

THE SENATE
OF THE
TWENTY-SEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2014

FORTY-FIRST DAY

MARCH 28, 2014-FRIDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation

RECOGNIZING AND COMMENDING THE NIU VALLEY MIDDLE SCHOOL BAND FOR OUTSTANDING ACHIEVEMENT AND PERFORMANCE. (Senator Slom)

1. Messages from the Governor Nos. 619-687

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 619	Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, KEKOA KALUHIWA, for a term to expire 6-30-2018.	
G.M. No. 620	Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, JOAN NAMKOONG, for a term to expire 6-30-2018.	

- [G.M. No. 621](#) Submitting for consideration and confirmation to the Board of Directors of the Pacific International Space Center for Exploration Systems, Gubernatorial Nominee, HENK ROGERS, for a term to expire 6-30-2018.
- [G.M. No. 622](#) Submitting for consideration and confirmation to the Advisory Board on Veterans' Services, Gubernatorial Nominee, RACHEL JAMES, for a term to expire 6-30-2017.
- [G.M. No. 623](#) Submitting for consideration and confirmation to the Small Business Regulatory Board, Gubernatorial Nominee, BARBARA BENNETT, for a term to expire 6-30-2018.
- [G.M. No. 624](#) Submitting for consideration and confirmation to the Board of Dental Examiners, Gubernatorial Nominee, MARIANNE TIMMERMAN, for a term to expire 6-30-2015.
- [G.M. No. 625](#) Submitting for consideration and confirmation to the Board of Dental Examiners, Gubernatorial Nominee, EARL HASEGAWA, for a term to expire 6-30-2018.
- [G.M. No. 626](#) Submitting for consideration and confirmation to the Board of Directors of the Hawaii Hurricane Relief Fund, Gubernatorial Nominee, STAFFORD KIGUCHI, for a term to expire 6-30-2015.
- [G.M. No. 627](#) Submitting for consideration and confirmation to the Board of Directors of the Hawaii Hurricane Relief Fund, Gubernatorial Nominee, MICHAEL HAMNETT, for a term to expire 6-30-2017.
- [G.M. No. 628](#) Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, OLIVIA NAGASHIMA, for a term to expire 6-30-2018.

- [G.M. No. 629](#) Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, STEPHANIE BATH, for a term to expire 6-30-2014.
- [G.M. No. 630](#) Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, STEPHANIE BATH, for a term to expire 6-30-2018.
- [G.M. No. 631](#) Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, MARCELLA CHOCK, for a term to expire 6-30-2018.
- [G.M. No. 632](#) Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, RUSSELL CHUNG, for a term to expire 6-30-2017.
- [G.M. No. 633](#) Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, LISA ISONO, for a term to expire 6-30-2014.
- [G.M. No. 634](#) Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, LISA ISONO, for a term to expire 6-30-2018.
- [G.M. No. 635](#) Submitting for consideration and confirmation to the Board of Psychology, Gubernatorial Nominee, ROSEMARY ADAM-TEREM, for a term to expire 6-30-2018.
- [G.M. No. 636](#) Submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, Gubernatorial Nominee, GARY BELCHER, for a term to expire 6-30-2016.
- [G.M. No. 637](#) Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, ROY SASUGA, for a term to expire 6-30-2018.

- [G.M. No. 638](#) Submitting for consideration and confirmation to the Pest Control Board, Gubernatorial Nominee, JONATHAN MONTALBO, for a term to expire 6-30-2017.
- [G.M. No. 639](#) Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, SCOTT SHERLEY, for a term to expire 6-30-2018.
- [G.M. No. 640](#) Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, MICHAEL PANG, for a term to expire 6-30-2018.
- [G.M. No. 641](#) Submitting for consideration and confirmation to the Commission on Fatherhood, Gubernatorial Nominee, S. BRUCE BERGER, for a term to expire 6-30-2017.
- [G.M. No. 642](#) Submitting for consideration and confirmation to the Commission on Fatherhood, Gubernatorial Nominee, CARL MAKINO, for a term to expire 6-30-2017.
- [G.M. No. 643](#) Submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, ELIZABETH KENT, for a term to expire 6-30-2018.
- [G.M. No. 644](#) Submitting for consideration and confirmation to the Commission on the Status of Women, Gubernatorial Nominee, AMY MONK, for a term to expire 6-30-2018.
- [G.M. No. 645](#) Submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, Gubernatorial Nominee, DANNY VASCONCELLOS, for a term to expire 6-30-2020.

