

THE SENATE
OF THE
TWENTY-SIXTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2012

THIRTY-FIFTH DAY

MARCH 20, 2012-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentations:

CONGRATULATING WESTSIDE STORIES AND ITS PUBLISHERS, DR. STEVEN AND MRS. JANICE OLBRICH, ON THE NEWSPAPER'S 14TH ANNIVERSARY.
(Senator Shimabukuro)

CONGRATULATING AND RECOGNIZING RECIPIENTS OF THE 2012 PRUDENTIAL SPIRIT OF COMMUNITY AWARD. (Senator Dela Cruz)

1. Messages from the Governor: Nos. 230, 824-862 and 1107-1108

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 230	Dated March 5, 2012, transmitting the State of Hawaii Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011, prepared by the Department of Accounting and General Services pursuant to Section 40-5, HRS.	FILE

<u>G.M. No. 824</u>	Informing the Senate that on March 19, 2012, the Governor has withdrawn DAVID YEW, Gubernatorial Nominee to the Emergency Medical Services Advisory Committee, from consideration by the Senate (GM805).	FILE
<u>G.M. No. 825</u>	Informing the Senate that on March 19, 2012, the Governor has withdrawn HARRIS NAKAMOTO, Gubernatorial Nominee to the Board of Directors of the Hawai'i Health Connector, from consideration by the Senate (GM627).	FILE
<u>G.M. No. 826</u>	Submitting for consideration and confirmation to the Board of Agriculture, Gubernatorial Nominee, LYNN DECOITE, for a term to expire 6-30-2016.	AGL
<u>G.M. No. 827</u>	Submitting for consideration and confirmation to the Board of Agriculture, Gubernatorial Nominee, GLENN HONG, for a term to expire 6-30-2016.	AGL
<u>G.M. No. 828</u>	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Connector, Gubernatorial Nominee, HARDY SPOEHR, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 829</u>	Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, LAWRENCE REDMOND, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 830</u>	Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, GUY AKASAKI, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 831</u>	Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, TYRUS KAGAWA, for a term to expire 6-30-2016.	CPN

<u>G.M. No. 832</u>	Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, KENT MATSUZAKI, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 833</u>	Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, DARYL SUEHIRO, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 834</u>	Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, KEVIN LYE, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 835</u>	Submitting for consideration and confirmation to the Board of Private Detectives and Guards, Gubernatorial Nominee, RAY GALAS, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 836</u>	Submitting for consideration and confirmation to the Board of Private Detectives and Guards, Gubernatorial Nominee, DOUGLAS INOUYE, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 837</u>	Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, BRUCE FAULKNER, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 838</u>	Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, Gubernatorial Nominee, FRANCISCO HERNANDEZ, for a term to expire 6-30-2013.	EDU
<u>G.M. No. 839</u>	Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, Gubernatorial Nominee, CAROL MON LEE, for a term to expire 6-30-2016.	EDU

<u>G.M. No. 840</u>	Submitting for consideration and confirmation to the Early Learning Council, Gubernatorial Nominee, PAMELA PERKINS, for a term to expire 6-30-2014.	HMS
<u>G.M. No. 841</u>	Submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Moloka'i, Lana'i, and Kaho'olawe, Gubernatorial Nominee, BRANDON STARR, for a term to expire 6-30-2016.	JDL
<u>G.M. No. 842</u>	Submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Moloka'i, Lana'i, and Kaho'olawe, Gubernatorial Nominee, GENNARO ZARRO, JR., for a term to expire 6-30-2016.	JDL
<u>G.M. No. 843</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, MELBA BANTAY, for a term to expire 6-30-2016.	JDL
<u>G.M. No. 844</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, JENNIFER DOTSON, for a term to expire 6-30-2015.	JDL
<u>G.M. No. 845</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, MARGARITA HOPKINS, for a term to expire 6-30-2016.	JDL
<u>G.M. No. 846</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, DOMINIC INOCELDA, for a term to expire 6-30-2016.	JDL
<u>G.M. No. 847</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, GERALD OHTA, for a term to expire 6-30-2016.	JDL

