

THE SENATE
OF THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2013

SIXTEENTH DAY

FEBRUARY 11, 2013-MONDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 225 and 672-675

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 225	Dated January 31, 2013, transmitting the 2012 Annual Report of the Department of Labor and Industrial Relations pursuant to Act 100, SLH 1999.	FILE
G.M. No. 672	Informing the Senate that on February 8, 2013, the Governor has withdrawn BAILEY YOUNG, Gubernatorial Nominee to the State Council on Mental Health, from consideration by the Senate (GM554).	FILE
G.M. No. 673	Informing the Senate that on February 8, 2013, the Governor has withdrawn MICHAEL ZARATE, Gubernatorial Nominee to the State Council on Mental Health, from consideration by the Senate (GM557).	FILE

[G.M. No. 674](#) Submitting for consideration and confirmation to the Board of Trustees of the Employees' Retirement System, Gubernatorial Nominee, COLBERT MATSUMOTO, for a term to expire 1-1-2019. JDL

[G.M. No. 675](#) Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, DONALD GENTZLER, for a term to expire 6-30-2017. JDL

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 154-188

[154](#) (WTL) [S.B. No. 1162](#)
"RELATING TO SHORELINE
VEGETATION."
(Recommends passage on SECOND
READING and referral to WAM)

[155](#) (WTL) [S.B. No. 803, S.D. 1](#)
"RELATING TO WATER."
(Recommends passage on SECOND
READING and referral to WAM)

[156](#) (WTL) [S.B. No. 1164, S.D. 1](#)
"RELATING TO SPECIAL SHORELINE
ENCROACHMENT EASEMENTS."
(Recommends passage on SECOND
READING and referral to JDL)

- | | | |
|---------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 157 | (CPN) | S.B. No. 505, S.D. 1
"RELATING TO CONDOMINIUMS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 158 | (CPN) | S.B. No. 1071, S.D. 1
"RELATING TO FINANCIAL INSTITUTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 159 | (WTL/EGH) | S.B. No. 1026
"RELATING TO THE LAND USE COMMISSION."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 160 | (WTL/EGH) | S.B. No. 1275
"RELATING TO THE KAHO‘OLAWE ISLAND RESERVE COMMISSION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 161 | (WTL/EGH) | S.B. No. 1027
"RELATING TO COASTAL ZONE MANAGEMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 162 | (WTL/AGL) | S.B. No. 5
"RELATING TO PUBLIC LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 163 | (WTL/AGL) | S.B. No. 1339
"RELATING TO RURAL AREAS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- | | | |
|----------------------------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>164</u> | (CPN) | <u>S.B. No. 22, S.D. 1</u>
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>165</u> | (CPN) | <u>S.B. No. 508, S.D. 1</u>
"RELATING TO SUSPENSION OF FORECLOSURE ACTIONS BY JUNIOR LIENHOLDERS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>166</u> | (CPN) | <u>S.B. No. 631, S.D. 1</u>
"RELATING TO TORT LIABILITY IMMUNITY."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>167</u> | (AGL) | <u>S.B. No. 974, S.D. 1</u>
"RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST AGRICULTURAL ENTERPRISES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>168</u> | (AGL) | <u>S.B. No. 595</u>
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>169</u> | (AGL) | <u>S.B. No. 585</u>
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [170](#) (AGL) [S.B. No. 757, S.D. 1](#)
"RELATING TO AGRICULTURE."
(Recommends passage on SECOND READING and referral to WAM)
- [171](#) (PSM) [S.B. No. 78](#)
"RELATING TO RESISTING ARREST."
(Recommends passage on SECOND READING and referral to JDL)
- [172](#) (PSM) [S.B. No. 835](#)
"RELATING TO COUNTY ETHICS COMMISSIONS."
(Recommends passage on SECOND READING and referral to JDL)
- [173](#) (PSM/EGH) [S.B. No. 930](#)
"RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS SUSTAINABLE CONCRETE INITIATIVE."
(Recommends passage on SECOND READING and referral to WAM)
- [174](#) (PSM) [S.B. No. 1256](#)
"RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS."
(Recommends passage on SECOND READING and referral to WAM)
- [175](#) (PSM) [S.B. No. 437, S.D. 1](#)
"RELATING TO INTOXICATING LIQUOR."
(Recommends passage on SECOND READING and referral to WAM)