- [G.M. No. 646](#) Submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, Gubernatorial Nominee, KAHELEONALANI DUKELOW, for a term to expire 6-30-2015.
- [G.M. No. 647](#) Submitting for consideration and confirmation to the Kokee State Park Advisory Council, Gubernatorial Nominee, DAVID ALEXANDER, for a term to expire 6-30-2014.
- [G.M. No. 648](#) Submitting for consideration and confirmation to the Kokee State Park Advisory Council, Gubernatorial Nominee, DAVID ALEXANDER, for a term to expire 6-30-2018.
- [G.M. No. 649](#) Submitting for consideration and confirmation to the Hawaii Teacher Standards Board, Gubernatorial Nominee, TERRY HOLCK, for a term to expire 6-30-2017.
- [G.M. No. 650](#) Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, ALFRED CASTLE, for a term to expire 6-30-2016.
- [G.M. No. 651](#) Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, M. NAMAOKALANI RAWLINS, for a term to expire 6-30-2016.
- [G.M. No. 652](#) Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, JOSEPH SHACAT, for a term to expire 6-30-2015.
- [G.M. No. 653](#) Submitting for consideration and confirmation to the Board of Directors of the Hawaii Health Systems Corporation, Gubernatorial Nominee, ANDREW GARRETT, for a term to expire 6-30-2017.

- [G.M. No. 654](#) Submitting for consideration and confirmation to the Board of Directors of the Hawaii Health Systems Corporation, Gubernatorial Nominee, BRANDON STARR, for a term to expire 6-30-2017.
- [G.M. No. 655](#) Submitting for consideration and confirmation to the Board of Health, Gubernatorial Nominee, HEATHER HAYNES, for a term to expire 6-30-2016.
- [G.M. No. 656](#) Submitting for consideration and confirmation to the Board of Health, Gubernatorial Nominee, OPAL BUCHTHAL, for a term to expire 6-30-2017.
- [G.M. No. 657](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, LYNETTE SCHAEFER, for a term to expire 6-30-2016.
- [G.M. No. 658](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, DIAN GRUBER, for a term to expire 6-30-2018.
- [G.M. No. 659](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, CHARLES GRIEP, for a term to expire 6-30-2014.
- [G.M. No. 660](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, CHARLES GRIEP, for a term to expire 6-30-2018.
- [G.M. No. 661](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, CODY BONILLA, for a term to expire 6-30-2015.

- [G.M. No. 662](#) Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, RONALD KURODA, for a term to expire 6-30-2017.
- [G.M. No. 663](#) Submitting for consideration and confirmation to the Health Planning Council, Kauai Subarea, Gubernatorial Nominee, ORIANNA SKOMOROCH, for a term to expire 6-30-2018.
- [G.M. No. 664](#) Submitting for consideration and confirmation to the Radiologic Technology Board, Gubernatorial Nominee, JODI ANN NAKAOKA, for a term to expire 6-30-2018.
- [G.M. No. 665](#) Submitting for consideration and confirmation to the Radiologic Technology Board, Gubernatorial Nominee, ANITA TUUA, for a term to expire 6-30-2018.
- [G.M. No. 666](#) Submitting for consideration and confirmation to the Radiologic Technology Board, Gubernatorial Nominee, ANA KAUWE, for a term to expire 6-30-2017.
- [G.M. No. 667](#) Submitting for consideration and confirmation to the Radiologic Technology Board, Gubernatorial Nominee, DONALD WOOD, for a term to expire 6-30-2017.
- [G.M. No. 668](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, ALBERT PEREZ, for a term to expire 6-30-2015.
- [G.M. No. 669](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, CAROLINE CADIRAO, for a term to expire 6-30-2018.
- [G.M. No. 670](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, BARBARA IOLI, for a term to expire 6-30-2018.

- [G.M. No. 671](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, MAXINE NAGAMINE, for a term to expire 6-30-2018.
- [G.M. No. 672](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, JOANN YUEN, for a term to expire 6-30-2018.
- [G.M. No. 673](#) Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, SHAYNE TOKITA, for a term to expire 6-30-2017.
- [G.M. No. 674](#) Submitting for consideration and confirmation to the Tobacco Prevention and Control Advisory Board, Gubernatorial Nominee, HYE-RYEON LEE, for a term to expire 6-30-2017.
- [G.M. No. 675](#) Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawaii, Gubernatorial Nominee, DAVID DUFFY, for a term to expire 6-30-2017.
- [G.M. No. 676](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, JOHN ANDERSON, for a term to expire 6-30-2017.
- [G.M. No. 677](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, JANICE BOND, for a term to expire 6-30-2017.
- [G.M. No. 678](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, DENNIS DUNN, for a term to expire 6-30-2017.

