

THE SENATE  
OF THE  
TWENTY-FIFTH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2010

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FIFTH DAY

JANUARY 27, 2010-WEDNESDAY-11:00 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by Chaplain Joshua Hayashi  
Punahou School

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 159-162

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 159</a>	Dated January 14, 2010, transmitting a Report on Various Unresolved Issues Relating to Aging, prepared by the Department of Health, Executive Office on Aging, and the University of Hawaii, School of Social Work, pursuant to H.C.R. No. 13 (2009).	FILE
<a href="#">G.M. No. 160</a>	Dated January 22, 2010, transmitting the Report on Department of Health Transfers to the Department of Human Services for Care and Treatment of Patients; and the Report on Department of Human Service Agreements with the Department of Health to Furnish Outpatient, Hospital, and Nursing Home Care for Indigents or Medical Indigents, prepared by the Department of Health pursuant to Act 162, SLH 2009.	FILE

[G.M. No. 161](#) Dated January 22, 2010, transmitting the Annual Report on Forensic Patient Data, Specific to the Hawaii State Hospital, prepared to the Department of Health pursuant to Act 100, SLH 2009. FILE

[G.M. No. 162](#) Dated December 15, 2009, transmitting a Report on Labeling Issues Relating to the Hawaii-Made Products Law, prepared by the Department of Agriculture pursuant to Act 80, SLH 2009. FILE

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Introduction of Measures Senate Bill Nos. 2826 – 2897

ORDER OF THE DAY

7. First Reading: Senate Bill Nos. 2642-2825
8. Referrals and Re-Referrals

REFERRALS FOR WEDNESDAY, JANUARY 27, 2010

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">S.B. 2559</a>	RELATING TO ENVIRONMENTAL PROTECTION. (Environmental Protection; Plastic Bags, Prohibited)	ENE, JGO

<a href="#"><u>S.B. 2560</u></a>	RELATING TO ENVIRONMENTAL PROTECTION. (Non-recyclable, Non-reusable Bags; Mandatory Fee)	ENE/JGO, CPN
<a href="#"><u>S.B. 2561</u></a>	RELATING TO SPRAY PAINT. (Public Safety; Spray Paint Sales)	PSM, JGO
<a href="#"><u>S.B. 2562</u></a>	RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM. (Deposit Beverage Container Program; HI-5; Retail Dealer; Redemption Center)	ENE, CPN
<a href="#"><u>S.B. 2563</u></a>	RELATING TO ENERGY EFFICIENCY. (Energy Efficiency; HCEI; Lead By Example Goals)	ENE, WAM
<a href="#"><u>S.B. 2564</u></a>	RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION. (Hawaii Civil Rights Commission)	JGO
<a href="#"><u>S.B. 2565</u></a>	RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION. (Hawaii Civil Rights Commission; Disability Discrimination)	JGO
<a href="#"><u>S.B. 2566</u></a>	RELATING TO MEDICAL AND REHABILITATION BENEFITS. (Medical and Rehabilitation Benefits)	LBR/HTH
<a href="#"><u>S.B. 2567</u></a>	RELATING TO EDUCATION. (DOE; Teaching Materials; Race to the Top Standards and Assessments; Transitioning Military Students)	EDH, WAM

<a href="#">S.B. 2568</a>	PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ENTIRELY ELECTED BOARD TO A PARTIALLY ELECTED, PARTIALLY APPOINTED BOARD. (Board of Education; Partially Elected and Partially Appointed Members; Constitutional Amendment)	EDH, JGO
<a href="#">S.B. 2569</a>	RELATING TO THE BOARD OF EDUCATION. (Board of Education; Appointed and Elected Members; Nomination Board)	EDH, JGO
<a href="#">S.B. 2570</a>	PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD. (Board of Education; Constitutional Amendment)	EDH, JGO
<a href="#">S.B. 2571</a>	RELATING TO THE BOARD OF EDUCATION. (Board of Education; Candidate Nomination Commission)	EDH, JGO
<a href="#">S.B. 2572</a>	RELATING TO EDUCATION. (STEM; EPSCoR; State Science and Technology Plan)	EDH/HRE/EDT
<a href="#">S.B. 2573</a>	RELATING TO EDUCATION. (DOE; History Requirement; Out-of-State Transfer Students; BOE Recognition Diploma)	EDH
<a href="#">S.B. 2574</a>	RELATING TO CHARTER SCHOOLS. (Charter Schools; No Limit on Number)	EDH, WAM

