

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

THIRTY-SEVENTH DAY

MARCH 22, 2013-FRIDAY-11:15 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

COMMENDING STREET BIKERS UNITED HAWAII, INC. (Senator Kim)

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None

6. Standing Committee Report Nos. 976-1048

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| 976 | (EGH/ENE) | H.B. No. 800, H.D. 1, S.D. 1
"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM FROM THE ENERGY SECURITY SPECIAL FUND."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 977 | (EGH/TEC) | H.B. No. 726, H.D. 1, S.D. 1
"RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 978 | (EGH) | H.B. No. 858, H.D. 1
"RELATING TO THE HI GROWTH INITIATIVE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 979 | (EGH) | H.B. No. 473, H.D. 1, S.D. 1
"RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 980 | (AGL/ENE) | H.B. No. 673, H.D. 2, S.D. 1
"RELATING TO PESTICIDES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>981</u> | (ENE) | <u>H.B. No. 899, H.D. 2, S.D. 1</u>
"RELATING TO RECYCLING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>982</u> | (THA/WTL) | <u>H.B. No. 378, H.D. 1, S.D. 1</u>
"RELATING TO BEACH NOURISHMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>983</u> | (TEC/PSM) | <u>H.B. No. 635, H.D. 2, S.D. 1</u>
"RELATING TO BROADBAND."
(Recommends passage on <u>SECOND READING</u> and referral to CPN/JDL) |
| <u>984</u> | (EGH/TEC) | <u>H.B. No. 70, H.D. 2, S.D. 1</u>
"RELATING TO ECONOMIC DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>985</u> | (THA) | <u>H.B. No. 222, H.D. 2, S.D. 1</u>
"RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>986</u> | (HRE) | <u>H.B. No. 1071, H.D. 1, S.D. 1</u>
"RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [987](#) (HTH) [H.B. No. 1483, H.D. 2, S.D. 1](#)
"RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
(Recommends passage on SECOND READING and referral to WAM)
- [988](#) (HTH) [H.B. No. 1130, H.D. 1, S.D. 1](#)
"RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
(Recommends passage on SECOND READING and referral to WAM)
- [989](#) (HTH) [H.B. No. 910, H.D. 2, S.D. 1](#)
"RELATING TO FORENSIC MENTAL HEALTH."
(Recommends passage on SECOND READING and referral to JDL)
- [990](#) (HTH) [H.B. No. 908, H.D. 2](#)
"RELATING TO THE HAWAII HOME VISITING PROGRAM."
(Recommends passage on SECOND READING and referral to WAM)
- [991](#) (HTH) [H.B. No. 652, S.D. 1](#)
"RELATING TO REMOTE DISPENSING."
(Recommends passage on SECOND READING and referral to CPN)
- [992](#) (HTH/TEC) [H.B. No. 651, H.D. 1](#)
"RELATING TO ELECTRONIC PRESCRIPTIONS."
(Recommends passage on SECOND READING and referral to CPN)

- [993](#) (HTH) [H.B. No. 909, H.D. 2, S.D. 1](#)
"RELATING TO INFANT MORTALITY PROGRAM."
(Recommends passage on SECOND READING and referral to WAM)
- [994](#) (AGL/JDL) [H.B. No. 749, H.D. 2, S.D. 1](#)
"RELATING TO WORKFORCE DEVELOPMENT."
(Recommends passage on SECOND READING and referral to WAM)
- [995](#) (ENE/EGH) [H.B. No. 811, H.D. 2, S.D. 1](#)
"RELATING TO ENERGY INFORMATION REPORTING."
(Recommends passage on SECOND READING and referral to CPN)
- [996](#) (TEC) [H.B. No. 358, H.D. 1](#)
"RELATING TO VIDEOCONFERENCING."
(Recommends passage on SECOND READING and referral to WAM)
- [997](#) (TEC) [H.B. No. 762, H.D. 2](#)
"RELATING TO WASHINGTON PLACE."
(Recommends passage on SECOND READING and referral to WAM)
- [998](#) (HMS) [H.B. No. 266, H.D. 1, S.D. 1](#)
"RELATING TO LANGUAGE ACCESS."
(Recommends passage on SECOND READING and referral to WAM)
- [999](#) (HMS) [H.B. No. 529, H.D. 1, S.D. 1](#)
"RELATING TO CARE HOMES."
(Recommends passage on SECOND READING and referral to CPN)

