00 AM	225
CONF	4/24/2014 10:05 AM	309
CONF	4/24/2014 10:30 AM	325
WAM	4/24/2014 10:30 AM	211
CONF	4/24/2014 1:00 PM	423
CONF	4/24/2014 1:15 PM	312
CONF	4/24/2014 1:30 PM	225
CONF	4/24/2014 2:00 PM	329
CONF	4/24/2014 3:00 PM	229
CONF	4/24/2014 3:25 PM	325
CONF	4/24/2014 3:30 PM	312
CONF	4/24/2014 4:00 PM	229
CONF	4/24/2014 4:00 PM	423
CONF	4/25/2014 3:30 PM	312
JDL	4/28/2014 2:00 PM	016

- Senate Session will convene at 6:30 p.m. on Thursday, April 24, 2014.

16. Adjournment