<a href="#">S.B. 2575</a>	RELATING TO HOUSING. (Public Housing; Affordable Housing Resident Resale Restriction; Anti-Speculation Capital Gains Tax)	EDH/TIA, WAM
<a href="#">S.B. 2576</a>	RELATING TO HOUSING. (Housing Development Exemptions; School Impact Fees)	EDH, WAM
<a href="#">S.B. 2577</a>	RELATING TO LOW-INCOME HOUSING. (Low-Income Housing Tax Credit Loans; GO Bonds)	EDH, WAM
<a href="#">S.B. 2578</a>	RELATING TO TAXATION. (Ohana Residential Housing Income Tax Credit; New Construction)	EDH, WAM
<a href="#">S.B. 2579</a>	RELATING TO EDUCATION. (Education; Extended Learning Opportunities Program; Appropriation)	EDH, WAM
<a href="#">S.B. 2580</a>	RELATING TO PERMITS AND LICENSES. (Permit Processing; Approvals; Maximum Time; Application; UH; DOE; HHFDC; HPHA)	TIA/WTL/EDH, WAM
<a href="#">S.B. 2581</a>	RELATING TO PROCUREMENT. (Procurement; UH; DOE; HHFDC; HPHA; Contract Final; Sixty Days)	JGO, WAM
<a href="#">S.B. 2582</a>	RELATING TO PROCUREMENT. (Procurement; UH; DOE; HHFDC; HPHA; Thirty Days)	JGO, WAM
<a href="#">S.B. 2583</a>	RELATING TO PROCUREMENT. (Procurement; Public Notice; DOE; UH; HHFDC; HPHA; Fifteen Days)	JGO
<a href="#">S.B. 2584</a>	RELATING TO SELF-HELP HOUSING. (Self-Help Housing; Trust Fund; Conveyance Tax)	EDH/WTL, WAM

<a href="#"><u>S.B. 2585</u></a>	RELATING TO HOMELESS ASSISTANCE. (Office of Homelessness)	HMS/EDH, WAM
<a href="#"><u>S.B. 2586</u></a>	RELATING TO CHARTER SCHOOLS. (Charter Schools; Repeal Cap; Funding; Reauthorization)	EDH, WAM
<a href="#"><u>S.B. 2587</u></a>	RELATING TO CHARTER SCHOOLS. (Charter Schools; Task Force; Funding Formula)	EDH, WAM
<a href="#"><u>S.B. 2588</u></a>	RELATING TO THE CHARTER SCHOOL ADMINISTRATIVE OFFICE. (Charter School Administrative Office; Operational Expenses Withholding)	EDH, WAM
<a href="#"><u>S.B. 2589</u></a>	RELATING TO CHARTER SCHOOLS. (Charter Schools; Vacant School Facilities)	EDH, WAM
<a href="#"><u>S.B. 2590</u></a>	RELATING TO EDUCATION. (Education; Facilities; Charter Schools)	EDH, WAM
<a href="#"><u>S.B. 2591</u></a>	RELATING TO THE HAWAII TEACHER STANDARDS BOARD. (Hawaii Teacher Standards Board; Omnibus Bill)	EDH, WAM
<a href="#"><u>S.B. 2592</u></a>	RELATING TO THE GENERAL EXCISE TAX. (General Excise Tax Exemption; Affordable Housing)	EDH, WAM
<a href="#"><u>S.B. 2593</u></a>	RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION. (Hawaii Housing Finance and Development Corporation; GET Exemptions)	EDH, WAM
<a href="#"><u>S.B. 2594</u></a>	RELATING TO HOUSING. (Affordable Housing; GET Exemption; Residency Requirement)	EDH, WAM

<a href="#">S.B. 2595</a>	RELATING TO HOUSING. (Affordable Housing; GET Exemption; HUD Calculation of Income)	EDH, WAM
<a href="#">S.B. 2596</a>	RELATING TO GROUP LIFE INSURANCE. (Group Life Insurance Policies)	CPN
<a href="#">S.B. 2597</a>	RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY. (Hawaii Employers Mutual Insurance Company)	CPN/LBR
<a href="#">S.B. 2598</a>	RELATING TO INSURANCE. (Medicaid; Health Insurance; Payment)	HMS, CPN
<a href="#">S.B. 2599</a>	RELATING TO HEALTH INSURANCE. (Mandatory Health Insurance Coverage; Colonoscopy)	CPN/HTH, WAM
<a href="#">S.B. 2600</a>	RELATING TO HEALTHCARE. (Respiratory Therapists; Licensure; Appropriation)	HTH/CPN, WAM
<a href="#">S.B. 2601</a>	RELATING TO ATHLETIC TRAINERS. (Athletic Trainers; Registration )	CPN
<a href="#">S.B. 2602</a>	RELATING TO REAL ESTATE LICENSEES. (Real Estate Broker and Salespersons; Continuing Education; High School Diploma)	CPN
<a href="#">S.B. 2603</a>	RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT. (Secure and Fair Enforcement of Mortgage Licensing Act; Residential Mortgage; Appropriation)	CPN, WAM
<a href="#">S.B. 2604</a>	RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND. (Hawaii Tobacco Settlement Special Fund)	HTH, WAM

