

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

FORTY-THIRD DAY

APRIL 3, 2013-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

CONGRATULATING AND RECOGNIZING RECIPIENTS OF THE 2013
PRUDENTIAL SPIRIT OF COMMUNITY AWARD. (Senator Galuteria)

1. Messages from the Governor: No. 1103

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 1103	Informing the Legislature that on April 01, 2013, the Governor signed the following bill into law: HB915 (Act 003) . RELATING TO EMPLOYMENT SECURITY LAW.	FILE

2. Departmental Communications: None

3. House Communication Nos. 406-410

Informing the Senate that on April 2, 2013, the following House Concurrent Resolutions were adopted in the House:

REFERRAL

- 406 [H.C.R. No. 57](#)
"REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO CONTINUE TO COLLABORATE WITH FAMILY AND COMMUNITY ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY-SCHOOL PARTNERSHIPS IN HAWAII'S PUBLIC SCHOOLS."(Education; Family-School Partnerships)
- 407 [H.C.R. No. 60, H.D. 1](#)
"REQUESTING THE STATE DEPARTMENT OF DEFENSE TO ESTABLISH A VETERAN WOMEN SERVICES COORDINATOR POSITION WITHIN THE OFFICE OF VETERANS SERVICES."(Department of Defense; Veteran Women Services Coordinator Position)
- 408 [H.C.R. No. 95, H.D. 1](#)
"REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO INCORPORATE THE COMPREHENSIVE PLAN FOR TEACHING READING IN HAWAII SCHOOLS."(Dyslexia; Board of Education; Department of Education)
- 409 [H.C.R. No. 164, H.D. 1](#)
"SUPPORTING THE AEGIS BALLISTIC MISSILE DEFENSE SYSTEM AND THE GROUND-BASED MIDCOURSE DEFENSE SYSTEM."(North Korea; AEGIS Ballistic Missile Defense System; Ground-Based Midcourse Defense System)

410 [H.C.R. No. 178, H.D. 1](#)
"REQUESTING THE BOARD OF
EDUCATION TO INCORPORATE
SUSTAINABILITY EDUCATION INTO THE
SCIENCE CURRICULUM OF PUBLIC
SCHOOLS."(Science Curriculum; Sustainability)

4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 1242-1263

[1242](#) (WAM) [H.B. No. 865, H.D. 1, S.D. 1](#)
(One Day Notice) "RELATING TO PUBLIC SCHOOL
REDEVELOPMENT."
(Recommends passage on THIRD
READING)

[1243](#) (WAM) [H.B. No. 927](#)
(One Day Notice) "RELATING TO THE EMPLOYMENT
AND TRAINING FUND."
(Recommends passage on THIRD
READING)

[1244](#) (WAM) [H.B. No. 925](#)
(One Day Notice) "RELATING TO THE EMPLOYMENT
SECURITY APPEALS REFEREE'S
OFFICE."
(Recommends passage on THIRD
READING)

[1245](#) (WAM) [H.B. No. 921](#)
(One Day Notice) "RELATING TO PROCEEDINGS BEFORE
THE LABOR AND INDUSTRIAL
RELATIONS APPEALS BOARD."
(Recommends passage on THIRD
READING)

1246 (One Day Notice)	(WAM)	H.B. No. 919 "RELATING TO STATE EMPLOYMENT." (Recommends passage on <u>THIRD</u> <u>READING</u>)
1247 (One Day Notice)	(WAM)	H.B. No. 527, H.D. 1 "RELATING TO UNIFORM MAINTENANCE ALLOWANCE." (Recommends passage on <u>THIRD</u> <u>READING</u>)
1248 (One Day Notice)	(CPN)	H.B. No. 1314, H.D. 1, S.D. 1 "RELATING TO LIQUOR." (Recommends passage on <u>THIRD</u> <u>READING</u>)
1249 (One Day Notice)	(CPN)	H.B. No. 811, H.D. 2, S.D. 1 "RELATING TO ENERGY INFORMATION REPORTING." (Recommends passage on <u>THIRD</u> <u>READING</u>)
1250 (One Day Notice)	(CPN)	H.B. No. 654, H.D. 2, S.D. 1 "RELATING TO NURSING." (Recommends passage on <u>THIRD</u> <u>READING</u>)
1251 (48 Hrs. Notice)	(WAM)	H.B. No. 1388, H.D. 1, S.D. 1 "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE." (Recommends passage on <u>THIRD</u> <u>READING</u>)

