

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

SEVENTH DAY

JANUARY 29, 2013-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 197-201 and 597-670

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 197	Dated October 23, 2012, transmitting the Statistics of Hawaii Agriculture 2010, prepared by the Department of Agriculture.	FILE
G.M. No. 198	Dated January 17, 2013, transmitting the Report on the Interim Assistance Reimbursement Program, prepared by the Department of Human Services pursuant to Act 106, Section 128.1, SLH 2012.	FILE
G.M. No. 199	Dated January 22, 2013, transmitting the Study on Asset Limits to Qualify for Public Assistance, prepared by the Department of Human Services pursuant to H.R. No. 124 (2012).	FILE

[G.M. No. 200](#) Dated January 22, 2013, transmitting the report, FILE
"Recommendations to Leverage County, State,
Federal, and Private Funding for an Educational
Resource Center at the Honouliuli Site and Status
on Designating Honouliuli Internment-Prisoner
Of War Camp Site as Part of the United States
National Park Service", prepared by the
Department of Land and Natural Resources
pursuant to Act 235, SLH 2012.

[G.M. No. 201](#) Dated January 23, 2013, transmitting the Five- FILE
Year Financial Plan of the Department of Health
pursuant to Act 106, SLH 2012.

MEASURE TITLE REFERRAL

[G.M. No. 597](#) Submitting for consideration and confirmation to AGL
the Board of Agriculture, Gubernatorial Nominee,
GLENN HONG, for a term to expire 6-30-2017.

[G.M. No. 598](#) Submitting for consideration and confirmation to CPN
the Board of Acupuncture, Gubernatorial
Nominee, JAYNE TSUCHIYAMA, for a term to
expire 6-30-2017.

[G.M. No. 599](#) Submitting for consideration and confirmation to CPN
the Board of Directors of the Hawai'i Hurricane
Relief Fund, Gubernatorial Nominee, ELVIRA
LO, for a term to expire 6-30-2017.

[G.M. No. 600](#) Submitting for consideration and confirmation to CPN
the Board of Electricians and Plumbers,
Gubernatorial Nominee, RANDAL HIRAKI, for
a term to expire 6-30-2017.

[G.M. No. 601](#) Submitting for consideration and confirmation to CPN
the Board of Electricians and Plumbers,
Gubernatorial Nominee, RANDALL KAYA, for
a term to expire 6-30-2017.

<u>G.M. No. 602</u>	Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, KERRI OKAMURA, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 603</u>	Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, ELIZABETH MCCREARY, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 604</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, DAN HIROTA, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 605</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, ROBERTO YUMOL, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 606</u>	Submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, Gubernatorial Nominee, SHARI GOO-YOSHINO, for a term to expire 6-30-2016.	CPN
<u>G.M. No. 607</u>	Submitting for consideration and confirmation to the Board of Veterinary Examiners, Gubernatorial Nominee, WENDY MAH, for a term to expire 6-30-2017.	CPN
<u>G.M. No. 608</u>	Submitting for consideration and confirmation to the Board of Veterinary Examiners, Gubernatorial Nominee, MICHAEL WOLTMON, for a term to expire 6-30-2017.	CPN
<u>G.M. No. 609</u>	Submitting for consideration and confirmation to the Hawai'i Medical Board, Gubernatorial Nominee, NIRAJ DESAI, for a term to expire 6-30-2017.	CPN

G.M. No. 610	Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, DONALD TOUCHI, for a term to expire 6-30-2016.	CPN
G.M. No. 611	Submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, Gubernatorial Nominee, ALEXANDER CHOI, for a term to expire 6-30-2017.	CPN
G.M. No. 612	Submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, Gubernatorial Nominee, ELAINE KIMURA, for a term to expire 6-30-2016.	CPN
G.M. No. 613	Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, KATHLEEN KANG-KAULUPALI, for a term to expire 6-30-2017.	CPN
G.M. No. 614	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, THOMAS JOSLYN, for a term to expire 6-30-2017.	CPN
G.M. No. 615	Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, LOUISE CAYETANO, for a term to expire 6-30-2016.	EDU
G.M. No. 616	Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, JUSTIN MEW, for a term to expire 6-30-2016.	EDU
G.M. No. 617	Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, FELICIA VILLALOBOS, for a term to expire 6-30-2016.	EDU
G.M. No. 618	Submitting for consideration and confirmation to the Enhanced 911 Board, Gubernatorial Nominee, DAVE KAJIHIRO, for a term to expire 6-30-2015.	EGH

<u>G.M. No. 619</u>	Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, KAINOA DAINES, for a term to expire 6-30-2014.	EGH
<u>G.M. No. 620</u>	Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, KEITH BUKOSKI, for a term to expire 6-30-2017.	EGH
<u>G.M. No. 621</u>	Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, CHARLES TOGUCHI, for a term to expire 6-30-2017.	EGH
<u>G.M. No. 622</u>	Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, PAUL CHANG, for a term to expire 6-30-2014.	ENE
<u>G.M. No. 623</u>	Submitting for consideration and confirmation to the Commission on Fatherhood, Gubernatorial Nominee, SHANNON CARRIER, for a term to expire 6-30-2016.	HMS
<u>G.M. No. 624</u>	Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, SUZIE SCHULBERG, for a term to expire 6-30-2017.	HMS
<u>G.M. No. 625</u>	Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, SARAH YUAN, for a term to expire 6-30-2017.	HMS
<u>G.M. No. 626</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, FRANCINE KENYON, for a term to expire 6-30-2016.	HMS