<a href="#">S.B. 2605</a>	RELATING TO TAXATION. (Tax Credit; Residential Construction and Remodeling)	EDH, WAM
<a href="#">S.B. 2606</a>	RELATING TO TRANSPORTATION. (Transportation; Maui; Highway Development Special Fund; Appropriation)	TIA, WAM
<a href="#">S.B. 2607</a>	RELATING TO ACTIVITY DESKS. (Activity Desks; Client Trust Accounts)	TSM, CPN
<a href="#">S.B. 2608</a>	RELATING TO VOCATIONAL REHABILITATION. (Workers' Compensation; Vocational Rehabilitation)	LBR, WAM
<a href="#">S.B. 2609</a>	RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS. (Distributions by Nonprofit Corporations)	CPN
<a href="#">S.B. 2610</a>	RELATING TO CONVEYANCE TAX. (Taxation; Conveyance Tax)	WTL/TIA, WAM
<a href="#">S.B. 2611</a>	RELATING TO VITAL STATISTICS. (Vital Statistics; Reporting)	HTH/TIA, WAM
<a href="#">S.B. 2612</a>	RELATING TO MORTGAGE LOAN ORIGINATORS. (Mortgage Loan Originators; Secure and Fair Enforcement for Mortgage Licensing Act)	CPN
<a href="#">S.B. 2613</a>	RELATING TO ENERGY. (School Construction; School Renovation; Alternative Energy Design)	ENE/EDH, WAM
<a href="#">S.B. 2614</a>	RELATING TO EXCESSIVE SPEEDING. (Excessive Speeding; Punishment; Forfeiture of Vehicle)	TIA, JGO
<a href="#">S.B. 2615</a>	RELATING TO EDUCATION. (Electronic Book Pilot Program; Appropriation)	EDH, WAM



<a href="#">S.B. 2616</a>	RELATING TO FIREWORKS. (Fireworks; Penalties)	PSM, JGO
<a href="#">S.B. 2617</a>	RELATING TO PUBLIC AGENCY MEETINGS. (Public Agency Meetings; Notice; Electronic Mail)	JGO
<a href="#">S.B. 2618</a>	RELATING TO RENEWABLE ENERGY TECHNOLOGIES. (Renewable Energy Technologies Income Tax Credit; Assignment of Credit)	ENE, WAM
<a href="#">S.B. 2619</a>	RELATING TO NET ENERGY METERING. (Alternative Energy; Net Energy Metering; Energy Credits)	ENE, CPN
<a href="#">S.B. 2620</a>	RELATING TO THE WIRELESS ENHANCED 911 FUND. (Wireless Enhanced 911 Fund; Independent Audit)	EDT/PSM, WAM
<a href="#">S.B. 2621</a>	RELATING TO PUBLIC SAFETY. (Inmate Rehabilitation; Reentry System; Reporting Requirements)	PSM, WAM
<a href="#">S.B. 2622</a>	RELATING TO CIVIL SERVICE. (Civil Service; Veteran's Preference)	PSM/LBR
<a href="#">S.B. 2623</a>	RELATING TO RENEWABLE ENERGY. (Renewable Energy; Agricultural Districts; Conservation Districts)	ENE/WTL
<a href="#">S.B. 2624</a>	RELATING TO HAWAII TELEVISION AND FILM DEVELOPMENT. (Hawaii Television and Film Development; Hawaii Tourism Authority)	EDT/TSM, WAM
<a href="#">S.B. 2625</a>	RELATING TO OUT-OF-STATE OFFICES. (Out-of-State Offices; Audit)	EDT, WAM

