

THE SENATE
OF THE
TWENTY-FOURTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2008

EIGHTEENTH DAY

FEBRUARY 12, 2008-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by Pastor Daryl Yamada
Mililani Missionary Church

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

RECOGNIZING AND COMMENDING BERT A. KOBAYASHI FOR HIS
LEADERSHIP AND CONTRIBUTIONS. (Senator Taniguchi)

1. Messages from the Governor: Nos. 435 - 442

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 435	Dated January 29, 2008, transmitting the Report of New Administratively Established Appropriations from November 1, 2006 to October 31, 2007, prepared by the Department of Budget and Finance pursuant to Act 178, SLH 2002.	FILE
G.M. No. 436	Dated January 29, 2008, transmitting the Report of the State Facilities Energy Management Advisory Committee, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96, SLH 2006.	FILE

- [G.M. No. 437](#) Dated January 25, 2008, transmitting the Lead by Example State of Hawaii Agencies' Energy Initiatives Report for FY 2006-2007, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96, SLH 2006 and Act 160, Section 168.5, SLH 2006. FILE
- [G.M. No. 438](#) Dated January 31, 2008, transmitting the 2007 Annual Report of the Hawaii Strategic Development Corporation, prepared by the Department of Business, Economic Development and Tourism, Hawaii Strategic Development Corporation, pursuant to Chapter 211F, HRS. FILE
- [G.M. No. 439](#) Dated February 1, 2008, transmitting the Report on the Congresswoman Patsy T. Mink Commission for the period December 16, 2006 through December 15, 2007, pursuant to Act 92, SLH 2006. FILE
- [G.M. No. 440](#) Dated February 1, 2008, transmitting the Report on the Strengthening Keiki of Incarcerated Parents Program, prepared by the Department of Public Safety, Corrections Program Services Division, Education Services Branch, pursuant to Act 250, SLH 2006. FILE
- [G.M. No. 441](#) Dated February 12, 2008, transmitting the Gender Responsive Programs Report, prepared by the Office of Youths Services, Department of Human Services, pursuant to Act 258, Section 2, SLH 2007. FILE
- [G.M. No. 442](#) Dated February 1, 2008, transmitting Reports on the Return of Out-of-State Inmates; Inmate Transition and Reentry into the Community; Inmate Reentry into the Community; and Tax Incentives for Employers Who Hire Ex-Inmates, prepared by the Department of Public Safety pursuant to Act 8, SLH 2007. FILE

2. Departmental Communication Nos. 26 - 27

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 26	From the Department of Health dated January 8, 2008, transmitting the Hawaii Physical Activity and Nutrition Plan 2007-2012, pursuant to Act 304, SLH 1999.	FILE
D.C. No. 27	From the Department of Business, Economic Development and Tourism dated February 6, 2008, transmitting the 2006 State of Hawaii Data Book - A Statistical Abstract.	FILE

3. House Communications: None

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures: Senate Concurrent Resolution Nos. 58 – 59
Senate Resolution Nos. 30 – 32

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
S.R. No. 32	"AMENDING THE SENATE ADMINISTRATIVE AND FINANCIAL MANUAL OF THE SENATE OF THE TWENTY-FOURTH LEGISLATURE."	ADOPT