- [176](#) (JDL) [S.B. No. 883, S.D. 1](#)
"RELATING TO COLLECTIVE
BARGAINING."
(Recommends passage on SECOND
READING and referral to WAM)
- [177](#) (JDL) [S.B. No. 868, S.D. 1](#)
"RELATING TO COLLECTIVE
BARGAINING."
(Recommends passage on SECOND
READING and referral to WAM)
- [178](#) (JDL) [S.B. No. 889, S.D. 1](#)
"RELATING TO ATTORNEY'S FEES."
(Recommends passage on SECOND
READING and referral to WAM)
- [179](#) (JDL) [S.B. No. 414, S.D. 1](#)
"RELATING TO COMMERCIAL DOG
BREEDERS."
(Recommends passage on SECOND
READING and referral to CPN/WAM)
- [180](#) (JDL) [S.B. No. 1010, S.D. 1](#)
"RELATING TO LEGAL SERVICES."
(Recommends passage on SECOND
READING and referral to WAM)
- [181](#) (JDL) [S.B. No. 1263, S.D. 1](#)
"RELATING TO LABOR."
(Recommends passage on SECOND
READING and referral to WAM)
- [182](#) (JDL) [S.B. No. 30](#)
"RELATING TO CAMPAIGN SPENDING."
(Recommends passage on SECOND
READING and referral to WAM)

- | | | |
|-----------------------------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 183 | (JDL) | S.B. No. 34
"RELATING TO PUBLIC EMPLOYEES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 184 | (JDL) | S.B. No. 856
"RELATING TO HOLIDAYS."
(Recommends passage on <u>SECOND READING</u> and referral to TEC) |
| 185 | (JDL) | S.B. No. 878
"RELATING TO ARBITRATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 186 | (JDL) | S.B. No. 879
"RELATING TO WITNESSES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 187
(48 Hrs. Notice) | (JDL) | S.B. No. 1014, S.D. 1
"RELATING TO FORENSIC IDENTIFICATION."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| 188
(48 Hrs. Notice) | (JDL) | S.B. No. 1015, S.D. 1
"RELATING TO PRODUCTION OF RECORDS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |

ORDER OF THE DAY

7. Deferred Matters – House Communications

<u>HSE. COM. NO.</u>	Informing the Senate that on February 7, 2013, the following House Bill passed Third Reading in the House:	<u>REFERRAL</u>
12	H.C.R. No. 41 "REQUESTING THE UNITED STATES CONGRESS TO RENAME THE KILAUEA POINT LIGHTHOUSE LOCATED ON THE ISLAND OF KAUAI, HAWAII, IN HONOR OF THE LATE SENATOR DANIEL K. INOUE."(Kilauea Point Lighthouse; Daniel K. Inouye)	
13	H.C.R. No. 42 "REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE, WHEN APPROPRIATE, ROUTE 200 ON THE ISLAND OF HAWAII AS THE DANIEL K. INOUE LEGACY HIGHWAY."(Daniel K. Inouye Legacy Highway; Route 200; Saddle Road)	

8. Third Reading

[\(See Stand. Com. Rep. No. 124\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 328, S.D. 1](#)

"RELATING TO ANIMALS." - (CPN)

(Residential Landlord-tenant Code; Security Deposit; Animals)

[\(See Stand. Com. Rep. No. 127\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 1116, S.D. 1](#)

"RELATING TO DEFINITION OF PUBLIC HOUSING PROJECT." - (HMS)

(Hawaii Public Housing Authority; Definition of Public Housing Project)

[\(See Stand. Com. Rep. No. 152\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 319](#)

"RELATING TO THRILL CRAFT." - (WTL/ENE)

(Thrill Craft; Use; Exception; Ocean Cleanup)

[\(See Stand. Com. Rep. No. 153\)](#)

[Prior Versions/Status & Testimony](#)

[S.B. No. 454, S.D. 1](#)

"RELATING TO WATER CONSERVATION." - (WTL/ENE)

(Water Pollution; Gray Water; Irrigation)

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HTH/EDU/CPN	2/11/2013 1:10 PM	229
AGL/EDU	2/11/2013 1:15 PM	414
EDU/TIA	2/11/2013 1:15 PM	414
HTH/CPN	2/11/2013 1:15 PM	229
TIA/PSM/TEC	2/11/2013 1:16 PM	224
TIA/PSM	2/11/2013 1:17 PM	224
TIA	2/11/2013 1:18 PM	224
EDU/EGH	2/11/2013 1:30 PM	414
HMS/HTH	2/11/2013 2:00 PM	229
HTH	2/11/2013 2:00 PM	229