- [G.M. No. 679](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, LISA DUNN, for a term to expire 6-30-2017.
- [G.M. No. 680](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, PATRICIA MASTERS, for a term to expire 6-30-2017.
- [G.M. No. 681](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, DARIN SHIGETA, for a term to expire 6-30-2017.
- [G.M. No. 682](#) Submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, Gubernatorial Nominee, CHARLOTTE TOWNSEND, for a term to expire 6-30-2017.
- [G.M. No. 683](#) Submitting for consideration and confirmation to the Hawaii Medical Education Council, Gubernatorial Nominee, VICKI MCMANUS, for a term to expire 6-30-2017.
- [G.M. No. 684](#) Submitting for consideration and confirmation to the Hawaii Medical Education Council, Gubernatorial Nominee, KENNETH ROBBINS, for a term to expire 6-30-2017.
- [G.M. No. 685](#) Submitting for consideration and confirmation to the Hawaii Medical Education Council, Gubernatorial Nominee, SHARON VITOUSEK, for a term to expire 6-30-2017.
- [G.M. No. 686](#) Submitting for consideration and confirmation to the Hawaii Medical Education Council, Gubernatorial Nominee, ALLEN HIXON, for a term to expire 6-30-2017.

[G.M. No. 687](#) Submitting for consideration and confirmation to the Hawaii Medical Education Council, Gubernatorial Nominee, WILLIAM DUBBS, for a term to expire 6-30-2015.

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 3140-3150

[3140](#)
(48 Hrs. Notice)

(WAM)

[H.B. No. 1700, H.D. 1, S.D. 1](#)
"RELATING TO THE STATE BUDGET."
(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[3141](#)
(48 Hrs. Notice)

(WAM)

[H.B. No. 1638, H.D. 2, S.D. 2](#)
"RELATING TO THE JUDICIARY."
(Recommends passage on THIRD READING)

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| <p>3142</p> | <p>(HTH/CPN)</p> | <p>S.R. No. 48, S.D. 1
"REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE FOOD SAFETY WORKSHOPS OR CLASSES FOR ALL PERSONS WITH TEMPORARY FOOD ESTABLISHMENT PERMITS, PROVIDE COPIES OF ITS FOOD SAFETY ADMINISTRATIVE RULES TO CONSUMERS AND INTERESTED STAKEHOLDERS, AND CONVENE A COTTAGE FOOD BUSINESS WORKING GROUP COMPOSED OF REPRESENTATIVES FROM THE DEPARTMENT AND THE COTTAGE FOOD INDUSTRY."
(Recommends referral to WAM)</p> |
| <p>3143
(48 Hrs. Notice)</p> | <p>(HWN/HTH)</p> | <p>H.B. No. 1616, H.D. 1, S.D. 1
"RELATING TO HEALTH PLANNING."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)</p> |
| <p>3144
(One Day Notice)</p> | <p>(WTL)</p> | <p>H.B. No. 2387
"RELATING TO SMALL BOAT HARBORS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)</p> |
| <p>3145
(One Day Notice)</p> | <p>(CPN)</p> | <p>H.B. No. 1664, H.D. 1
"RELATING TO FIRE PROTECTION FOR FIREWORKS."
(Recommends passage on <u>THIRD READING</u>)</p> |

[3146](#)
(One Day Notice)

(HWN)

[G.M. No. 517](#)

"Submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, Gubernatorial Nominee, FRED CACHOLA, JR., for a term to expire 6-30-2017."

(Recommends Senate Consent to Nomination)

[3146](#)
(One Day Notice)

(HWN)

[G.M. No. 518](#)

"Submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, Gubernatorial Nominee, KALENA BLAKEMORE, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[3147](#)
(One Day Notice)

(PSM)

[S.C.R. No. 82](#)

"DESIGNATING JULY 20, 2014, AS "TRANQUILITY BASE DAY" IN HAWAII TO HONOR THE FORTY-FIFTH ANNIVERSARY OF THE APOLLO 11 LUNAR LANDING AT TRANQUILITY BASE AND URGING THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION TO INCLUDE TRANQUILITY BASE AND ASSOCIATED ARTIFACTS ON THE WORLD HERITAGE LIST."

