

TWENTY-THIRD DAY

Thursday, February 27, 2014

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2014, convened at 11:45 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twenty-Second Day.

At this time, Senator Espero introduced Paul Jagosh, Idaho police officer and legal advisor for PROTECT, who was visiting Hawai'i to support S.B. No. 702, also known as "Alicia's Law."

Senator Kidani introduced her intern, Zara Zimbrich, a student at Lycée International de Los Angeles who has volunteered at the Hawai'i State Senate during school breaks for the past four years while visiting her father who works on *Hawaii Five-O*. Ms. Zimbrich was accompanied in the gallery by Senator Kidani's office manager, Park Kaleiwahea.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 222 to 235) were read by the Clerk and were placed on file:

Gov. Msg. No. 222, dated January 24, 2014, transmitting the Pesticide Use Revolving Fund Report for FY 2013, prepared by the Department of Agriculture pursuant to Section 149A-13.5(f), HRS.

Gov. Msg. No. 223, dated January 24, 2014, transmitting the Agricultural Development and Food Security Special Fund Report, prepared by the Department of Agriculture pursuant to Act 73, SLH 2010.

Gov. Msg. No. 224, dated February 3, 2014, transmitting the Comprehensive Annual Financial Report for fiscal year ended June 30, 2013, prepared by the Department of Accounting and General Services pursuant to Section 40-5, HRS.

Gov. Msg. No. 225, dated February 10, 2014, transmitting the Crime Victim Compensation Commission Annual Report, prepared by the Department of Public Safety pursuant to Section 351-70, HRS.

Gov. Msg. No. 226, dated February 11, 2014, transmitting the Government Operations Report, prepared by the Department of Transportation pursuant to Act 100, Section 7, SLH 1999.

Gov. Msg. No. 227, dated February 11, 2014, transmitting the Zipper Lane Extension Feasibility Report, prepared by the Department of Transportation pursuant to Act 320, SLH 2012.

Gov. Msg. No. 228, dated February 11, 2014, transmitting the Annual Report on Safe Routes to School, prepared by the Department of Transportation pursuant to Section 291C-3, HRS.

Gov. Msg. No. 229, dated February 11, 2014, transmitting the Issuance of Bonds Report, prepared by the Department of Transportation pursuant to Act 134, Sections 61-64, SLH 2013.

Gov. Msg. No. 230, dated February 11, 2014, transmitting the Bikeway Projects and Expenditures Report, prepared by the Department of Transportation pursuant to Section 264-18, HRS.

Gov. Msg. No. 231, dated February 11, 2014, transmitting the Transportation Improvement Special Fund Report, prepared by the Department of Transportation pursuant to Section 264-19(E), HRS.

Gov. Msg. No. 232, dated February 11, 2014, transmitting the Special Maintenance Program Report, prepared by the Department of Transportation pursuant to Act 134, Section 140, SLH 2013.

Gov. Msg. No. 233, dated February 11, 2014, transmitting the Findings of the Task Force Established to Study Ways to Prevent or Control the Problem of Abandoned Tires Littering the Landscape Report, prepared by the Department of Health pursuant to Act 271, SLH 2012.

Gov. Msg. No. 234, dated February 18, 2014, transmitting the 2013 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General.

Gov. Msg. No. 235, dated February 19, 2014, transmitting the 2011 Tax Credits Report, prepared by the Department of Taxation pursuant to Section 231-3.4(a), HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 74 to 76) were read by the Clerk and were placed on file:

Dept. Com. No. 74, from the University of Hawai'i dated February 12, 2014, transmitting the Annual Report on Material Weaknesses and Fraud pursuant to Act 87, Section 5, SLH 2013.

Dept. Com. No. 75, from the Office of the Auditor dated February 18, 2014, transmitting the report, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Departments of Defense and Land and Natural Resources" (Report No. 14-04) pursuant to Section 23-9, HRS.

Dept. Com. No. 76, from the University of Hawai'i dated February 13, 2014, transmitting the Report on the Review of Current Policies Regarding Executive and Managerial Personnel pursuant to Act 134, Section 134, SLH 2013.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 42) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 42, transmitting H.B. No. 1706, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 2014, was placed on file.

