

ELEVENTH DAY

Monday, February 4, 2013

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2013, convened at 11:40 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Tenth Day.

At this time, Senator Shimabukuro introduced two juniors from Nanakuli High and Intermediate School: Nohealani Benicarlo, a participant in the Legislature's pilot public school internship program; and Ana Grozdev, a participant in the Youth Exchange and Study Program from Macedonia.

Senator Slom acknowledged Julia Allen, a member of his office staff, and noted that it was her birthday.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 7) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 7, transmitting H.B. No. 530, which passed Third Reading in the House of Representatives on February 1, 2013, was placed on file.

On motion by Senator Espero, seconded by Senator Slom and carried, H.B. No. 530, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 29 to 31) were read by the Clerk and were deferred:

S.C.R. No. 29 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND HAWAII TOURISM AUTHORITY TO CHOOSE A LOCATION FOR, BUILD, AND OPERATE AN INFORMATIONAL KIOSK FOR THE PUBLIC IN THE HISTORIC DISTRICT OF HONOLULU."

Offered by: Senators Espero, Galuteria, Kahele, Keith-Agaran, Kidani, Shimabukuro, Slom.

S.C.R. No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE UNIVERSITY OF HAWAII'S MANAGEMENT OF FACULTY WORKLOAD."

Offered by: Senators Kim, Baker, Chun Oakland, Dela Cruz, English, Espero, Gabbard, Galuteria, Green, Hee, Ige, Ihara, Kahele, Keith-Agaran, Kidani, Kouchi, Nishihara, Ruderman, Shimabukuro, Slom, Solomon, Taniguchi, Thielen, Tokuda, Wakai.

S.C.R. No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING PRESIDENT BARACK OBAMA, OF THE UNITED STATES OF AMERICA, TO INITIATE A FORMAL INVESTIGATION INTO THE CONDUCT OF FEDERAL LAW ENFORCEMENT PERSONNEL IN REGARD TO THE VIOLATION OF THE CONSTITUTIONAL RIGHTS OF, HAWAII COUNTY RESIDENT, THE REVEREND ROGER CHRISTIE."

Offered by: Senators Slom, Espero, Ruderman, Baker, Kidani, Kouchi, Thielen, Wakai.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 10 to 12) were read by the Clerk and were deferred:

S.R. No. 10 "SENATE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND HAWAII TOURISM AUTHORITY TO CHOOSE A LOCATION FOR, BUILD, AND OPERATE AN INFORMATIONAL KIOSK FOR THE PUBLIC IN THE HISTORIC DISTRICT OF HONOLULU."

Offered by: Senators Espero, Galuteria, Keith-Agaran, Shimabukuro, Slom.

S.R. No. 11 "SENATE RESOLUTION REQUESTING AN AUDIT OF THE UNIVERSITY OF HAWAII'S MANAGEMENT OF FACULTY WORKLOAD."

Offered by: Senators Kim, Baker, Chun Oakland, Dela Cruz, English, Espero, Gabbard, Galuteria, Green, Hee, Ige, Ihara, Kahele, Keith-Agaran, Kidani, Kouchi, Nishihara, Ruderman, Shimabukuro, Slom, Solomon, Taniguchi, Thielen, Tokuda, Wakai.

S.R. No. 12 "SENATE RESOLUTION REQUESTING PRESIDENT BARACK OBAMA, OF THE UNITED STATES OF AMERICA, TO INITIATE A FORMAL INVESTIGATION INTO THE CONDUCT OF FEDERAL LAW ENFORCEMENT PERSONNEL IN REGARD TO THE VIOLATION OF THE CONSTITUTIONAL RIGHTS OF, HAWAII COUNTY RESIDENT, THE REVEREND ROGER CHRISTIE."

Offered by: Senators Slom, Ruderman, Baker, Kouchi, Thielen, Wakai.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 8, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 8, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 341, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF REMAINS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Espero and English, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 26) recommending that S.B. No. 382 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.B. No. 382, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX REVENUES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and English, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 27) recommending that S.B. No. 539, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 916, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 916, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 815, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 815, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 529 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 529, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RIGHTS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 392 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO YOUTH AND FAMILY PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 303 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 303, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 107, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 85, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 85, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 59 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 657 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Green, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 39) recommending

that S.B. No. 654 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 641 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 641, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Green and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 41) recommending that S.B. No. 199, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLORECTAL CANCER SCREENING PILOT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Green and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 42) recommending that S.B. No. 310, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH TREATMENT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

ORDER OF THE DAY

THIRD READING

S.B. No. 94:

On motion by Senator Chun Oakland, seconded by Senator Green and carried, S.B. No. 94, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Shimabukuro).

Senator Galuteria rose to present the following remarks:

"Thank you, Madam President. I wanted to make a request that the Senate adjourn on a rising vote and observe a moment of silence in honor and memory of former State Representative Helene Hale, who passed away last Friday. Her career spanned more than four decades. She worked as a University of Hawai'i professor and started her political career before Hawai'i statehood; and, as Chairman of the County Board of Supervisors in the sixties, was the first woman mayor in the state and the first woman to hold an executive position in local state government. She served in the State House until she retired at age 88. Madam President, she was a formidable champion for all people, and she fought the good fight longer

than many of us in the Legislature have been alive. So, I request that adjournment."

ADJOURNMENT

At 11:46 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 5, 2013, on a rising vote, observing a moment of silence in memory of former State Representative Helene Hale.