

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

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TWENTIETH DAY

FEBRUARY 18, 2010-THURSDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by Pastor Klayton Ko  
First Assembly of God

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

RECOGNIZING PEARL HARBOR HISTORIC SITES PARTNERS AND  
COMMEMORATING THE 65<sup>TH</sup> ANNIVERSARY OF THE END OF WORLD WAR II  
AND THE ROLE OF THE USS MISSOURI IN THE SURRENDER CEREMONY.  
(Senator Sakamoto)

1. Messages from the Governor: Nos. 320-324

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 320</a>	Dated February 11, 2010, transmitting the Hawaii Housing Finance and Development Corporation's 2009 Annual Report.	FILE
<a href="#">G.M. No. 321</a>	Dated February 12, 2010, transmitting a Report on the Expenditures for Chronic Disease Management and Control, prepared by the Department of Health pursuant to Act 162, Section 24, SLH 2009.	FILE

[G.M. No. 322](#) Dated February 12, 2010, transmitting the Director of Finance's Report, prepared by the Department of Budget and Finance pursuant to Act 162, SLH 2009. FILE

[G.M. No. 323](#) Dated February 12, 2010, transmitting the Governor's Reports pursuant to Act 162, Sections 88, 90-95, 97, 99, 101, 102, 106-109, 112-114, 117, 119-121 and 131, SLH 2009. FILE

[G.M. No. 324](#) Dated February 12, 2010, transmitting the Governor's Reports Relating to the Budget pursuant to Act 67, Sections 14, 18 and 23, SLH 2009. FILE

2. Departmental Communications: None

3. House Communication Nos. 30-32

Informing the Senate that on February 16, 2010, the House agreed to the amendments proposed by the Senate and that said bill passed Final Reading in the House:

REFERRAL

30 [H.B. No. 2162, H.D. 1, S.D. 1](#) FILE  
"MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."(Legislative Appropriations)

Informing the Senate that on February 17, 2010, the following House Bills passed Third Reading in the House:

31 [H.B. No. 2136](#)  
"RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS."(Distributions by Nonprofit Corporations)

32                    [H.B. No. 2286](#)  
"RELATING TO CAPTIVE INSURANCE  
COMPANIES."(Captive Insurance Companies)

4. Senate Communications: None
5. Judiciary Communications: None
6. Introduction of Measures: None
7. Standing Committee Report No. 2337

[2337](#)                    (WTL)                    [S.B. No. 1601, S.D. 1](#)  
"RELATING TO THE LAND USE  
COMMISSION."  
(Recommends recommitment to WTL)

ORDER OF THE DAY

8. Referrals and Re-Referrals

REFERRALS FOR THURSDAY, FEBRUARY 18, 2010

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">H.B. 134, H.D. 2</a>	RELATING TO MOTOR VEHICLE DRIVER LICENSING. (Motor Vehicle Driver Licensing)	TIA, JGO
<a href="#">H.B. 939, H.D. 1</a>	RELATING TO COASTAL ZONE MANAGEMENT. (Coastal Zone Management; Permits)	WTL/ENE, TIA

<a href="#">H.B. 1190, H.D. 1</a>	RELATING TO TRAFFIC ACCIDENT INVESTIGATION. (Highway Safety; Traffic Accident Investigation)	TIA, JGO
<a href="#">H.B. 1684, H.D. 2</a>	RELATING TO INVASIVE SPECIES. (Invasive Species; Penalties)	WTL, JGO
<a href="#">H.B. 1862, H.D. 1</a>	RELATING TO PUBLIC ORDER. (Public Order; Public Urination and Defecation)	JGO
<a href="#">H.B. 1863, H.D. 1</a>	RELATING TO PROSTITUTION. (Prostitution)	JGO
<a href="#">H.B. 1992, H.D. 1</a>	RELATING TO THE INTERMEDIATE APPELLATE COURT. (Intermediate Court of Appeals; Subpoenas; Oaths)	JGO
<a href="#">H.B. 2017</a>	RELATING TO COUNTIES. (Intoxicating Liquor; Liquor Administrator)	TIA
<a href="#">H.B. 2077, H.D. 1</a>	RELATING TO EDUCATION. (Department of Education; High School Student Age Limits)	EDH
<a href="#">H.B. 2197, H.D. 1</a>	RELATING TO CONDOMINIUMS. (Condominiums; Solar Energy; Wind Energy)	ENE, CPN
<a href="#">H.B. 2254, H.D. 1</a>	RELATING TO COMPUTER SECURITY. (Computer Crimes; Unauthorized Installation of Software)	JGO
<a href="#">H.B. 2351</a>	RELATING TO VETERANS. (Veterans' License Plates)	PSM/TIA
<a href="#">H.B. 2360</a>	RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES. (Intrastate Telecommunications Services )	CPN
<a href="#">H.B. 2397, H.D. 1</a>	RELATING TO PRIMARY ELECTIONS. (Primary Elections; Filing of Nomination Papers)	JGO