On motion by Senator Espero, seconded by Senator Slom and carried, H.B. No. 1706, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ILLEGAL PARKING UPON BIKEWAYS," passed First Reading by title and was referred to the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 42 to 57) were read by the Clerk and were referred to committee or deferred:

S.C.R. No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY GATEWAY CENTER BE RENAMED IN HONOR OF GUY HIDEO TOYAMA."

Offered by: Senator Green.

Referred to: Jointly to the Committee on Economic Development, Government Operations

and Housing and the Committee on Technology and the Arts

S.C.R. No. 43 “SENATE CONCURRENT RESOLUTION RECOGNIZING AND HONORING THE LATE HAWAII DEPARTMENT OF HEALTH DIRECTOR LORETTA JEAN DELIANA ANTONE FUDDY, ACSW, MPH, FOR PROMOTING THE HEALTH AND WELL-BEING OF THE PEOPLE OF HAWAII.”

Offered by: Senators Green, Baker, Chun Oakland, Nishihara, Ige, Slom.

Referred to: Jointly to the Committee on Health and the Committee on Technology and the Arts

S.C.R. No. 44 “SENATE CONCURRENT RESOLUTION URGING THE STATE TO REVISE ALL DEVELOPMENT AND CAPITAL IMPROVEMENT PROJECTS OF URBAN SPRAWL DEVELOPMENT ON STATE-OWNED LAND WITHIN A HALF-MILE RADIUS OF EACH PLANNED RAIL STATION.”

Offered by: Senators Dela Cruz, Chun Oakland, Kidani, Nishihara, Galuteria, Wakai.

Referred to: Jointly to the Committee on Economic Development, Government Operations and Housing, the Committee on Water and Land, and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

S.C.R. No. 45 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII EMERGENCY MEDICAL SERVICES ASSOCIATION AND OTHER INTERESTED ORGANIZATIONS TO PLAN AND CONSTRUCT A HAWAII EMERGENCY RESPONDER AND GOOD SAMARITAN MEMORIAL.”

Offered by: Senators Baker, English, Keith-Agaran, Nishihara, Slom, Taniguchi.

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

S.C.R. No. 46 “SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF VETERINARY TECHNICIANS AND THE PRACTICE OF VETERINARY TECHNOLOGY.”

Offered by: Senators Baker, English, Keith-Agaran, Nishihara, Taniguchi.

Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.C.R. No. 47 “SENATE CONCURRENT RESOLUTION 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.”

Offered by: Senators Galuteria, English, Hee, Kahele, Kidani.

Referred to: Jointly to the Committee on Hawaiian Affairs and the Committee on Technology and the Arts

S.C.R. No. 48 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF LICENSING AND REGULATING CLEAN AND SOBER HOMES.”

Offered by: Senator Green.

S.C.R. No. 49 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF LICENSING AND REGULATING OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS.”

Offered by: Senator Green.

S.C.R. No. 50 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF LICENSING AND REGULATING COTTAGE FOOD.”

Offered by: Senator Green.

S.C.R. No. 51 “SENATE CONCURRENT RESOLUTION REQUESTING THE ADMINISTRATION OF A YOUTH RISK BEHAVIOR SURVEY TO STUDENTS IN GRADES SIX TO TWELVE.”

Offered by: Senators Chun Oakland, Baker, Galuteria, Keith-Agaran, Kidani, Ruderman, Shimabukuro, Thielen, Tokuda.

S.C.R. No. 52 “SENATE CONCURRENT RESOLUTION RECOGNIZING JUNETEENTH NATIONAL FREEDOM DAY ON JUNE 19 OF EACH YEAR.”

Offered by: Senators Chun Oakland, Ihara, Wakai.

S.C.R. No. 53 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO EXAMINE THE FEASIBILITY OF CONTRACTING WITH COUNTY POLICE DEPARTMENTS TO ESTABLISH HIGHWAY PATROL UNITS.”

Offered by: Senators Kidani, Dela Cruz, Shimabukuro, Gabbard, Galuteria, Hee, Ige, Kouchi, Nishihara, Slom, Tokuda, Wakai.

S.C.R. No. 54 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A TASK FORCE TO STUDY PHOTOVOLTAIC PANEL DISPOSAL.”