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| <u>1000</u> | (CPN) | <u>H.B. No. 1202, H.D. 1, S.D. 1</u>
"RELATING TO BUSINESS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>1001</u> | (CPN) | <u>H.B. No. 847, H.D. 2, S.D. 1</u>
"RELATING TO ENFORCEMENT TOOLS TO IMPROVE PATIENT SAFETY."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>1002</u> | (CPN) | <u>H.B. No. 21, H.D. 2, S.D. 1</u>
"RELATING TO CONDOMINIUMS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>1003</u> | (CPN/JDL) | <u>H.B. No. 65, H.D. 2, S.D. 1</u>
"RELATING TO PRESCRIPTION DRUGS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1004</u> | (HMS/CPN) | <u>H.B. No. 1, H.D. 2, S.D. 1</u>
"RELATING TO LONG TERM CARE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1005</u> | (HTH/PSM) | <u>H.B. No. 668, H.D. 2, S.D. 1</u>
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to JDL/WAM) |

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| 1006 | (HTH/TEC) | S.C.R. No. 16, S.D. 1
"REQUESTING THE STATE OF HAWAII TO SUPPORT THE EFFORTS OF THE HAWAII HEALTH CARE PROJECT AND THE HAWAII HEALTH INFORMATION EXCHANGE TO IMPLEMENT AN EFFICIENT AND EFFECTIVE, INTEGRATED, TECHNOLOGY-BASED HEALTHCARE INFORMATION SYSTEM."
(Recommends referral to CPN) |
| 1007 | (TEC/CPN) | H.B. No. 713, H.D. 2, S.D. 1
"RELATING TO SOCIAL MEDIA."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 1008 | (HMS/JDL) | H.B. No. 888, H.D. 2, S.D. 1
"RELATING TO DISPOSITION OF PERSONAL PROPERTY ON PUBLIC HOUSING PROPERTIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1009 | (HMS/JDL) | H.B. No. 1137, H.D. 1, S.D. 1
"RELATING TO FAMILY COURT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1010 | (HMS/JDL) | H.B. No. 1068, H.D. 1, S.D. 1
"RELATING TO HUMAN TRAFFICKING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1011 | (JDL) | H.B. No. 808, H.D. 1
"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>1012</u> | (JDL) | <u>H.B. No. 321, H.D. 1, S.D. 1</u>
"RELATING TO ELECTIONS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>1013</u> | (JDL) | <u>H.B. No. 805, H.D. 1, S.D. 1</u>
"RELATING TO FEDERAL TAX
QUALIFICATION OF THE EMPLOYEES'
RETIREMENT SYSTEM."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>1014</u> | (JDL) | <u>H.B. No. 1147, H.D. 2, S.D. 1</u>
"RELATING TO CAMPAIGN SPENDING."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>1015</u> | (JDL) | <u>H.B. No. 1481, H.D. 2, S.D. 1</u>
"RELATING TO CAMPAIGN SPENDING."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>1016</u> | (JDL/CPN) | <u>H.B. No. 634, H.D. 1, S.D. 1</u>
"RELATING TO EMPLOYMENT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>1017</u> | (EGH/HRE) | <u>H.B. No. 560, H.D. 1</u>
"RELATING TO AFFORDABLE HOUSING
URBAN GARDENING."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