<u>1252</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 1136, H.D. 2, S.D. 1</u> "RELATING TO CIVIL AIR PATROL." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1253</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 1119, H.D. 1, S.D. 1</u> "RELATING TO THE PUBLIC HOUSING AUTHORITY." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1254</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 986, H.D. 1, S.D. 1</u> "RELATING TO FOSTER CARE SERVICES." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1255</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 518, H.D. 2, S.D. 2</u> "RELATING TO HOUSING." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1256</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 514, H.D. 2, S.D. 1</u> "RELATING TO PUBLIC HOUSING." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1257</u> (48 Hrs. Notice)	(CPN)	<u>H.B. No. 672, H.D. 2, S.D. 2</u> "RELATING TO HEALTH." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1258</u> (48 Hrs. Notice)	(CPN)	<u>H.B. No. 1405, H.D. 2, S.D. 2</u> "RELATING TO THE PUBLIC UTILITIES COMMISSION." (Recommends passage on <u>THIRD</u> <u>READING</u>)

<u>1259</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 762, H.D. 2, S.D. 1</u> "RELATING TO WASHINGTON PLACE." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1260</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 924, H.D. 1, S.D. 2</u> "RELATING TO COLLECTIVE BARGAINING." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1261</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 1209, H.D. 1, S.D. 2</u> "RELATING TO THE LEGISLATIVE BROADCAST PROGRAM." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1262</u> (48 Hrs. Notice)	(WAM)	<u>H.B. No. 1419, H.D. 2, S.D. 1</u> "RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS." (Recommends passage on <u>THIRD</u> <u>READING</u>)
<u>1263</u> (48 Hrs. Notice)	(CPN)	<u>H.B. No. 529, H.D. 1, S.D. 2</u> "RELATING TO CARE HOMES." (Recommends passage on <u>THIRD</u> <u>READING</u>)

ORDER OF THE DAY

7. Deferred Matters – House Communication

<u>HSE. COM. NO.</u>		<u>REFERRAL</u>
381	<u>S.B. No. 870, S.D. 1, H.D. 1</u> "RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS."(Use of Force by Persons with Special Responsibility for Care, Discipline, or Safety of Others)	AGREE/DISAGREE
394	<u>S.B. No. 2, H.D. 1</u> "RELATING TO SIMULATED FIREARMS."(Simulated Firearms; Terroristic Threatening; Robbery)	AGREE/DISAGREE
395	<u>S.B. No. 30, S.D. 1, H.D. 1</u> "RELATING TO CAMPAIGN SPENDING."(Campaign Spending; Voluntary Candidate Expenditure Limits; Prosecuting Attorney)	AGREE/DISAGREE
396	<u>S.B. No. 31, H.D. 1</u> "RELATING TO CAMPAIGN SPENDING."(Campaign Spending; Noncandidate Committee Reports; Filing Dates)	AGREE/DISAGREE
397	<u>S.B. No. 192, H.D. 1</u> "RELATING TO PROSTITUTION."(Prostitution; Minors; Offenses; Statute of Limitations; Forfeiture; Sex Offender Registry)	AGREE/DISAGREE

398	S.B. No. 194, S.D. 1, H.D. 1 "RELATING TO CRIMINAL PROCEDURE."(Criminal Procedure; Deferred Acceptance of Guilty Pleas)	AGREE/DISAGREE
399	S.B. No. 442, S.D. 1, H.D. 1 "RELATING TO INTOXICATING LIQUOR."(Intoxicating Liquor; Minors)	AGREE/DISAGREE
400	S.B. No. 502, S.D. 1, H.D. 1 "RELATING TO REAL ESTATE SELLER DISCLOSURE."(Real Estate; Seller Disclosure; Required Documents)	AGREE/DISAGREE
401	S.B. No. 853, S.D. 1, H.D. 1 "RELATING TO THE ELECTIONS COMMISSION."(Elections Commission; Evaluation of Chief Election Officer)	AGREE/DISAGREE
402	S.B. No. 966, H.D. 1 "RELATING TO THE UNIFORM MEDIATION ACT."(Uniform Mediation Act)	AGREE/DISAGREE
403	S.B. No. 995, H.D. 1 "RELATING TO IRRIGATION WATER DEVELOPMENT."(Irrigation Water Development)	AGREE/DISAGREE

8. Advise and Consent

[1234](#)
[Status & Testimony](#)

THA

[G.M. No. 589](#)
"Submitting for consideration and
confirmation to the Island Burial Council,
Islands of Kaua'i and Ni'ihau, Governatorial
Nominee, MAUNA KEA HIGUERA
TRASK, for a term to expire 6-30-2017."