HTH/HMS	2/11/2013 2:00 PM	229
HTH/JDL	2/11/2013 2:00 PM	229
HTH	2/11/2013 2:30 PM	229
HTH/PSM	2/11/2013 2:30 PM	229
HTH/TEC	2/11/2013 2:30 PM	229
TEC/THA	2/11/2013 2:45 PM	224
THA/TEC	2/11/2013 2:45 PM	224
EGH/WTL	2/11/2013 2:50 PM	016
WTL/EGH	2/11/2013 2:50 PM	016
EGH/WTL	2/11/2013 3:00 PM	016
WTL/EGH	2/11/2013 3:00 PM	016
CPN/JDL	2/12/2013 9:30 AM	016
EDU/JDL	2/12/2013 9:30 AM	016
HTH/JDL	2/12/2013 9:30 AM	016
JDL	2/12/2013 9:30 AM	016
WAM	2/12/2013 9:30 AM	211
HTH/CPN	2/12/2013 9:45 AM	229
CPN	2/12/2013 10:00 AM	229
WAM	2/12/2013 10:00 AM	211
HMS/TEC/JDL	2/12/2013 10:15 AM	016
ENE/JDL	2/12/2013 10:30 AM	016
HMS	2/12/2013 1:15 PM	016
TEC	2/12/2013 1:15 PM	414
WTL/AGL	2/12/2013 1:15 PM	225
WTL/ENE	2/12/2013 1:15 PM	225
THA/WTL	2/12/2013 1:16 PM	225
WTL/THA/HRE	2/12/2013 1:16 PM	225
WTL/THA/EGH	2/12/2013 1:18 PM	225
EGH/TEC	2/12/2013 1:20 PM	414
HMS/TEC/JDL	2/12/2013 1:20 PM	414
HRE/TEC	2/12/2013 1:20 PM	414
HTH/TEC	2/12/2013 1:20 PM	414
TEC	2/12/2013 1:20 PM	414
TEC/EGH	2/12/2013 1:20 PM	414
TEC/HRE	2/12/2013 1:20 PM	414
THA/WTL	2/12/2013 1:20 PM	225
WTL/THA	2/12/2013 1:20 PM	225
WTL	2/12/2013 1:25 PM	225
HMS	2/12/2013 1:45 PM	016
HMS/PSM	2/12/2013 1:45 PM	016
HMS/TEC/JDL	2/12/2013 1:45 PM	016
EDU/HTH	2/12/2013 2:00 PM	229
HRE/PSM	2/12/2013 2:00 PM	224
ENE/PSM	2/12/2013 2:15 PM	224

AGL/PSM	2/12/2013 2:45 PM	224
ENE	2/12/2013 2:45 PM	225
ENE/CPN	2/12/2013 2:45 PM	225
HRE/EGH/JDL	2/12/2013 2:45 PM	414
HRE/JDL	2/12/2013 2:45 PM	414
HTH/PSM	2/12/2013 2:45 PM	224
PSM	2/12/2013 2:45 PM	224
AGL/EDU	2/12/2013 2:50 PM	229
AGL/PSM	2/12/2013 2:51 PM	229
AGL	2/12/2013 2:55 PM	229
EGH/ENE	2/12/2013 3:00 PM	225
EGH/HRE	2/12/2013 3:00 PM	414
ENE/EGH	2/12/2013 3:00 PM	225
HRE	2/12/2013 3:30 PM	414
CPN	2/13/2013 8:30 AM	229
ENE/CPN	2/13/2013 8:30 AM	229
EDU	2/13/2013 1:15 PM	414
HTH/CPN	2/13/2013 1:15 PM	229
HTH/CPN/JDL	2/13/2013 1:15 PM	229
TIA/PSM/JDL	2/13/2013 1:15 PM	224
TIA/WTL	2/13/2013 1:16 PM	224
WTL/TIA	2/13/2013 1:16 PM	224
TIA	2/13/2013 1:17 PM	224
HTH	2/13/2013 1:30 PM	229
EGH/TEC	2/13/2013 2:45 PM	016
HMS/THA	2/13/2013 2:45 PM	224
THA	2/13/2013 2:45 PM	224
EGH/ENE/CPN	2/13/2013 2:50 PM	016
EGH/PSM	2/13/2013 3:00 PM	016
EGH	2/13/2013 3:15 PM	016
CPN	2/14/2013 9:00 AM	229
WAM	2/14/2013 9:00 AM	211
WAM	2/14/2013 9:05 AM	211
TEC	2/14/2013 1:15 PM	414
TEC/WTL	2/14/2013 1:20 PM	414
JDL	2/15/2013 10:00 AM	016
EDU	2/25/2013 1:15 PM	414

- Senate Session will convene at 11:30 a.m. on Tuesday, February 12, 2013.

12. Adjournment