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| <u>1018</u> | (ENE/CPN) | <u>H.B. No. 1149, H.D. 3, S.D. 1</u>
"RELATING TO WIND ENERGY FACILITIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1019</u> | (HRE/TEC) | <u>H.B. No. 1392, H.D. 1</u>
"RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1020</u> | (TEC/JDL) | <u>H.B. No. 632, H.D. 2, S.D. 1</u>
"RELATING TO OPEN DATA."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1021</u> | (WTL) | <u>H.B. No. 1330, H.D. 1</u>
"RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1022</u> | (WTL) | <u>H.B. No. 414, H.D. 2</u>
"RELATING TO WAIPIO VALLEY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1023</u> | (WTL) | <u>H.B. No. 1424, S.D. 1</u>
"RELATING TO THE ACQUISITION OF RESOURCE VALUE LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 1024 | (WTL) | H.B. No. 17, H.D. 1, S.D. 1
"RELATING TO COASTAL AREAS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 1025 | (WTL) | H.B. No. 1133, S.D. 1
"RELATING TO PUBLIC LAND."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1026 | (HRE/EGH) | H.B. No. 71, S.D. 1
"RELATING TO HIGH TECHNOLOGY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1027 | (TEC) | H.B. No. 494, H.D. 1
"RELATING TO URBAN ART."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1028 | (TEC) | H.B. No. 1209, H.D. 1, S.D. 1
"RELATING TO THE LEGISLATIVE BROADCAST PROGRAM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1029 | (ENE) | H.B. No. 1405, H.D. 2, S.D. 1
"RELATING TO THE PUBLIC UTILITIES COMMISSION."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| 1030 | (ENE) | H.B. No. 813, H.D. 1, S.D. 1
"RELATING TO ELECTRICITY PRODUCERS."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |

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| 1031 | (ENE/HTH) | H.B. No. 903, H.D. 2, S.D. 1
"RELATING TO WATER POLLUTION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1032 | (PSM) | H.B. No. 52, H.D. 1, S.D. 1
"RELATING TO CIVIL RIGHTS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 1033 | (PSM) | H.B. No. 92
"RELATING TO VOTING."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 1034 | (PSM) | H.B. No. 1314, H.D. 1, S.D. 1
"RELATING TO LIQUOR."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| 1035 | (PSM) | H.B. No. 1381, H.D. 2, S.D. 1
"RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| 1036 | (ENE/EGH) | H.B. No. 450, H.D. 1, S.D. 1
"RELATING TO HYDROGEN FUELING STATIONS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 1037 | (EGH) | H.B. No. 799, H.D. 3, S.D. 1
"RELATING TO CREATIVE MEDIA DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>1038</u> | (EGH) | <u>H.B. No. 1374, H.D. 1</u>
"RELATING TO PROCUREMENT."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1039</u> | (WTL/EGH) | <u>H.B. No. 1328, H.D. 1, S.D. 1</u>
"RELATING TO THE KAHO‘OLAWE ISLAND RESERVE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1040</u> | (WTL/TEC) | <u>H.B. No. 1227, H.D. 1, S.D. 1</u>
"RELATING TO IOLANI PALACE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1041</u> | (TEC/WTL) | <u>H.B. No. 1396, H.D. 1, S.D. 1</u>
"RELATING TO THE JAPANESE AMERICAN EXPERIENCE IN HAWAII."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1042</u> | (HRE/EGH) | <u>H.B. No. 114, H.D. 3, S.D. 1</u>
"RELATING TO HIGHER EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1043</u> | (JDL) | <u>H.B. No. 197, H.D. 2, S.D. 1</u>
"RELATING TO THE JUDICIARY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>1044</u> | (ENE/WTL) | <u>H.B. No. 988, H.D. 2, S.D. 1</u>
"RELATING TO NATIVE WILDLIFE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

<u>1045</u>	(ENE/PSM)	<u>H.B. No. 90, H.D. 2, S.D. 1</u> "RELATING TO EMERGENCY RESPONSE VEHICLES." (Recommends passage on <u>SECOND</u> <u>READING</u> and referral to WAM)
<u>1046</u>	(PSM/EGH)	<u>H.B. No. 1419, H.D. 2</u> "RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS." (Recommends passage on <u>SECOND</u> <u>READING</u> and referral to WAM)
<u>1047</u> (One Day Notice)	(WAM)	<u>G.M. No. 667</u> "Submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District, Gubernatorial Nominee, CURTIS SAIKI, for a term to expire 6-30-2017." (Recommends Senate Consent to Nomination)
<u>1048</u> (One Day Notice)	(WAM)	<u>G.M. No. 702</u> "Submitting for consideration and confirmation to the Board of Taxation Review, 4th Taxation District (Kaua'i), Gubernatorial Nominee, JOSE DIOGO, for a term to expire 6-30-2017." (Recommends Senate Consent to Nomination)