Offered by: Senators Kidani, Baker, Dela Cruz, Espero, Gabbard, Galuteria, Hee, Ige, Kahele, Kouchi, Nishihara, Shimabukuro, Slom, Wakai.

S.C.R. No. 55 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND DEPARTMENT OF TRANSPORTATION TO INCORPORATE SUITABLE NATIVE HAWAIIAN PLANT SPECIES INTO THE LANDSCAPE OF STATE CONSTRUCTION AND REMODELING PROJECTS WHEREVER AND WHENEVER FEASIBLE.”

Offered by: Senators Ruderman, Galuteria, Shimabukuro, Baker, Ihara, Nishihara, Taniguchi, Thielen.

S.C.R. No. 56 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A LEASE COVERING A PORTION OF STATE SUBMERGED LANDS AT PIERS 24 TO 26 IN HONOLULU HARBOR, OAHU, FOR PACIFIC SHIPYARDS INTERNATIONAL."

Offered by: Senators Dela Cruz, Kidani.

S.C.R. No. 57 "SENATE CONCURRENT RESOLUTION SUPPORTING A BID TO THE COUNCIL OF PACIFIC ARTS AND CULTURE FOR HAWAII TO HOST THE 2020 FESTIVAL OF PACIFIC ARTS."

Offered by: Senators Tokuda, English, Galuteria, Shimabukuro, Wakai.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 17 to 25) were read by the Clerk and were referred to committee or deferred:

S.R. No. 17 "SENATE RESOLUTION REQUESTING THAT THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY GATEWAY CENTER BE RENAMED IN HONOR OF GUY HIDEO TOYAMA."

Offered by: Senator Green.

Referred to: Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Technology and the Arts

S.R. No. 18 "SENATE RESOLUTION RECOGNIZING AND HONORING THE LATE HAWAII DEPARTMENT OF HEALTH DIRECTOR LORETTA JEAN DELIANA ANTONE FUDDY, ACSW, MPH, FOR PROMOTING THE HEALTH AND WELL-BEING OF THE PEOPLE OF HAWAII."

Offered by: Senators Green, Baker, Chun Oakland, Nishihara, Ige, Slom.

Referred to: Jointly to the Committee on Health and the Committee on Technology and the Arts

S.R. No. 19 "SENATE RESOLUTION URGING THE STATE TO REVISE ALL DEVELOPMENT AND CAPITAL IMPROVEMENT PROJECTS OF URBAN SPRAWL DEVELOPMENT ON STATE-OWNED LAND WITHIN A HALF-MILE RADIUS OF EACH PLANNED RAIL STATION."

Offered by: Senators Dela Cruz, Chun Oakland, Kidani, Nishihara, Espero, Galuteria, Wakai.

Referred to: Jointly to the Committee on Economic Development, Government Operations and Housing, the Committee on Water and Land, and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

S.R. No. 20 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII EMERGENCY MEDICAL SERVICES ASSOCIATION AND OTHER INTERESTED ORGANIZATIONS TO PLAN AND CONSTRUCT A

HAWAII EMERGENCY RESPONDER AND GOOD SAMARITAN MEMORIAL."

Offered by: Senators Baker, English, Keith-Agaran, Slom, Taniguchi.

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

S.R. No. 21 "SENATE RESOLUTION 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."

Offered by: Senators Galuteria, English, Hee, Kahele, Kidani.

Referred to: Jointly to the Committee on Hawaiian Affairs and the Committee on Technology and the Arts

S.R. No. 22 "SENATE RESOLUTION REQUESTING THE ADMINISTRATION OF A YOUTH RISK BEHAVIOR SURVEY TO STUDENTS IN GRADES SIX TO TWELVE."

Offered by: Senators Chun Oakland, Baker, Galuteria, Keith-Agaran, Kidani, Shimabukuro, Thielen, Tokuda.

S.R. No. 23 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO EXAMINE THE FEASIBILITY OF CONTRACTING WITH COUNTY POLICE DEPARTMENTS TO ESTABLISH HIGHWAY PATROL UNITS."

