

THE SENATE
OF THE
TWENTY-SIXTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2012

SEVENTEENTH DAY

FEBRUARY 13, 2012-MONDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 629-641

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 629	Submitting for consideration and confirmation as Comptroller of the Department of Accounting and General Services, Gubernatorial Nominee, DEAN SEKI, for a term to expire 12-1-2014.	PGM
G.M. No. 630	Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, BEVERLY JEAN WITHINGTON, for a term to expire 6-30-2016.	HMS
G.M. No. 631	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, SARAH AHINA, for a term to expire 6-30-2016.	HMS
G.M. No. 632	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, BEN DALAUIDAO, for a term to expire 6-30-2016.	HMS

G.M. No. 633	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, SOL RAY DUNCAN, for a term to expire 6-30-2016.	HMS
G.M. No. 634	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, MELISSA GIBO, for a term to expire 6-30-2016.	HMS
G.M. No. 635	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, LOUISE IWAISHI, for a term to expire 6-30-2016.	HMS
G.M. No. 636	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, APRIL MIRA, for a term to expire 6-30-2016.	HMS
G.M. No. 637	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, PATRICIA NISHIMOTO, for a term to expire 6-30-2016.	HMS
G.M. No. 638	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, THERESA OCTAVIO, for a term to expire 6-30-2016.	HMS
G.M. No. 639	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, PAMELA RICE, for a term to expire 6-30-2016.	HMS
G.M. No. 640	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, JOSHUA SMALLEY-BOWER, for a term to expire 6-30-2016.	HMS
G.M. No. 641	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, CHRISTOPHER TOYAMA, for a term to expire 6-30-2016.	HMS

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 2105-2143

2105	(ENE/CPN)	S.B. No. 2339, S.D. 1 "RELATING TO ETHANOL." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2106	(ENE/CPN)	S.B. No. 2785, S.D. 1 "RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2107	(PGM)	S.B. No. 2174 "RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2108	(PGM)	S.B. No. 2338 "RELATING TO COUNTY ADMINISTRATIVE PROCEDURES." (Recommends passage on <u>SECOND READING</u> and referral to JDL)

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| 2109 | (PGM) | S.B. No. 2566
"RELATING TO CAMPAIGNS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2110 | (PGM) | S.B. No. 2898
"MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY, COUNTY OF HAWAII."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2111 | (PGM) | S.B. No. 2970
"MAKING A GRANT-IN-AID FOR THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2112 | (PGM) | S.B. No. 2582, S.D. 1
"RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2113 | (EDT/EDU) | S.B. No. 2110
"RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2114 | (EDT) | S.B. No. 2737
"RELATING TO PUBLIC MEETINGS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |

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| 2115 | (EDT) | S.B. No. 2226, S.D. 1
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2116 | (EDT/PGM) | S.B. No. 2239
"RELATING TO ECONOMIC DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2117 | (TIA) | S.B. No. 2960, S.D. 1
"RELATING TO AERONAUTICS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2118 | (TIA) | S.B. No. 2977, S.D. 1
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2119 | (TIA) | S.B. No. 2874, S.D. 1
"RELATING TO AIRPORT REVENUE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2120 | (TIA) | S.B. No. 2946, S.D. 1
"RELATING TO TRANSPORTATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2121 | (TIA) | S.B. No. 3040, S.D. 1
"RELATING TO TRANSPORTATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2122 | (TIA) | S.B. No. 2337, S.D. 1
"RELATING TO TRANSPORTATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2123 | (JDL) | S.B. No. 2060, S.D. 1
"RELATING TO ACCUSED TO
TRANSPORT WITNESS OR WITNESSES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2124
(48 Hrs. Notice) | (JDL) | S.B. No. 2508, S.D. 1
"RELATING TO CAMPAIGN REPORTING
LAWS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for
Third Reading) |
| 2125 | (JDL) | S.B. No. 2704, S.D. 1
"RELATING TO THE DEPARTMENT OF
THE ATTORNEY GENERAL."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2126 | (JDL) | S.B. No. 2700, S.D. 1
"MAKING EMERGENCY
APPROPRIATIONS FOR CLAIMS
AGAINST THE STATE, ITS OFFICERS,
OR ITS EMPLOYEES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2127 | (EDU) | S.B. No. 2651, S.D. 1
"RELATING TO THE ISSUANCE OF
SPECIAL PURPOSE REVENUE BONDS
FOR HAWAII PREPARATORY
ACADEMY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2128 | (EDU) | S.B. No. 2527, S.D. 1
"RELATING TO EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2129 | (EDU) | S.B. No. 2620, S.D. 1
"RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2130 | (EDU) | S.B. No. 2005, S.D. 1
"PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2131 | (EDU) | S.B. No. 2546, S.D. 1
"RELATING TO THE UNIVERSITY OF HAWAII."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2132 | (PGM/WLH) | S.B. No. 2355
"RELATING TO DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2133 | (PGM) | S.B. No. 2771
"MAKING AN EMERGENCY
APPROPRIATION FOR
REIMBURSEMENT OF COSTS RELATED
TO THE ASIA-PACIFIC ECONOMIC
COOPERATION MEETINGS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2134 | (PGM/ENE) | S.B. No. 2302, S.D. 1
"RELATING TO SOLID WASTE
POLLUTION."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2135 | (AGL) | S.B. No. 2354
"RELATING TO AGRICULTURAL
COMMODITIES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| 2136 | (AGL/TIA) | S.B. No. 2331, S.D. 1
"RELATING TO THE AGRIBUSINESS
DEVELOPMENT CORPORATION."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2137 | (AGL) | S.B. No. 2646
"RELATING TO BUILDING PERMITS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to PGM) |
| 2138 | (AGL) | S.B. No. 2460
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