<u>G.M. No. 848</u>	Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, MARY SANTA MARIA, for a term to expire 6-30-2016.	JDL
<u>G.M. No. 849</u>	Submitting for consideration and confirmation to the Medical Advisory Board, Gubernatorial Nominee, DENNIS CROWLEY, for a term to expire 6-30-2015.	TIA
<u>G.M. No. 850</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, EDWARD HIRATA, for a term to expire 6-30-2016.	TIA
<u>G.M. No. 851</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, GORDON HONG, for a term to expire 6-30-2015.	TIA
<u>G.M. No. 852</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, JUSTIN KOLLAR, for a term to expire 6-30-2016.	TIA
<u>G.M. No. 853</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, MITCHELL ROTH, for a term to expire 6-30-2016.	TIA
<u>G.M. No. 854</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, MARK SCRIBNER, for a term to expire 6-30-2015.	TIA
<u>G.M. No. 855</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, JAN YOKOYAMA, for a term to expire 6-30-2016.	TIA
<u>G.M. No. 856</u>	Submitting for consideration and confirmation to the Hawai'i Sister State Committee, Gubernatorial Nominee, ROMY CACHOLA, for a term to expire 6-30-2014.	TIA

G.M. No. 857	Submitting for consideration and confirmation to the Hawai'i Sister State Committee, Gubernatorial Nominee, JILL CANFIELD, for a term to expire 6-30-2015.	TIA
G.M. No. 858	Submitting for consideration and confirmation to the Hawai'i Sister State Committee, Gubernatorial Nominee, JOSEPH TANAKA, for a term to expire 6-30-2015.	TIA
G.M. No. 859	Submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, Gubernatorial Nominee, DANIELLE BEIRNE-KEAWE, for a term to expire 6-30-2016.	WLH
G.M. No. 860	Submitting for consideration and confirmation to the Natural Area Reserve System Commission, Gubernatorial Nominee, TRAE MENARD, for a term to expire 6-30-2016.	WLH
G.M. No. 861	Submitting for consideration and confirmation to the Natural Area Reserve System Commission, Gubernatorial Nominee, ROBIN NEWBOLD, for a term to expire 6-30-2016.	WLH
G.M. No. 862	Submitting for consideration and confirmation to the Natural Area Reserve System Commission, Gubernatorial Nominee, JONATHAN PRICE, for a term to expire 6-30-2016.	WLH
G.M. No. 1107	Informing the Legislature that on March 19, 2012, the Governor signed the following bill into law: HB2437 HD1 (Act 007). "RELATING TO ELECTIONS."	FILE
G.M. No. 1108	Informing the Legislature that on March 19, 2012, the Governor signed the following bill into law: HB2438 HD2 (Act 008). "MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."	FILE

2. Departmental Communications: None
3. House Communication Nos. 326-327

Returning the following Senate Bills which passed Third Reading in the House on March 19, 2012, in an amended form:

REFERRAL

326	S.B. No. 2508, S.D. 2, H.D. 1 "RELATING TO CAMPAIGN REPORTING LAWS."(Campaign Reporting Laws; Report Filing)	AGREE/DISAGREE
327	S.B. No. 3024, S.D. 1, H.D. 1 "RELATING TO CORPORATIONS."(Corporations; Publicly Traded Corporations; Mergers)	AGREE/DISAGREE

4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 2847-2862

2847	(PGM/HMS)	H.B. No. 1765, H.D. 2, S.D. 1 "RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES." (Recommends passage on <u>SECOND READING</u> and referral to JDL)
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2848	(HMS)	H.B. No. 1698 "RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
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| 2849 | (CPN) | H.B. No. 2501, H.D. 1, S.D. 1
"RELATING TO MORTGAGE LOAN ORIGINATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2850 | (CPN) | H.B. No. 2644, H.D. 2, S.D. 1
"RELATING TO THE PUBLIC UTILITIES COMMISSION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2851 | (CPN) | H.B. No. 2019, H.D. 1, S.D. 1
"RELATING TO MORTGAGES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2852 | (CPN) | H.B. No. 2023
"RELATING TO THE CENTER FOR NURSING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2853 | (CPN) | H.B. No. 2162, H.D. 1
"RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2854 | (HMS) | H.B. No. 2736, H.D. 1
"RELATING TO PROMOTION OF CONTROLLED SUBSTANCES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |

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| 2855 | (CPN/JDL) | H.B. No. 2375, S.D. 1
"RELATING TO THE MORTGAGE
RESCUE FRAUD PREVENTION ACT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2856 | (CPN/JDL) | S.C.R. No. 53, S.D. 1
"REQUESTING COLLABORATION
AMONG VARIOUS STATE AGENCIES
TO IDENTIFY AND REMOVE BARRIERS
RELATING TO WORKFORCE DATA
SHARING AND NURSING PRACTICE IN
THE STATE."
(Recommends referral to WAM) |
| 2857 | (TIA) | H.B. No. 2277, H.D. 1, S.D. 1
"RELATING TO ALL-TERRAIN
VEHICLES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| 2858 | (TIA) | H.B. No. 2684, H.D. 2, S.D. 1
"RELATING TO THE ZIPPER LANE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2859 | (EDT) | H.B. No. 2319, H.D. 2, S.D. 1
"RELATING TO ECONOMIC
DEVELOPMENT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2860 | (WLH) | H.B. No. 2819, H.D. 1, S.D. 1
"RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT
AUTHORITY."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

[2861](#) (WLH)

[H.B. No. 2871, H.D. 1](#)
"RELATING TO THE WEST MAUI
OCEAN RECREATION MANAGEMENT
AREA."
(Recommends passage on SECOND
READING and referral to WAM)

[2862](#) (CPN)
(One Day Notice)

[G.M. No. 647](#)
"Submitting for consideration and
confirmation to the Public Utilities
Commission, Gubernatorial Nominee,
LORRAINE AKIBA, for a term to expire 6-
30-2018."

(Recommends Senate Consent to
Nomination)

ORDER OF THE DAY

7. Third Reading

[\(See Stand. Com. Rep. No. 2845\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2769](#)
"RELATING TO ENHANCED 911
SERVICES." - (PGM)

(Enhanced 911 Services)

8. Miscellaneous Communications: None

9. Miscellaneous Business

10. Announcements

• Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
WLH/JDL	3/20/2012 12:30 PM	016
EDT/WLH	3/20/2012 1:15 PM	225
SCA01	3/20/2012 1:15 PM	224
WLH/EDT	3/20/2012 1:15 PM	225
WLH/TIA	3/20/2012 1:15 PM	225
HMS/HTH	3/20/2012 1:30 PM	016
HTH/HMS	3/20/2012 1:30 PM	016
WLH	3/20/2012 1:30 PM	225
HMS	3/20/2012 1:45 PM	016
AGL	3/20/2012 2:45 PM	229
ENE/EDT	3/20/2012 2:45 PM	225
AGL	3/20/2012 2:50 PM	229
ENE	3/20/2012 2:50 PM	225
PGM	3/20/2012 3:15 PM	224
PGM/EDT/WLH	3/20/2012 3:15 PM	224
PGM	3/20/2012 3:20 PM	224
AGL/PGM	3/20/2012 3:30 PM	224
PGM/JDL/HTH	3/21/2012 10:00 AM	016
PGM/JDL	3/21/2012 10:05 AM	016
EDT	3/21/2012 1:15 PM	016
HWN/EDU	3/21/2012 1:15 PM	225
TIA	3/21/2012 1:15 PM	224
EDU	3/21/2012 1:30 PM	225
EDT/EDU	3/21/2012 2:30 PM	016
HWN/EDT	3/21/2012 2:45 PM	224
HTH/PGM	3/21/2012 3:00 PM	229
PGM/HTH	3/21/2012 3:00 PM	229
HTH/ENE	3/21/2012 3:30 PM	229
CPN	3/22/2012 9:30 AM	229
INFO-WAM	3/22/2012 9:30 AM	211
JDL	3/22/2012 10:30 AM	016
WAM	3/22/2012 11:00 AM	211
TSM	3/22/2012 1:15 PM	224
WLH	3/22/2012 1:15 PM	225
INFO-WLH	3/22/2012 1:25 PM	225
HMS/JDL	3/22/2012 1:30 PM	016
INFO-FIN-WAM	3/23/2012 8:30 AM	Auditorium
CPN	3/23/2012 9:00 AM	229
EDU	3/23/2012 1:15 PM	225

HMS	3/27/2012 1:15 PM	016
CPN	3/28/2012 9:30 AM	229
EDU	3/28/2012 1:15 PM	225
CPN	3/29/2012 9:00 AM	229
EDU	3/30/2012 1:15 PM	225
CPN	4/3/2012 9:30 AM	229
INFO-HMS-HUS	4/3/2012 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Wednesday, March 21, 2012.

11. Adjournment