Offered by: Senators Kidani, Dela Cruz, Shimabukuro, Espero, Gabbard, Galuteria, Hee, Ige, Kouchi, Nishihara, Slom, Tokuda, Wakai.

S.R. No. 24 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A TASK FORCE TO STUDY PHOTOVOLTAIC PANEL DISPOSAL."

Offered by: Senators Kidani, Baker, Dela Cruz, Gabbard, Galuteria, Hee, Ige, Kahele, Kouchi, Nishihara, Shimabukuro, Slom, Wakai.

S.R. No. 25 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND DEPARTMENT OF TRANSPORTATION TO INCORPORATE SUITABLE NATIVE HAWAIIAN PLANT SPECIES INTO THE LANDSCAPE OF STATE CONSTRUCTION AND REMODELING PROJECTS WHEREVER AND WHENEVER FEASIBLE."

Offered by: Senators Ruderman, Galuteria, Shimabukuro, Baker, Ihara, Nishihara, Thielen.

STANDING COMMITTEE REPORTS

Senators Green and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection,

presented a joint report (Stand. Com. Rep. No. 2485) recommending that S.B. No. 2574, 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 Slom and carried, the joint report of the Committees was adopted and S.B. No. 2574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Nishihara, Solomon, and Shimabukuro, for the Committee on Agriculture and the Committee on Water and Land and the Committee on Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2486) recommending that S.B. No. 2241, 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 Slom and carried, the joint report of the Committees was adopted and S.B. No. 2241, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Solomon, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2487) recommending that S.B. No. 180, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 180, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2488) recommending that S.B. No. 2486, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2486, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Baker and Hee, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2489) recommending that S.B. No. 2475 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2475, entitled: "A BILL FOR AN ACT RELATING TO ASSISTING UNLICENSED CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senators Baker and Hee, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2490) recommending that S.B. No. 2233 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2233, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Second Reading

and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2491) recommending that S.B. No. 2033 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2033, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2492) recommending that S.B. No. 2223 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2223, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2493) recommending that S.B. No. 2687, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2494) recommending that S.B. No. 2480, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Baker and Hee, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2495) recommending that S.B. No. 2623, 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 Slom and carried, the joint report of the Committees was adopted and S.B. No. 2623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRANCHISES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2496) recommending that S.B. No. 2481, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES," passed Second Reading and

was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Gabbard, Dela Cruz, and Espero, for the majority of the Committee on Energy and Environment and the majority of the Committee on Economic Development, Government Operations and Housing and the majority of the Committee on Public Safety, Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2497) recommending that S.B. No. 2199, 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 Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2498) recommending that S.B. No. 2487, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2499) recommending that S.B. No. 2468, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 2468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2500) recommending that S.B. No. 2076 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2500 and S.B. No. 2076, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTOR FRAUD," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2501) recommending that S.B. No. 2302 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2501 and S.B. No. 2302, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2502) recommending that S.B. No. 2287 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2502 and S.B. No. 2287, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2503) recommending that S.B. No. 2801 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2503 and S.B. No. 2801, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF GAS TANKLESS WATER HEATERS," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2504) recommending that S.B. No. 2301 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2504 and S.B. No. 2301, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2505) recommending that S.B. No. 2492, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2505 and S.B. No. 2492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2506) recommending that S.B. No. 2078, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2506 and S.B. No. 2078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Friday, February 28, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2507) recommending that S.B. No. 2482 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2507 and S.B. No. 2482, entitled: "A BILL FOR AN ACT RELATING TO ASSOCIATION ALTERNATIVE POWER OF SALE FORECLOSURE PROCESS," was deferred until Friday, February 28, 2014.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2508) recommending that S.B. No. 2455, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2508 and S.B. No. 2455, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2509) recommending that S.B. No. 2489, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2509 and S.B. No. 2489, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was deferred until Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2510) recommending that S.B. No. 2469, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2510 and S.B. No. 2469, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," was deferred until Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2511) recommending that S.B. No. 2898, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2511 and S.B. No. 2898, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSING," was deferred until Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2512) recommending that S.B. No. 2331, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2512 and S.B. No. 2331, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2513) recommending that S.B. No. 2882, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2513 and S.B. No. 2882, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2514) recommending that S.B. No. 2869, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2514 and S.B. No. 2869, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2515) recommending that S.B. No. 2021, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2515 and S.B. No. 2021, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESISTING ARREST," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2516) recommending that S.B. No. 2260, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2516 and S.B. No. 2260, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2517) recommending that S.B. No. 2250, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2517 and S.B. No. 2250, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATION," was deferred until Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2518) recommending that S.B. No. 2657, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2518 and S.B. No. 2657, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Tuesday, March 4, 2014.