<a href="#"><u>H.B. 2427, H.D. 1</u></a>	RELATING TO SOLID WASTE MANAGEMENT. (Solid Waste; Management Plans)	ENE/TIA
<a href="#"><u>H.B. 2618, H.D. 1</u></a>	RELATING TO RENEWABLE ENERGY. (Renewable Energy; Subdivision Requirements Exemption)	ENE/TIA/WTL
<a href="#"><u>H.B. 2721, H.D. 1</u></a>	RELATING TO COURT REPORTERS. (Judiciary; Shorthand Reporters)	JGO
<a href="#"><u>S.C.R. 79</u></a>	URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN. (Providing Additional Training to DHS Workers in Relation to GRG)	HMS
<a href="#"><u>S.C.R. 80</u></a>	URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN. (Incarcerated Parents; Additional Information and Training by DPS)	HMS/PSM

- [S.C.R. 81](#)                      REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE FINANCIAL VIABILITY AND EFFECTIVENESS OF REQUIRING THE SUBSTITUTE CAREGIVER IN A COMMUNITY CARE FOSTER FAMILY HOME TO BE A CERTIFIED NURSE AIDE WHEN A THIRD CLIENT IS CARED FOR IN THE HOME.  
(Community Care Foster Family Home; Second Caregiver; Nurse Aide)                      HMS/HTH
- [S.C.R. 82](#)                      REQUESTING A TASK FORCE FOR THE DEVELOPMENT OF A SYSTEM TO ASSIST WITH MISSING OR LOST SENIOR CITIZENS.  
(Missing Senior Citizens; System to Locate & Return; Task Force)                      HMS/JGO, WAM
- [S.C.R. 83](#)                      URGING THE UNITED STATES CONGRESS TO OPPOSE PROPOSALS TO CREATE A FEDERAL INSURANCE OFFICE.  
(Federal Insurance Office; Congress to Oppose Proposals)                      CPN
- [S.C.R. 84](#)                      SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE.  
(Board of Land and Natural Resources; Boy Scouts of America)                      WTL/JGO
- [S.C.R. 85](#)                      REQUESTING AN AUDIT OF THE MENTAL HEALTH TRANSFORMATION STATE INCENTIVE GRANT AWARDED TO THE STATE OF HAWAII.  
(Mental Health Transformation State Incentive Grant; Audit)                      HTH, WAM

- [S.C.R. 86](#)                      URGING CONGRESS TO ENACT LEGISLATION TO RESTRICT TO APPROPRIATE LEVELS THE SALARIES OF EXECUTIVES AT FINANCIAL INSTITUTIONS THAT RECEIVED FEDERAL BAILOUT FUNDS.  
(Federal Law; Bailout Funds; Executive Salaries)                      CPN
- [S.C.R. 87](#)                      URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES.  
(Homeless Safe Zones; Establishment)                      EDH/HMS
- [S.C.R. 88](#)                      EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES.  
(Don't Ask Don't Tell)                      PSM
- [S.C.R. 89](#)                      REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY.  
(Congress; Renewable Energy)                      ENE/TIA
- [S.C.R. 90](#)                      REQUESTING INCREASED COOPERATION BETWEEN LOCAL AGRICULTURAL PRODUCERS AND RETAILERS TO DEVELOP A CONSISTENT SYSTEM OF LABELING TO BETTER INFORM CONSUMERS OF GENETICALLY MODIFIED ORGANISMS.  
(Genetically Modified; Labeling)                      WTL/ENE, CPN

- [S.C.R. 91](#)                      REQUESTING AN AUDIT OF CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, TO ASSESS THE USE AND APPLICATION OF SECTION 571-46, HAWAII REVISED STATUTES.  
(Family Courts; Family Violence; Audit)                      HMS/JGO, WAM
- [S.C.R. 92](#)                      REQUESTING A REPORT TO THE LEGISLATURE REVIEWING WORKFORCE HOUSING IN KAKAAKO MAUKA.  
(HCDA; Workforce Housing; Report to Legislature)                      WTL/EDH
- [S.C.R. 93](#)                      REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS, TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE.  
(HHFDC; Single Room Occupancy)                      EDH/TIA
- [S.C.R. 94](#)                      REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO OFFER ONLINE INSTRUCTION TO MIDDLE AND HIGH SCHOOL STUDENTS IN THE PUBLIC SCHOOL SYSTEM.  
(Department of Education; Pilot Program; Online Instruction)                      EDH



- [S.C.R. 95](#)                      REQUESTING THAT A TASK FORCE BE ESTABLISHED TO IDENTIFY THE LIBRARY SERVICES NEEDED IN UNDERSERVED COMMUNITIES AND SEEK COMMUNITY SOURCES OF FUNDING TO OFFSET THE LOSS OF FUNDING TO LIBRARIES.  
(Public Libraries; Task Force; Underserved Communities)                      EDH, WAM
- [S.C.R. 96](#)                      REQUESTING AN AUDIT OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.  
(EUTF; Audit)                      LBR, WAM
- [S.C.R. 97](#)                      URGING THE COUNTY OF KAUAI TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION.  
(Prince Kuhio Park; Kaua'i)                      TIA/WTL
- [S.C.R. 98](#)                      REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF ESTABLISHING AN AMBULANCE DISPATCH CENTER ON THE WEST SIDE OF KAUAI, BASED IN KALAHEO.  
(Ambulance Dispatch Center; Kauai)                      HTH, WAM
- [S.R. 34](#)                      URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN.  
(Providing Additional Training to DHS Workers in Relation to GRG)                      HMS