ORDER OF THE DAY

7. Deferred Matter – House Communications

<u>HSE. COM. NO.</u>	Informing the Senate that on March 20, 2013, the following House Concurrent Resolution was adopted in the House:	<u>REFERRAL</u>
380	H.C.R. No. 241 "EXPRESSING CONDOLENCES ON THE SECOND ANNIVERSARY OF THE TOHOKU EARTHQUAKE AND TSUNAMI AND EXTENDING CONTINUED SUPPORT TO THE PEOPLE OF JAPAN."(Supporting Japan)	ADOPT

8. Advise and Consent

974 Status & Testimony	WTL	G.M. No. 591 "Submitting for consideration and confirmation to the Koke'e State Park Advisory Council, Gubernatorial Nominee, CHARLES WICHMAN, JR., for a term to expire 6-30-2016."
974 Status & Testimony	WTL	G.M. No. 592 "Submitting for consideration and confirmation to the Koke'e State Park Advisory Council, Gubernatorial Nominee, KATHRYN CASSEL, for a term to expire 6-30-2016."

974 Status & Testimony	WTL	G.M. No. 593 "Submitting for consideration and confirmation to the Koke'e State Park Advisory Council, Gubernatorial Nominee, WAYNE SOUZA, for a term to expire 6-30-2015."
975 Status & Testimony	HRE	G.M. No. 538 "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, FREDERICK HOLSCHUH, for a term to expire 6-30-2015."
975 Status & Testimony	HRE	G.M. No. 631 "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ALBERT KIM, for a term to expire 6-30-2015."
975 Status & Testimony	HRE	G.M. No. 632 "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, NADINE NISHIOKA, for a term to expire 6-30-2015."
975 Status & Testimony	HRE	G.M. No. 633 "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CLAUDE ONIZUKA, for a term to expire 6-30-2016."

[975](#) HRE
[Status & Testimony](#)

[G.M. No. 634](#)
"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CHRISTOPHER WONG, for a term to expire 6-30-2015."

9. Third Reading

[\(See Stand. Com. Rep. No. 969\)](#)
[Prior Versions/Status & Testimony](#)

[H.B. No. 1282, H.D. 1](#)
"RELATING TO MILITARY SERVICE." - (PSM)

(Hawaii Medal of Honor; Title 10 Status)

[\(See Stand. Com. Rep. No. 970\)](#)
[Prior Versions/Status & Testimony](#)

[H.B. No. 776, H.D. 2](#)
"RELATING TO GOVERNMENT TORT LIABILITY." - (JDL)

(Government Tort Liability)

10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Floor Presentation for Monday, March 25, 2013:

RECOGNIZING, CONGRATULATING AND HONORING THE 442ND REGIMENTAL COMBAT TEAM ON ITS 70TH ANNIVERSARY. (Senator Taniguchi)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDU/HTH	3/22/2013 1:45 PM	Auditorium
EDU/HRE	3/22/2013 1:50 PM	Auditorium
EDU/EGH	3/22/2013 1:55 PM	Auditorium
EDU	3/22/2013 2:05 PM	Auditorium
EDU/TIA	3/22/2013 2:05 PM	Auditorium
WAM	3/25/2013 9:00 AM	211
WAM	3/25/2013 9:05 AM	211
WAM	3/25/2013 9:10 AM	211
JDL	3/25/2013 10:30 AM	016
EDU/WTL	3/25/2013 1:15 PM	414
HTH	3/25/2013 1:15 PM	229
TIA/PSM	3/25/2013 1:15 PM	224
EDU	3/25/2013 1:30 PM	414
HTH/HMS	3/25/2013 2:05 PM	229
HTH/TEC	3/25/2013 2:15 PM	229
HTH/HRE	3/25/2013 2:20 PM	229
HMS/THA	3/25/2013 2:45 PM	224
EGH	3/25/2013 2:50 PM	016
WTL	3/27/2013 9:45 AM	225
CPN	3/27/2013 10:00 AM	229
WTL	3/27/2013 10:00 AM	225
WTL/EGH	3/27/2013 10:45 AM	225
WTL/PSM	3/27/2013 11:10 AM	225
WTL	3/28/2013 1:15 PM	225
HMS/TEC	4/2/2013 1:15 PM	016
PSM	4/2/2013 2:45 PM	224

- Senate Session will convene at 11:30 a.m. on Monday, March 25, 2013.

13. Adjournment