Senators Shimabukuro and Hee, for the Committee on Hawaiian Affairs and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2519) recommending that S.B. No. 2839, 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 Slom and carried, the joint report of the Committees was adopted and S.B. No. 2839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Espero and Gabbard, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2520) recommending that S.B. No. 2749, 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 Slom and carried, the joint report of the Committees was adopted and S.B. No. 2749, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2521) recommending that S.B. No. 3127, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 3127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senator Wakai, for the Committee on Technology and the Arts, presented a report (Stand. Com. Rep. No. 2522) recommending that S.B. No. 3107, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 3107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSTRUMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

Senators Espero and Kahele, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 2523) recommending that S.B. No. 3074 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3074, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CLASS LIQUOR LICENSES," passed Second

Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senators Espero and Wakai, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 2524) recommending that S.B. No. 3046 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3046, entitled: "A BILL FOR AN ACT RELATING TO GOLD STAR FAMILY DAY," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2525) recommending that S.B. No. 2080 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2080, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2526) recommending that the Senate advise and consent to the nominations to the Board of Education of the following:

GRANT CHUN, in accordance with Gov. Msg. No. 506; and

GRANT CHUN, in accordance with Gov. Msg. No. 507.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2526 and Gov. Msg. Nos. 506 and 507 was deferred until Friday, February 28, 2014.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2527) recommending that the Senate advise and consent to the nomination of ERIC OKAZAKI to the Board of Certification of Public Water System Operators, in accordance with Gov. Msg. No. 560.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2527 and Gov. Msg. No. 560 was deferred until Friday, February 28, 2014.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2528) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

SANDRA SIMMS, in accordance with Gov. Msg. No. 562; and

BENJAMIN PARK, in accordance with Gov. Msg. No. 563.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2528 and Gov. Msg. Nos. 562 and 563 was deferred until Friday, February 28, 2014.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2529) recommending that the Senate advise and consent to the nomination of LINDA ROSEN as the Director of the Department of Health, in accordance with Gov. Msg. No. 578.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2529 and Gov. Msg. No. 578 was deferred until Friday, February 28, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2530) recommending that S.B. No. 2577, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2530 and S.B. No. 2577, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS," was deferred until Tuesday, March 4, 2014.

Senators Baker and Hee, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 2531) recommending that S.B. No. 2175, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2531 and S.B. No. 2175, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2532) recommending that S.B. No. 2229, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2532 and S.B. No. 2229, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM POWER OF ATTORNEY ACT," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2533) recommending that S.B. No. 2352, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2533 and S.B. No. 2352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2534) recommending that S.B. No. 2031, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2534 and S.B. No. 2031, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 4, 2014.

Senator Hee, for the majority of the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2535) recommending that S.B. No. 2629, 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 Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2014.

ORDER OF THE DAY

AGREE/DISAGREE

MATTER DEFERRED FROM WEDNESDAY, FEBRUARY 19, 2014

S.B. No. 499, S.D. 1 (H.D. 2):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 499, S.D. 1, and requested a conference on the subject matter thereof.

THIRD READING

S.B. No. 2470, S.D. 1:

Senator Baker moved that S.B. No. 2470, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

“As I said when first voting against the creation of this connector, it was flawed, it was not going to achieve what it was supposed to, and any changes in the bill right now, I think, are unnecessary. We all read the comments of the interim director of the health connector saying that, basically, it cannot be fixed at this point. So, instead of tinkering with it, we should get on with the business of abolishing it.

“I find particularly interesting the statement within the bill: ‘No state agency shall impede the efficient operation of the connector.’ There has been no efficient operation of the connector. Thank you.”