7. Standing Committee Report Nos. 2185 – 2236

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| 2185 | (AHW) | S.B. No. 2215, S.D. 1
"RELATING TO MEAT."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2186 | (AHW) | S.B. No. 2955, S.D. 1
"RELATING TO AGRICULTURAL INSPECTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2187 | (AHW) | S.B. No. 2643, S.D. 1
"RELATING TO IRRIGATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2188 | (AHW) | S.B. No. 2925, S.D. 1
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2189 | (EDT) | S.B. No. 2153
"RELATING TO INCOME TAX CREDIT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2190 | (EDT) | S.B. No. 2303
"MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM PEARL HARBOR."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2191 | (EDT) | S.B. No. 2745
"RELATING TO DEFAMATION."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2192 | (EDT/TSG) | S.B. No. 2340
"RELATING TO AEROSPACE DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2193 | (EDT) | S.B. No. 2487, S.D. 1
"RELATING TO PUBLIC LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to WTL) |
| 2194 | (EDT) | H.B. No. 1755, H.D. 1, S.D. 1
"RELATING TO THE GENERAL EXCISE TAX."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2195 | (EDT) | S.B. No. 2030, S.D. 1
"RELATING TO THE GENERAL EXCISE TAX."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2196 | (EDT) | S.B. No. 2283, S.D. 1
"RELATING TO THE HAWAII CAPITAL CULTURAL HERITAGE AREA."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2197 | (EDT) | S.B. No. 2583, S.D. 1
"MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2198 | (EDT) | S.B. No. 2458, S.D. 1
"RELATING TO CRIMINAL IMPERSONATION."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2199 | (EDT) | S.B. No. 2456, S.D. 1
"RELATING TO HARASSMENT."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2200 | (HTH) | S.B. No. 2742
"AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2201 | (HTH) | S.B. No. 2741
"AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>2202</u> | (HTH) | <u>S.B. No. 2397, S.D. 1</u>
"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2203</u> | (HTH) | <u>S.B. No. 2515, S.D. 1</u>
"RELATING TO MOLOKAI GENERAL HOSPITAL."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2204</u> | (EDU) | <u>S.B. No. 2233</u>
"RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2205</u> | (EDU/EDT) | <u>S.B. No. 2689, S.D. 1</u>
"MAKING AN APPROPRIATION FOR SCIENCE AND TECHNOLOGY IN PUBLIC EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2206</u> | (EDU/ENE) | <u>S.B. No. 2571, S.D. 1</u>
"RELATING TO FOOD WASTE RECYCLING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2207</u> | (EDU/JDL) | <u>S.B. No. 2879, S.D. 1</u>
"RELATING TO EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2208 | (HSP) | S.B. No. 2208
"RELATING TO DOMESTIC VIOLENCE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2209 | (HSP) | S.B. No. 3173
"RELATING TO KUKUI GARDENS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2210 | (HSP) | S.B. No. 3052, S.D. 1
"RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2211 | (HSP) | S.B. No. 2219, S.D. 1
"RELATING TO PUBLIC ASSISTANCE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2212 | (HSP) | S.B. No. 2245
"RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2213 | (HSP) | S.B. No. 3058, S.D. 1
"RELATING TO CHILD WELFARE SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2214 | (HSP) | S.B. No. 2839, S.D. 1
"RELATING TO FINANCIAL EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [2215](#) (HSP) [S.B. No. 2731, S.D. 1](#)
"RELATING TO CHILD PROTECTION."
(Recommends passage on SECOND
READING and referral to JDL)
- [2216](#) (HSP) [S.B. No. 3051, S.D. 1](#)
"RELATING TO CRIMINAL HISTORY
BACKGROUND CHECKS FOR SOCIAL
SERVICES PROGRAMS."
(Recommends passage on SECOND
READING and referral to JDL)
- [2217](#) (HSP) [S.B. No. 2758, S.D. 1](#)
"RELATING TO AN AUDIT OF THE
HAWAII DISABILITY RIGHTS CENTER."
(Recommends passage on SECOND
READING and referral to WAM)
- [2218](#) (HTH/EDU) [S.B. No. 2673, S.D. 1](#)
"RELATING TO THE CANCER
RESEARCH SPECIAL FUND."
(Recommends passage on SECOND
READING and referral to WAM)
- [2219](#) (WTL/IGM) [S.B. No. 2525, S.D. 1](#)
"MAKING AN APPROPRIATION FOR
ACQUISITION OF A PUBLIC RIGHT OF
ACCESS TO HAENA BEACH PARK."
(Recommends passage on SECOND
READING and referral to WAM)
- [2220](#) (HTH) [S.B. No. 3130, S.D. 1](#)
"RELATING TO NURSING."
(Recommends passage on SECOND
READING and referral to CPH)

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| <u>2221</u> | (HTH) | <u>S.B. No. 2104</u>
"RELATING TO THE ORGAN DONOR
REGISTRY."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>2222</u> | (HTH) | <u>S.B. No. 2622, S.D. 1</u>
"MAKING AN APPROPRIATION FOR
AUTOMATED EXTERNAL
DEFIBRILLATORS AT THE STATE
CAPITOL."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>2223</u> | (TIA) | <u>S.B. No. 520, S.D. 1</u>
"RELATING TO INTERNATIONAL
AFFAIRS."
(Recommends referral to WAM) |
| <u>2224</u> | (CPH) | <u>S.B. No. 2313</u>
"RELATING TO INSURANCE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>2225</u> | (CPH) | <u>S.B. No. 3197, S.D. 1</u>
"RELATING TO IMMIGRATION
CONSULTANTS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| <u>2226</u> | (CPH) | <u>S.B. No. 3021, S.D. 1</u>
"RELATING TO VIATICAL
SETTLEMENTS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |

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| 2227 | (CPH) | S.B. No. 3008, S.D. 1
"RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2228 | (CPH) | S.B. No. 3007, S.D. 1
"RELATING TO BUSINESS REGISTRATION."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2229 | (CPH) | S.B. No. 2627, S.D. 1
"RELATING TO COPPER PURCHASES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2230 | (CPH) | S.B. No. 2782, S.D. 1
"RELATING TO METAL."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2231 | (CPH) | S.B. No. 2893, S.D. 1
"RELATING TO TORTS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2232 | (CPH) | S.B. No. 2896, S.D. 1
"RELATING TO CONTRACTORS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2233 | (CPH) | S.B. No. 2958, S.D. 1
"RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