9. Adopt Resolutions

<u>1220</u>	HMS/CPN	S.C.R. No. 125, S.D. 1 "URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE AMERICAN ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY: HAWAII DIVISION, TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED MARRIAGE AND FAMILY THERAPISTS IN HAWAII."
Prior Versions/Status & Testimony		
<u>1221</u>	HMS/CPN	S.R. No. 88, S.D. 1 "URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE AMERICAN ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY: HAWAII DIVISION, TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED MARRIAGE AND FAMILY THERAPISTS IN HAWAII."
Prior Versions/Status & Testimony		
<u>1222</u>	JDL	S.R. No. 66 "URGING THE GOVERNOR TO STRIVE TO ACHIEVE OR MAINTAIN GENDER EQUITY IN THE NOMINATIONS AND APPOINTMENTS OF MEMBERS TO STATE BOARDS AND COMMISSIONS."
Prior Versions/Status & Testimony		

1223	JDL	S.C.R. No. 100 "URGING THE GOVERNOR TO STRIVE TO ACHIEVE OR MAINTAIN GENDER EQUITY IN THE NOMINATIONS AND APPOINTMENTS OF MEMBERS TO STATE BOARDS AND COMMISSIONS."
Prior Versions/Status & Testimony		
1224	ENE/PSM	S.R. No. 5 "ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS."
Prior Versions/Status & Testimony		
1225	ENE/PSM	S.C.R. No. 6 "ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS."
Prior Versions/Status & Testimony		
1226	CPN	S.C.R. No. 84, S.D. 1 "REQUESTING THE CONTRACTORS LICENSE BOARD TO CONDUCT AN ASSESSMENT AND PREPARE A REPORT THAT EVALUATES EACH LICENSING CLASSIFICATION UNDER CHAPTER 444, HAWAII REVISED STATUTES." (AMENDED TITLE)
Prior Versions/Status & Testimony		

<u>1227</u>	CPN	<u>S.R. No. 50, S.D. 1</u> "REQUESTING THE CONTRACTORS LICENSE BOARD TO CONDUCT AN ASSESSMENT AND PREPARE A REPORT THAT EVALUATES EACH LICENSING CLASSIFICATION UNDER CHAPTER 444, HAWAII REVISED STATUTES." (AMENDED TITLE)
<u>Prior Versions/Status & Testimony</u>		
<u>1228</u>	PSM/TEC	<u>S.C.R. No. 47, S.D. 1</u> "REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO RENAME A PORTION OF CORAL STREET TO "LEX BRODIE STREET"."
<u>Prior Versions/Status & Testimony</u>		
<u>1229</u>	PSM/TEC	<u>S.R. No. 24, S.D. 1</u> "REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO RENAME A PORTION OF CORAL STREET TO "LEX BRODIE STREET"."
<u>Prior Versions/Status & Testimony</u>		
<u>1230</u>	HTH/TEC	<u>S.C.R. No. 91, S.D. 1</u> "RECOGNIZING SEPTEMBER 21, 2013, AS HYDROCEPHALUS AWARENESS DAY IN HAWAII." (AMENDED TITLE)
<u>Prior Versions/Status & Testimony</u>		
<u>1231</u>	HTH/TEC	<u>S.R. No. 57, S.D. 1</u> "RECOGNIZING SEPTEMBER 21, 2013, AS HYDROCEPHALUS AWARENESS DAY IN HAWAII." (AMENDED TITLE)
<u>Prior Versions/Status & Testimony</u>		
<u>1232</u>	HTH/TEC	<u>S.C.R. No. 62, S.D. 1</u> "URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT CONTINUED FUNDING FOR THE CONGRESSIONALLY DIRECTED MEDICAL RESEARCH PROGRAM FOR NEUROFIBROMATOSIS." (AMENDED TITLE)
<u>Prior Versions/Status & Testimony</u>		

[1233](#)

HTH/TEC

[Prior Versions/Status &
Testimony](#)

[S.R. No. 32, S.D. 1](#)

"URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT CONTINUED FUNDING FOR THE CONGRESSIONALLY DIRECTED MEDICAL RESEARCH PROGRAM FOR NEUROFIBROMATOSIS." (AMENDED TITLE)

10. Third Reading

[\(See Stand. Com. Rep. No. 1094\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 929, S.D. 1](#)

"RELATING TO EMPLOYMENT AND TRAINING ASSESSMENT." - (WAM)

(Employment and Training Assessment)

[\(See Stand. Com. Rep. No. 1095\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 504, H.D. 1, S.D. 1](#)

"RELATING TO STATE FUNDS." - (WAM)

(Special funds; Revolving Funds; Auditor Report)

[Stand. Com. Rep. No. 1116](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 224, H.D. 3, S.D. 2](#)

"RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM." - (WAM)

(Hawaiian Language Immersion Program; Student Assessment; Appropriation)

[Stand. Com. Rep. No. 1117](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 407, H.D. 2, S.D. 2](#)

"RELATING TO CANCER." - (WAM)

(Comprehensive Breast and Cervical Cancer Control Program; Appropriation)

[Stand. Com. Rep. No. 1118](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 424, H.D. 1, S.D. 2](#)

"RELATING TO TIMESHARE CONVEYANCES." - (WAM)

(Time Shares; Conveyances; Commissioners of Deeds; Appropriation)