<a href="#">S.B. 2626</a>	RELATING TO PUBLIC SERVICE. (Public Service; Non-Civil Service, Temporary Employees; Reports)	LBR, WAM
<a href="#">S.B. 2627</a>	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH SENATORIAL DISTRICT. (CIP; 14th Senatorial District)	WAM
<a href="#">S.B. 2628</a>	RELATING TO REVENUE FOR DEPARTMENT OF EDUCATION BUDGETED EXPENSES. (Transient Accommodations Tax; County Distribution; Education)	TSM/TIA/EDH, WAM
<a href="#">S.B. 2629</a>	RELATING TO HAWAII TOURISM AUTHORITY. (Hawaii Tourism Authority)	TSM/WTL
<a href="#">S.B. 2630</a>	RELATING TO TAXATION. (Construction Task Force; Tax Credit; Enterprise Zones; Eligible Business Activity)	EDT/TIA, WAM
<a href="#">S.B. 2631</a>	RELATING TO TRANSPORTATION. (Construction Task Force; Transportation)	TIA, WTL
<a href="#">S.B. 2632</a>	RELATING TO PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING. (Construction Task Force; Permit Processing; Approvals; Maximum Time; Application)	TIA/WTL, JGO
<a href="#">S.B. 2633</a>	RELATING TO HOUSING. (Construction Task Force; County Housing Requirements; Temporary Relief)	EDH, TIA
<a href="#">S.B. 2634</a>	RELATING TO BIOFUEL FACILITIES. (Biofuel Facilities; Nameplate Capacity; Certified Credits)	ENE, WAM
<a href="#">S.B. 2635</a>	RELATING TO RENEWABLE ENERGY. (Renewable Energy; Renewable Energy Facility Siting Process; Appropriation)	ENE/WTL/TIA, CPN/WAM

<a href="#">S.B. 2636</a>	RELATING TO PROCUREMENT. (Construction Task Force; Procurement; Bid Notice)	JGO, WAM
<a href="#">S.B. 2637</a>	RELATING TO TAXATION. (Construction Task Force; Tax Credit; Hotel Construction; Remodeling; Resort Area)	TSM, WAM
<a href="#">S.B. 2638</a>	RELATING TO TAXATION. (Construction Task Force; Tax Credit; Ohana Residential Housing; New Construction)	EDH, WAM
<a href="#">S.B. 2639</a>	RELATING TO PROCUREMENT. (Construction Task Force; Procurement; Thirty Days)	JGO, WAM
<a href="#">S.B. 2640</a>	RELATING TO LOW-INCOME HOUSING. (Construction Task Force; Low-Income Housing; Tax Credit Loans)	EDH, WAM
<a href="#">S.B. 2641</a>	RELATING TO PROCUREMENT. (Construction Task Force; Procurement)	JGO, WAM

RE-REFERRALS FOR WEDNESDAY, JANUARY 27, 2010

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
<a href="#">S.B. 2205</a>	RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. (EUTF; Mail Order Prescriptions) (LBR)	LBR, WAM
<a href="#">S.B. 2366</a>	RELATING TO FIREWORKS. (Fireworks) (PSM/TIA, WAM)	PSM/TIA, JGO/WAM
<a href="#">S.B. 2390</a>	RELATING TO PHARMACIST LICENSURE. (Pharmacy; Licensure; University of Hawaii at Hilo; College of Pharmacy) (HTH, CPN)	HTH/HRE, CPN

- [S.B. 2408](#) RELATING TO HOUSING DEVELOPMENT. WTL, EDH  
 (Hawaii Community Development Authority; Substitute Reserved Housing; Department of Hawaiian Home Lands) (WTL/EDH)
- [S.B. 2493](#) RELATING TO USE OF TOBACCO SETTLEMENT FUNDS. HTH/HRE, WAM  
 (Tobacco Fund Settlement Continued for UH Medical School ) (HTH, WAM)
- [S.B. 2525](#) RELATING TO LANDS CONTROLLED BY THE STATE. WTL, EDH  
 (Native Hawaiians; Homestead Lease; Fee Simple; Transfer of Title) (WTL/EDH, JGO)

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
EDT	1/27/2010 1:15 PM	016
PSM/TIA	1/27/2010 1:45 PM	224
TIA	1/27/2010 1:45 PM	224
HTH	1/27/2010 2:45 PM	016
EBM-EDT	1/28/2010 8:30 AM	312
JGO	1/28/2010 10:00 AM	016
HMS	1/28/2010 1:50 PM	016
ENE/TIA	1/28/2010 2:45 PM	225
LBR	1/28/2010 2:45 PM	224
ENE	1/28/2010 3:00 PM	225
JGO	1/29/2010 9:30 AM	016
EDH-EDN	1/29/2010 1:30 PM	309
HTH	1/29/2010 2:45 PM	016
WTL	1/29/2010 2:45 PM	229
EDT/JGO	2/1/2010 1:15 PM	016
EDT	2/1/2010 1:30 PM	016

HMS/HTH	2/1/2010 2:45 PM	016
HTH/HMS	2/1/2010 2:45 PM	016
PSM	2/2/2010 1:15 PM	229
HMS	2/2/2010 1:30 PM	016

- Senate Session will convene at 11:30 a.m. on Thursday, January 28, 2010.

## 12. Adjournment