Senator Baker rose to speak in support of the measure as follows:

“It’s curious that the Minority Leader continues to object to the workings of the Hawai‘i Health Connector. It is an entity that is helping to move forward subsidized health care plans – affordable health plans for small groups, for individuals, and families in our state. It has not operated as well as people had hoped for, but part of that is because of procedural changes and other operational and implementation adjustments decreed at the federal level.

“Those matters aside I believe that as the connector goes forward, we need to ensure that its board of directors has the best mix of people, the appropriate numbers of members and skill sets to make it a successful operation; that’s really what this bill is designed to do. It consolidates the government representatives, specified that one shall represent the state government. The other government representatives will be ex officio, but without a vote. The bill also removes the insurers from the board of directors. They’ve actually been very helpful in the formative stages of the connector, and they have recused themselves when they needed to. But now that we’re in the phase of actually selling plans, it is more appropriate that insurer representatives be available to advise and to respond to inquiries from the board, rather than sitting on the board and constantly having to recuse themselves. And I think that’s an appropriate action for this body to take.

“In addition, the line that the senator from East Honolulu read had to do with how the government directors were operating. There were some issues with the fact that all of the applications to purchase insurance from the connector had to go, first, through a determination by the Department of Human Services and be denied before they could go on to the Hawai‘i Health Connector. And this was just to acknowledge that we want to make sure that all of the systems, whether they’re within government or outside of government, are working together, talking together; and it just acknowledged the fact that there were some issues that impacted the number of people that could come into the connector, and ultimately, its sustainability.

“I think this measure, as it continues to move forward, will give us an opportunity to see how the connector has improved over time with additional personnel and skill sets. And I’m optimistic that when we get to 2015, we will have a great number more individuals eligible and getting their health plans through the Hawai‘i Health Connector and getting savings from subsidized premiums as a result. So, I ask all my colleagues to join me in supporting this measure. Mahalo.”

Senator Slom rose in rebuttal as follows:

“The issue really should not be about the people involved or how we rearrange the board. You can have the best people in the world, the most knowledgeable, just like you can have a house with brand-new furniture, but if it’s got a rotting foundation, you’re going to have difficulties. The fact that the early estimates were between 100,000 and 300,000 people to sign up, and we have approximately, at best guess now, 4,000 – which also means that we’re going to trigger a tax on every premium holder – shows that the problem is with the substance of the plan itself, and it should be time for the Senate to acknowledge that. Thank you.”

Senator Baker rose in rebuttal as follows:

“With regard to the previous speaker’s remarks, Hawai‘i has one of the lowest uninsured rates in the entire country, partly thanks to our prepaid healthcare law. In addition, when the Department of Human Services made the appropriate decision to expand the eligibility for Medicaid, that decision additionally shrunk the numbers of eligibles that could go to the connector. So, the numbers may have been overly optimistic, but the truth remains that many, many people have had an opportunity to get health insurance. People cannot be denied because they have a preexisting illness, and that’s very important. Young people up to age 26 can stay on their parents’ plans.

“So, we have more and more people with an opportunity to have health coverage and to have it at an affordable price. Yes, there have been some rocks along the way, but any new program standing up as this one has done, really when it was probably more of a tech startup than a health care startup, has had some issues, but I’m confident that, with the leadership that’s in place now and some of the changes that the Legislature will make with this measure and others, will give us an opportunity to have a very successful connector and make sure that the health of our people is first and foremost. Thank you, Madam President.”

Senator Solomon rose to speak in support of the measure with reservations as follows:

“Thank you, Madam President. I’ll be voting with reservations on this measure, Madam President, but I would like to ask a question of the chairwoman if she will yield.”

Senator Baker responded:

“I’ll be more than happy to try to answer the senator’s question.”

Senator Solomon continued:

“Thank you. I’m just curious about ‘no state agency shall impede the efficient operation of the connector.’ Does that involve the attorney general’s office as well?”

Senator Baker responded:

“No, it doesn’t.”

Senator Solomon responded:

“Okay. Thank you very much.”

The motion was put by the Chair and carried, S.B. No. 2470, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Solomon). Noes, 1 (Slom). Excused, 1 (Ruderman).

S.B. No. 2330, S.D. 1:

On motion by Senator Solomon, seconded by Senator Galuteria and carried, S.B. No. 2330, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Ruderman).