(Recommends Adoption)

[3148](#) (PSM)
(One Day Notice)

[S.R. No. 39](#)
"DESIGNATING JULY 20, 2014, AS
"TRANQUILITY BASE DAY" IN HAWAII
TO HONOR THE FORTY-FIFTH
ANNIVERSARY OF THE APOLLO 11
LUNAR LANDING AT TRANQUILITY
BASE AND URGING THE UNITED
NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION TO
INCLUDE TRANQUILITY BASE AND
ASSOCIATED ARTIFACTS ON THE
WORLD HERITAGE LIST."
(Recommends Adoption)

[3149](#) (PSM)
(One Day Notice)

[S.C.R. No. 84](#)
"URGING THE UNITED STATES
CONGRESS TO RESTORE THE
PRESUMPTION OF A SERVICE
CONNECTION FOR AGENT ORANGE
EXPOSURE TO UNITED STATES
VETERANS WHO SERVED IN THE
WATERS DEFINED BY THE COMBAT
ZONE AND IN THE AIRSPACE OVER
THE COMBAT ZONE IN VIETNAM."
(Recommends Adoption)

[3150](#) (PSM)
(One Day Notice)

[H.C.R. No. 33, H.D. 1](#)
"URGING THE PRESIDENT OF THE
UNITED STATES AND THE SECRETARY
OF DEFENSE TO ALLOW "FLYOVERS"
TO HONOR AND RECOGNIZE ARMED
FORCES DAY, MEMORIAL DAY,
VETERANS DAY, AND THE
ANNIVERSARY OF PEARL HARBOR."
(Recommends Adoption)

ORDER OF THE DAY

7. Deferred Matters – Agree / Disagree

<u>HSE. COM. NO.</u>		<u>REFERRAL</u>
388	S.B. No. 2094, S.D. 1, H.D. 1 "RELATING TO COMPUTER DAMAGE."(Honolulu Prosecutor's Package; Computer Damage)	AGREE/DISAGREE
389	S.B. No. 3107, S.D. 1, H.D. 1 "RELATING TO THE STATE INSTRUMENT."(Official State Musical String Instrument; Ukulele)	AGREE/DISAGREE

8. Advise and Consent

3136	HTH	G.M. No. 606 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, PETER FRITZ, for a term to expire 6-30-2017."
3136	HTH	G.M. No. 607 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, LUCY MILLER, for a term to expire 6-30-2018."

3136	HTH	G.M. No. 608 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, BARBARA FISCHLOWITZ-LEONG, for a term to expire 6-30-2017."
Status & Testimony		
3136	HTH	G.M. No. 609 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, LYNN MURAKAMI-AKATSUKA, for a term to expire 6-30-2018."
Status & Testimony		
3136	HTH	G.M. No. 610 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, GLENN NAKAMURA, for a term to expire 6-30-2018."
Status & Testimony		
3136	HTH	G.M. No. 611 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, MICHAEL OKAMOTO, for a term to expire 6-30-2018."
Status & Testimony		
3136	HTH	G.M. No. 612 "Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, ANTHONY RIECKE-GONZALES, for a term to expire 6-30-2017."
Status & Testimony		

[3137](#) HWN
[Status & Testimony](#)

[G.M. No. 512](#)
"Submitting for consideration and confirmation to the Hawaiian Homes Commission, Gubernatorial Nominee, DOREEN GOMES, for a term to expire 6-30-2015."

[3138](#) HWN
[Status & Testimony](#)

[G.M. No. 526](#)
"Submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, Gubernatorial Nominee, THOMAS SHIRAI, JR., for a term to expire 6-30-2016."

9. Referrals and Re-Referrals

10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Floor Presentation for Monday, March 31, 2014:

CONGRATULATING PARTNERS IN DEVELOPMENT FOUNDATION'S KA PA'ALANA HOMELESS FAMILY EDUCATION PROGRAM ON RECEIVING FULL ACCREDITATION FROM THE NATIONAL ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN. (Senator Shimabukuro)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
WTL/EGH	3/31/2014 1:15 PM	225
ENE/HTH	3/31/2014 1:30 PM	229
PSM/EGH	3/31/2014 2:45 PM	016
EGH	3/31/2014 2:50 PM	016
JDL/WAM	4/1/2014 10:00 AM	211
PSM/CPN	4/1/2014 10:00 AM	229
CPN	4/1/2014 10:30 AM	229

TEC	4/1/2014 1:15 PM	414
ENE/HTH	4/1/2014 2:45 PM	225
PSM/ENE	4/1/2014 2:45 PM	225
WTL/ENE/TSM	4/1/2014 2:45 PM	225
ENE/WTL	4/1/2014 2:50 PM	225

- Senate Session will convene at 11:30 a.m. on Monday, March 31, 2014.

13. Adjournment