2234	(CPH)	S.B. No. 3011, S.D. 1 "RELATING TO INSURANCE." (Recommends passage on <u>SECOND</u> <u>READING</u> and referral to WAM)
2235	(CPH)	S.B. No. 3030, S.D. 1 "RELATING TO MIXED MARTIAL ARTS." (Recommends passage on <u>SECOND</u> <u>READING</u> and referral to WAM)
2236	(EDT/EDU)	S.B. No. 3168, S.D. 1 "RELATING TO CREATIVE MEDIA." (Recommends passage on <u>SECOND</u> <u>READING</u> and referral to WAM)

ORDER OF THE DAY

8. Third Reading

[\(See Stand. Com. Rep. No. 2180\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 2252](#)

"RELATING TO BOARDS AND
COMMISSIONS." - (TSG)

(Boards and Commissions)

9. Referrals and Re-Referrals

RE-REFERRALS FOR TUESDAY, FEBRUARY 12, 2008

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.B. 2864	RELATING TO INSURANCE. (Health Insurance Reimbursements) (CPH/HTH, EDT, WAM)	CPH/HTH, WAM

10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Floor Presentation for Wednesday, February 13, 2008:

HONORING AND COMMENDING MALCOLM CHING, GENERAL MANAGER
OF THE WAIKELE COMMUNITY ASSOCIATION, FOR BEING AWARDED
PROPERTY MANAGER OF THE YEAR. (Senator Gabbard)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CPH	2/12/2008 9:00 AM	229
EDT/CPH	2/12/2008 9:00 AM	229
HSP/EDT	2/12/2008 9:00 AM	224
HSP/JDL	2/12/2008 9:00 AM	016
JDL	2/12/2008 9:00 AM	016
JDL/HSP	2/12/2008 9:00 AM	016
EDT/EDU	2/12/2008 9:15 AM	224
EDT	2/12/2008 9:25 AM	224
EDT/WTL	2/12/2008 10:45 AM	224
EDT	2/12/2008 1:15 PM	224
EDT/AHW	2/12/2008 1:15 PM	224
HSP	2/12/2008 1:15 PM	016
JDL/TSG	2/12/2008 1:15 PM	229
TSG	2/12/2008 1:15 PM	229
EDT	2/12/2008 1:30 PM	224
HSP/TSG	2/12/2008 2:00 PM	229
AHW	2/12/2008 2:45 PM	224
AHW/WTL	2/12/2008 2:45 PM	224
EDT	2/12/2008 2:45 PM	224
ENE	2/12/2008 2:45 PM	414
ENE/TSG	2/12/2008 2:45 PM	414
HSP/PBS	2/12/2008 2:45 PM	225
PBS	2/12/2008 2:45 PM	225
WTL	2/12/2008 2:45 PM	414

WTL/AHW	2/12/2008 2:45 PM	224
PBS	2/12/2008 3:45 PM	225
PBS/HTH	2/12/2008 3:45 PM	225
CPH	2/13/2008 9:00 AM	229
CPH/IGM	2/13/2008 9:00 AM	229
CPH/JDL	2/13/2008 9:00 AM	016
JDL	2/13/2008 9:00 AM	016
JDL/CPH	2/13/2008 9:00 AM	016
JDL/IGM	2/13/2008 9:00 AM	016
CPH/HTH	2/13/2008 1:10 PM	016
HTH/IGM	2/13/2008 1:10 PM	016
IGM/HTH	2/13/2008 1:10 PM	016
HTH	2/13/2008 1:15 PM	016
HTH/CPH	2/13/2008 1:15 PM	016
IGM	2/13/2008 1:15 PM	229
HTH	2/13/2008 1:25 PM	016
HTH/HSP	2/13/2008 1:25 PM	016
IGM	2/13/2008 1:30 PM	229
EDU	2/13/2008 1:45 PM	225
EDU/TSG	2/13/2008 1:45 PM	225
JDL	2/13/2008 2:45 PM	414
WTL	2/13/2008 2:45 PM	414
WTL/AHW	2/13/2008 2:45 PM	414
CPH	2/14/2008 9:00 AM	229
ENE	2/14/2008 2:45 PM	414
TIA	2/14/2008 3:30 PM	224
WAM	2/15/2008 9:30 AM	211
HSP	2/19/2008 1:30 PM	016
HSP-PBS	2/21/2008 2:00 PM	016
IGM	2/22/2008 1:15 PM	229
HSP	2/26/2008 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Wednesday, February 13, 2008.

13. Adjournment