S.B. No. 2877, S.D. 1:

On motion by Senator Solomon, seconded by Senator Galuteria and carried, S.B. No. 2877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2878, S.D. 1:

On motion by Senator Solomon, seconded by Senator Gabbard and carried, S.B. No. 2878, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2879:

On motion by Senator Solomon, seconded by Senator Galuteria and carried, S.B. No. 2879, entitled: "A BILL FOR AN ACT RELATING TO THE PAPA HANAUMOKUAKEA MARINE NATIONAL MONUMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2807:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2807, entitled: "A BILL FOR AN ACT RELATING TO THE UNCLAIMED PROPERTY TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2829, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2829, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE EMERGENCY AND BUDGET RESERVE FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2411, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, S.B. No. 2411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSIDIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2875:

On motion by Senator Solomon, seconded by Senator Gabbard and carried, S.B. No. 2875, entitled: "A BILL FOR AN ACT RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2874:

On motion by Senator Solomon, seconded by Senator Shimabukuro and carried, S.B. No. 2874, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2478:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2478, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2491:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2491, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2818:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2818, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2476, S.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2476, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

S.B. No. 2467:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2467, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

Stand. Com. Rep. No. 2481 (S.B. No. 2841, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2481 was adopted and S.B. No. 2841, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE INTERIM ASSISTANCE REIMBURSEMENT SPECIAL FUND,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ruderman).

Stand. Com. Rep. No. 2482 (S.B. No. 2308, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2482 was adopted and S.B. No. 2308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

Stand. Com. Rep. No. 2483 (S.B. No. 2541, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2483 was adopted and S.B. No. 2541, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

Stand. Com. Rep. No. 2484 (S.B. No. 2348, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2484 was adopted and S.B. No. 2348, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ruderman).

REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House bills received on Tuesday, February 11, 2014; Friday, February 14, 2014; and Wednesday, February 19, 2014:

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| H.B. No.: | Referred to: |
| H.B. No. 601, H.D. 1 | Committee on Judiciary and Labor, then to the Committee on Ways and Means |
| H.B. No. 676, H.D. 2 | Jointly to the Committee on Commerce and Consumer Protection and the Committee on Economic Development, Government Operations and Housing, then to the Committee on Judiciary and Labor |
| H.B. No. 716 | Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Labor |
| H.B. No. 849, H.D. 2 | Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means |
| H.B. No. 1288, H.D. 1 | Committee on Judiciary and Labor, then to the Committee on Ways and Means |
| H.B. No. 1966, H.D. 1 | Committee on Judiciary and Labor, then to the Committee on Ways and Means |
| H.B. No. 2071, H.D. 1 | Jointly to the Committee on Public Safety, Intergovernmental and |

Military Affairs and the Committee on Technology and the Arts

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| H.B. No. 2320, H.D. 1 | Committee on Health |
| H.B. No. 2441, H.D. 1 | Committee on Water and Land |
| H.B. No. 2560, H.D. 2 | Jointly to the Committee on Human Services and the Committee on Agriculture, then to the Committee on Public Safety, Intergovernmental and Military Affairs |

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of Senate concurrent resolutions offered on Friday, February 7, 2014; Monday, February 10, 2014; Wednesday, February 12, 2014; and Wednesday, February 19, 2014:

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| S.C.R. No.: | Referred to: |
| S.C.R. No. 35 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means |
| S.C.R. No. 36 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means |
| S.C.R. No. 37 | Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Commerce and Consumer Protection |
| S.C.R. No. 38 | Committee on Higher Education, then to the Committee on Ways and Means |
| S.C.R. No. 39 | Jointly to the Committee on Human Services, the Committee on Public Safety, Intergovernmental and Military Affairs, and the Committee on Health |
| S.C.R. No. 40 | Committee on Health, then to the Committee on Judiciary and Labor |
| S.C.R. No. 41 | Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Judiciary and Labor |

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate resolutions offered on Monday, February 10, 2014; Wednesday, February 12, 2014; and Wednesday, February 19, 2014:

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| S.R. No.: | Referred to: |
| S.R. No. 12 | Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Commerce and Consumer Protection |
| S.R. No. 13 | Committee on Higher Education, then to the Committee on Ways and Means |
| S.R. No. 14 | Jointly to the Committee on Human Services, the Committee on Public Safety, Intergovernmental and Military Affairs, and the Committee on Health |

S.R. No. 15	Committee on Health, then to the Committee on Judiciary and Labor
S.R. No. 16	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Judiciary and Labor

MISCELLANEOUS COMMUNICATION

The following communication (Misc. Com. No. 6) was read by the Clerk and was placed on file:

Misc. Com. No. 6, from OptumRx, Inc. dated February 12, 2014, transmitting a report pursuant to Act 226, Section 4, SLH 2013.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 894, S.D. 2:

Senator Hee moved that the Senate reconsider action taken on March 5, 2013, in recommitting S.B. No. 894, S.D. 2 to the Committee on Judiciary and Labor and the Committee on Ways and Means, seconded by Senator Ige.

Senator Hee noted:

“Thank you, Madam President. This bill, S.B. No. 894, was recommitted last year largely due to a letter received dated March 4, 2013, from Turtle Bay Resorts CEO Drew Stotesbury, where he said, and let me just read the important sentences: ‘If the parties are able to negotiate terms, area, and price, then S.B. No. 894 could be amended to effectuate the terms of the negotiated settlement. If the parties are not able to negotiate a settlement, then I suspect S.B. No. 894 might proceed through the legislative process in the next session.’

“In addition, Madam President and members, this body passed S.C.R. No. 164 and on page 3, I’ll read the ‘whereas’ that relates to this action taken today: ‘Whereas, however, if the developer and the State are unable to negotiate a settlement, then S.B. No. 894, S.D. 2, may proceed accordingly through the legislative process during the Regular Session of 2014.’

“The reason for the action taken today is that, as everyone in this chamber knows, we’re up against a first crossover deadline. So, this allows what I consider to be a safety net in the negotiation process presently ongoing between Turtle Bay and the state administration through the Department of Land and Natural Resources to continue, but yet have in play an instrument that could be used to effectuate a settlement.

“As for the settlement itself, it is ongoing and proceeding slower than I personally would like, but nonetheless, because I’m not personally involved in the settlement discussion, understand that a resolution is in the offing. Quite frankly, I’m optimistic that an agreement will be reached. In any event, taking this action this morning allows the widest latitude provided to the Legislature to the extent that it wishes to exercise its prerogative if a settlement is reached, as well as if a settlement is not reached; the Legislature is afforded the opportunity to exercise its prerogative. While I hope a settlement is reached, I am not naive to think that there should not be alternative considerations if Turtle Bay continues negotiating at this pace. Thank you, Madam President.”

The motion was put by the Chair and carried.

Senator Hee then moved that S.B. No. 894, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

At 12:06 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 p.m.

Senator Hee withdrew his motion to pass S.B. No. 894, S.D. 2 on Third Reading, and Senator Ige withdrew his second.

By unanimous consent, S.B. No. 894, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND ACQUISITION,” was placed on the calendar for Third Reading on Friday, February 28, 2014.

Senator Ige, Chair of the Committee on Ways and Means, rose to request a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2125.

Senator Ige noted:

“Yes, Madam President, I would like to seek a waiver of the hearing notice requirements for S.B. No. 2125, seeking to have a public decision making on this measure tomorrow morning at 10:00 a.m.”

The Chair granted the waiver.

Senator Ige continued:

“So, members, we will be adding S.B. No. 2125 to the decision making agenda at 10:00 a.m. in Conference Room 211 tomorrow morning. Thank you.”

Senator English rose to make the following remarks:

“Madam President, I’d like to request that the Senate adjourn on a rising vote and observe a moment of silence in honor of the victims and survivors of the plane crash on Lāna’i last night.” (The Chair so ordered.)

The Chair then made the following announcement:

“The deadline for filing standing committee reports of Senate bills for Second Reading is 8:00 p.m. tonight.”

ADJOURNMENT

At 12:10 p.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 28, 2014, on a rising vote to observe a moment of silence in memory of the victims and survivors of the Lāna’i plane crash that occurred on Wednesday, February 26, 2014.