[Stand. Com. Rep. No. 1119](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 519, H.D. 1, S.D. 1](#)

"RELATING TO HOUSING." - (WAM)

(Housing; Housing First Programs; Department of Human Services; Appropriation)

[Stand. Com. Rep. No. 1120](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 880, H.D. 2, S.D. 2](#)

"RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM." - (WAM)

(Nursing Facility Sustainability Program; Special Fund)

[Stand. Com. Rep. No. 1121](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 653, S.D. 1](#)

"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAI'I PACIFIC HEALTH." - (WAM)

(Special Purpose Revenue Bonds; Hawai'i Pacific Health)

[Stand. Com. Rep. No. 1122](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 1375, S.D. 2](#)

"RELATING TO HUMAN SERVICES." -
(WAM)

(Human Services; Welfare; Financial
Assistance Advisory Council)

[Stand. Com. Rep. No. 1235](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 79, H.D. 1](#)

"RELATING TO ADVANCED PRACTICE
REGISTERED NURSES." - (CPN)

(Advanced Practice Registered Nurse;
Education Requirements)

[Stand. Com. Rep. No. 1236](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 651, H.D. 1](#)

"RELATING TO ELECTRONIC
PRESCRIPTIONS." - (CPN)

(Electronic Prescriptions; Controlled
Substances; Drug Enforcement
Administration)

[Stand. Com. Rep. No. 1237](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 178, H.D. 1, S.D. 1](#)

"RELATING TO CONTINUING
EDUCATION." - (CPN)

(Social Workers; Continuing Education)

11. Referrals and Re-Referrals

REFERRALS FOR WEDNESDAY, APRIL 3, 2013

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
H.C.R. 116	ENCOURAGING THE HAWAII STATE FOUNDATION ON CULTURE AND THE ARTS TO UTILIZE THE ART IN PUBLIC PLACES PROGRAM TO INCLUDE MORE ART PROGRAMS FOR CHILDREN. (Hawaii State Foundation on Culture and the Arts; Art Programs; Children)	TEC, WAM
H.C.R. 163	ESTABLISHING A PILOT PROGRAM FOR THE CREATION OF URBAN ART ON STATE-OWNED PROPERTY UNDER THE DIRECTION OF THE HAWAII STATE FOUNDATION ON CULTURE AND THE ARTS. (Graffiti; Hawaii State Foundation on Culture and the Arts; pilot program; Urban Art)	TEC, WAM

RE-REFERRALS FOR WEDNESDAY, APRIL 3, 2013

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.C.R. 193	REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE HAWAII PAROLING AUTHORITY TO CREATE A TWO-YEAR PILOT PROGRAM FOR MEDICAL OR COMPASSIONATE RELEASE OF CERTAIN ILL, DISABLED, AND GERIATRIC INMATES WHO POSE A LOW RISK TO PUBLIC SAFETY. (Parole; Compassionate Release) (PSM/HTH/HMS, WAM)	PSM/HTH/HMS

[S.R. 147](#)

REQUESTING THE DEPARTMENT OF
PUBLIC SAFETY AND THE HAWAII
PAROLING AUTHORITY TO CREATE A
TWO-YEAR PILOT PROGRAM FOR
MEDICAL OR COMPASSIONATE
RELEASE OF CERTAIN ILL, DISABLED,
AND GERIATRIC INMATES WHO POSE
A LOW RISK TO PUBLIC SAFETY.
(Parole; Compassionate Release)
(PSM/HTH/HMS, WAM)

PSM/HTH/HMS

12. Miscellaneous Communications: None

13. Miscellaneous Business

14. Announcements

- Floor Presentation for Thursday, April 4, 2013:

COMMENDS THE HONOLULU COMMUNITY ACTION PROGRAM EDUCATION
YOUTHS SERVICES. (Senator Hee)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HMS/TIA/PSM	4/3/2013 1:15 PM	224
TIA	4/3/2013 1:16 PM	224
THA/TIA	4/3/2013 1:17 PM	224
HTH/JDL	4/3/2013 1:30 PM	229
JDL	4/3/2013 3:00 PM	016
WAM	4/4/2013 9:00 AM	211
WAM	4/4/2013 9:50 AM	211
WAM	4/4/2013 10:30 AM	211
PSM/TEC	4/4/2013 1:15 PM	414
INFO-PSM	4/4/2013 2:30 PM	224
ENE	4/4/2013 2:45 PM	225
ENE/WTL	4/4/2013 2:45 PM	225
EDU	4/8/2013 2:00 PM	414
EGH	4/8/2013 2:45 PM	016
EDU	4/10/2013 1:15 PM	414

HMS	4/11/2013 1:00 PM	016
EDU	4/12/2013 1:15 PM	414
TEC	4/25/2013 1:15 PM	414

- Senate Session will convene at 11:30 a.m. on Thursday, April 4, 2013.

15. Adjournment