- [S.R. 35](#)                      URGING THE PROVISION OF                      HMS/PSM  
EDUCATION TO INCARCERATED  
PARENTS TO ENSURE CHILD SUPPORT  
ISSUES ARE ADDRESSED WITHOUT  
DELAY AND UPON RELEASE, TO  
PREPARE THEM FOR REINTEGRATION  
WITH THEIR CHILDREN AND  
FAMILIES, INCLUDING  
GRANDPARENTS WHO HAVE RAISED  
THEIR CHILDREN.  
(Incarcerated Parents; Additional Information  
and Training by DPS)
- [S.R. 36](#)                      EXPRESSING SUPPORT FOR REPEAL OF                      PSM  
THE DON'T ASK DON'T TELL POLICY  
OF THE UNITED STATES ARMED  
SERVICES.  
(Don't Ask Don't Tell)
- [S.R. 37](#)                      URGING THE UNITED STATES                      CPN  
CONGRESS TO OPPOSE PROPOSALS TO  
CREATE A FEDERAL INSURANCE  
OFFICE.  
(Federal Insurance Office; Congress to  
Oppose Proposals)
- [S.R. 38](#)                      URGING THE HAWAII PUBLIC                      EDH/HMS  
HOUSING AUTHORITY TO ESTABLISH  
HOMELESS SAFE ZONES.  
(Homeless Safe Zones; Establishment)

[S.R. 39](#) REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY.  
 (Congress; Renewable Energy) ENE/TIA

[S.R. 40](#) REQUESTING INCREASED COOPERATION BETWEEN LOCAL AGRICULTURAL PRODUCERS AND RETAILERS TO DEVELOP A CONSISTENT SYSTEM OF LABELING TO BETTER INFORM CONSUMERS OF GENETICALLY MODIFIED ORGANISMS.  
 (Genetically Modified; Labeling) WTL/ENE, CPN

RE-REFERRALS FOR THURSDAY, FEBRUARY 18, 2010

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
<a href="#">S.B. 2083, S.D. 1</a>	RELATING TO EDUCATION. (Keiki Caucus; After-School Programs; Prevention Programs; Hawaii State Plan) (EDH/HMS, WTL)	EDH/HMS
<a href="#">S.B. 2457</a>	RELATING TO THE PROCUREMENT CODE. (Procurement Code; Exemption; Kaho‘olawe Island Reserve Commission) (WTL, JGO)	WTL/JGO
<a href="#">S.B. 2838</a>	RELATING TO THE DISPOSITION OF PUBLIC LANDS. (Public Lands; Disposition) (WTL/JGO, WAM)	JGO/WAM

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Floor Presentation for Friday, February 26, 2010:

HONORING AND COMMENDING THE WALK ACROSS OAHU TEAM OF WALKERS. (Senator Gabbard)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
HRE	2/18/2010 1:15 PM	225
PSM/JGO	2/18/2010 1:15 PM	229
PSM	2/18/2010 1:25 PM	229
HMS/LBR	2/18/2010 1:45 PM	016
HMS/EDH	2/18/2010 2:15 PM	016
ENE	2/18/2010 2:45 PM	225
ENE/WTL	2/18/2010 2:45 PM	225
HMS-HTH	2/18/2010 2:45 PM	016
LBR	2/18/2010 2:45 PM	224
WTL/ENE	2/18/2010 2:45 PM	225
CPN	2/19/2010 9:15 AM	229
JGO	2/19/2010 9:30 AM	016
JGO	2/19/2010 11:00 AM	016
EDT/WTL	2/19/2010 1:15 PM	016
EDH	2/19/2010 1:30 PM	225
EDT	2/19/2010 1:45 PM	016
WTL	2/19/2010 3:15 PM	229
WAM	2/22/2010 10:00 AM	211
WAM	2/22/2010 10:05 AM	211
WAM	2/22/2010 10:10 AM	211
WTL/EDT/WAM	2/22/2010 10:15 AM	211
HTH/CPN	2/22/2010 3:00 PM	016
HTH	2/22/2010 3:15 PM	016
CPN	2/23/2010 9:00 AM	229
JGO	2/23/2010 9:30 AM	016
TIA/HMS	2/23/2010 2:30 PM	016
ENE/TIA	2/23/2010 2:45 PM	225

ENE/TSM	2/23/2010 2:45 PM	225
CPN	2/24/2010 9:00 AM	229

- Senate Session will convene at 11:30 a.m. on Friday, February 26, 2010.

## 12. Adjournment