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| 2139 | (HMS) | S.B. No. 2798, S.D. 1
"RELATING TO INSURER
REQUIREMENTS."
(Recommends passage on <u>SECOND
READING</u> and referral to CPN) |
| 2140 | (HMS) | S.B. No. 2093, S.D. 1
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 2141 | (HMS) | S.B. No. 2092, S.D. 1
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 2142 | (CPN) | S.B. No. 2412, S.D. 1
"RELATING TO CONTRACTS."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 2143 | (CPN) | S.B. No. 2764
"RELATING TO MORTGAGE
SERVICERS."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |

ORDER OF THE DAY

7. Third Reading

[\(See Stand. Com. Rep. No. 2068\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2759, S.D. 1](#)

"RELATING TO SECURITIES." - (CPN)

(Uniform Securities Act)

[\(See Stand. Com. Rep. No. 2078\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 2061, S.D. 1](#)

"RELATING TO CRIMINAL
PROCEDURE." - (JDL)

(Criminal Procedure; Dismissal; Abuse of
Family or Household Member; Honolulu
Prosecutor's Package)

[\(See Stand. Com. Rep. No. 2098\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2002, H.D. 1](#)

"MAKING APPROPRIATIONS TO
PROVIDE FOR THE EXPENSES OF THE
LEGISLATURE, THE AUDITOR, THE
LEGISLATIVE REFERENCE BUREAU,
THE OMBUDSMAN, AND THE ETHICS
COMMISSION." - (WAM)

(Legislative Appropriations)

8. Re-Referral

RE-REFERRAL FOR MONDAY, FEBRUARY 13, 2012

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.B. 2926	RELATING TO LAND USE. (Land Use Commission; District Boundaries; Prime Farmlands) (AGL/WLH, JDL)	WLH, JDL

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDT	2/13/2012 1:15 PM	016
EDT/CPN	2/13/2012 1:15 PM	016
EDT/EDU	2/13/2012 1:15 PM	016
EDT/TSM	2/13/2012 1:15 PM	016
EDU/EDT	2/13/2012 1:15 PM	016
HTH	2/13/2012 1:15 PM	229
PGM/TIA/JDL	2/13/2012 1:15 PM	224
TIA/ENE	2/13/2012 1:15 PM	224
TIA/PGM/JDL	2/13/2012 1:15 PM	224
WLH/TIA	2/13/2012 1:20 PM	224
EDT	2/13/2012 2:15 PM	016
EDT	2/13/2012 2:30 PM	016
EDU	2/13/2012 2:30 PM	225
HTH	2/13/2012 2:45 PM	229
HWN/EDU	2/13/2012 2:45 PM	224
HWN/WLH	2/13/2012 2:45 PM	224
HWN/AGL	2/13/2012 3:00 PM	224
EDT/CPN	2/14/2012 9:00 AM	229
TIA/CPN	2/14/2012 9:00 AM	229
CPN	2/14/2012 9:15 AM	229
CPN/EDT	2/14/2012 9:15 AM	229
CPN/JDL	2/14/2012 9:15 AM	229

EDT/CPN/JDL	2/14/2012 9:15 AM	229
HTH/CPN	2/14/2012 9:15 AM	229
CPN/JDL	2/14/2012 9:30 AM	016
EDT/CPN/JDL	2/14/2012 9:30 AM	016
JDL	2/14/2012 9:30 AM	016
PGM/JDL	2/14/2012 9:30 AM	016
INFO-CPN-CPC	2/14/2012 10:00 AM	229
WAM	2/14/2012 11:00 AM	211
EDT/WLH/PGM	2/14/2012 1:15 PM	225
HMS	2/14/2012 1:15 PM	016
TSM	2/14/2012 1:15 PM	224
AGL/WLH	2/14/2012 1:20 PM	225
HWN/WLH/PGM	2/14/2012 1:20 PM	225
PGM/WLH	2/14/2012 1:20 PM	225
TSM	2/14/2012 1:20 PM	224
WLH	2/14/2012 1:20 PM	225
WLH/AGL	2/14/2012 1:20 PM	225
WLH/PGM	2/14/2012 1:20 PM	225
HMS	2/14/2012 1:25 PM	016
TSM	2/14/2012 1:25 PM	224
EDT/WLH	2/14/2012 1:30 PM	225
WLH/EDT	2/14/2012 1:30 PM	225
WLH	2/14/2012 1:45 PM	225
ENE/AGL	2/14/2012 2:45 PM	225
PGM	2/14/2012 2:45 PM	224
PGM/EDU/EDT	2/14/2012 2:45 PM	224
AGL	2/14/2012 2:50 PM	229
AGL/WLH	2/14/2012 2:50 PM	229
EDT/PGM	2/14/2012 2:50 PM	224
ENE/EDT/AGL	2/14/2012 2:50 PM	229
ENE/PGM/WLH	2/14/2012 2:50 PM	225
ENE/WLH	2/14/2012 2:50 PM	225
ENE/WLH/PGM	2/14/2012 2:50 PM	225
PGM/EDT	2/14/2012 2:50 PM	224
WLH/AGL	2/14/2012 2:50 PM	229
WLH/ENE	2/14/2012 2:50 PM	225
ENE/EDT/WLH	2/14/2012 2:51 PM	225
ENE/EDT/AGL	2/14/2012 2:52 PM	225
AGL	2/14/2012 2:55 PM	229
ENE	2/14/2012 2:55 PM	225
ENE/PGM/WLH	2/14/2012 3:00 PM	224
ENE/WLH/PGM	2/14/2012 3:00 PM	224
PGM	2/14/2012 3:15 PM	224
INFO-CPN-HTH	2/15/2012 9:00 AM	229

CPN/HTH/HMS	2/15/2012 9:30 AM	229
WLH/JDL	2/15/2012 10:00 AM	016
WLH/PGM/JDL	2/15/2012 10:50 AM	016
EDT/TIA/TSM	2/15/2012 1:15 PM	016
EDU	2/15/2012 1:15 PM	225
EDU/HTH	2/15/2012 1:15 PM	225
EDU	2/15/2012 1:20 PM	225
HMS/HTH/EDU	2/15/2012 2:25 PM	225
HTH/PGM	2/15/2012 2:45 PM	229
HWN	2/15/2012 2:45 PM	224
HWN/WLH	2/15/2012 2:45 PM	224
PGM/HTH	2/15/2012 2:45 PM	229
WLH/HWN	2/15/2012 2:45 PM	224
HWN/WLH/ENE	2/15/2012 2:55 PM	224
HTH	2/15/2012 3:30 PM	229
HTH	2/15/2012 3:45 PM	229
WLH/PGM	2/16/2012 1:20 PM	225
HWN/PGM	2/16/2012 2:45 PM	224
HWN/WLH/PGM	2/16/2012 2:45 PM	224
JDL	2/17/2012 10:00 AM	016
CPN	2/21/2012 9:15 AM	229
HTH/CPN	2/21/2012 10:00 AM	229
HMS	2/21/2012 1:15 PM	016
CPN	2/22/2012 9:00 AM	229
EDU	2/22/2012 1:15 PM	225
CPN	2/23/2012 9:00 AM	229

- Senate Session will convene at 11:30 a.m. on Tuesday, February 14, 2012.

12. Adjournment