<u>G.M. No. 627</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, GRETCHEN LAWSON, for a term to expire 6-30-2015.	HMS
<u>G.M. No. 628</u>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, ROBERT WALL, for a term to expire 6-30-2016.	HMS
<u>G.M. No. 629</u>	Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, NATHANIEL KINNEY, for a term to expire 6-30-2017.	HRE
<u>G.M. No. 630</u>	Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, RAYNARD SOON, for a term to expire 6-30-2017.	HRE
<u>G.M. No. 631</u>	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.	HRE
<u>G.M. No. 632</u>	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.	HRE
<u>G.M. No. 633</u>	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.	HRE
<u>G.M. No. 634</u>	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.	HRE

<u>G.M. No. 635</u>	Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, Gubernatorial Nominee, FRANCISCO HERNANDEZ, for a term to expire 6-30-2017.	HRE
<u>G.M. No. 636</u>	Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, KIRBY SHAW, for a term to expire 6-30-2017.	HTH
<u>G.M. No. 637</u>	Submitting for consideration and confirmation to the Emergency Medical Service Advisory Committee, Gubernatorial Nominee, MARY MARASOVICH, for a term to expire 6-30-2015.	HTH
<u>G.M. No. 638</u>	Submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, Gubernatorial Nominee, ALICIA DAMIEN LAU, for a term to expire 6-30-2016.	HTH
<u>G.M. No. 639</u>	Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, Gubernatorial Nominee, SHEILA CALCAGNO, for a term to expire 6-30-2016.	HTH
<u>G.M. No. 640</u>	Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, Gubernatorial Nominee, LUCAS BRUNO, for a term to expire 6-30-2014.	HTH
<u>G.M. No. 641</u>	Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, Gubernatorial Nominee, PETER GONZALEZ, for a term to expire 6-30-2015.	HTH
<u>G.M. No. 642</u>	Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, Gubernatorial Nominee, KARIN PHANEUF, for a term to expire 6-30-2015.	HTH

G.M. No. 643	Submitting for consideration and confirmation to the Mental Health and Substance Abuse, O'ahu Service Area Board, Gubernatorial Nominee, SHIRLEY DAVENPORT, for a term to expire 6-30-2015.	HTH
G.M. No. 644	Submitting for consideration and confirmation to the Radiologic Technology Board, Gubernatorial Nominee, LARRY CARNES, for a term to expire 6-30-2016.	HTH
G.M. No. 645	Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, JONATHAN HARRIS, for a term to expire 6-30-2015.	HTH
G.M. No. 646	Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, STEVEN SHIRAKI, for a term to expire 6-30-2015.	HTH
G.M. No. 647	Submitting for consideration and confirmation to the State Council on Mental Health, Gubernatorial Nominee, G. NOELANI WILCOX, for a term to expire 6-30-2016.	HTH
G.M. No. 648	Submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, LANI EWART, for a term to expire 6-30-2017.	JDL
G.M. No. 649	Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, JOAQUIN DIAZ, for a term to expire 6-30-2017.	JDL
G.M. No. 650	Submitting for consideration and confirmation to the Board of Directors of the Pacific International Space Center for Exploration Systems, Gubernatorial Nominee, GALEN HO, for a term to expire 6-30-2017.	PSM

<u>G.M. No. 651</u>	Submitting for consideration and confirmation to the Civil Defense Advisory Council, Gubernatorial Nominee, WILLIAM ANONSEN, for a term to expire 6-30-2017.	PSM
<u>G.M. No. 652</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MICHAEL MABERRY, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 653</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MARK MCGUFFIE, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 654</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER MOUGINIS-MARK, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 655</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, ELLIOT PULHAM, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 656</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER QUIGLEY, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 657</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DONALD STRANEY, for a term to expire 6-30-2015.	PSM
<u>G.M. No. 658</u>	Submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, Gubernatorial Nominee, JOEL GUY, for a term to expire 6-30-2017.	TEC
<u>G.M. No. 659</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, FRANCES KALUHIWA, for a term to expire 6-30-2016.	THA/WTL

<u>G.M. No. 660</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, PIILANI KAAWALOA, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 661</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, KEITH ROBINSON, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 662</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, KYLE NAKANELUA, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 663</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, WINIFRED BASQUES, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 664</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, LESLIE KULOLOIO, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 665</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, KAREN POEPOE, for a term to expire 6-30-2016.	THA/WTL
<u>G.M. No. 666</u>	Submitting for consideration and confirmation to the Aha Moku Advisory Committee, Gubernatorial Nominee, THOMAS HASHIMOTO, for a term to expire 6-30-2016.	THA/WTL
<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.	WAM

G.M. No. 668	Submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, Gubernatorial Nominee, BENJAMIN SHAFER, for a term to expire 6-30-2015.	WTL
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G.M. No. 669	Submitting for consideration and confirmation to the Legacy Land Conservation Commission, Gubernatorial Nominee, LORI BUCHANAN, for a term to expire 6-30-2016.	WTL
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<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 670	Informing the Senate that on January 25, 2013, the Governor has withdrawn DARRYL OLIVEIRA, Gubernatorial Nominee to the Emergency Medical Service Advisory Committee, from consideration by the Senate (GM540).	FILE

2. Departmental Communication Nos. 63-67

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 63	From the University of Hawai'i dated January 3, 2013, transmitting the Annual Report on The Construction Academy Curriculum pursuant to Section 304A-1144, HRS.	FILE
D.C. No. 64	From the University of Hawai'i dated January 3, 2013, transmitting the Annual Report on Research and Training Revolving Fund 2011-2012 pursuant to Section 304A-2253, HRS.	FILE
D.C. No. 65	From the University of Hawai'i dated January 4, 2013, transmitting the 2012 Annual Report of the Research Corporation of the University of Hawaii pursuant to Section 304A-3007, HRS.	FILE

[D.C. No. 66](#) From the State Procurement Office dated January 16, 2013, transmitting the Monthly Report on the Status of Information Technology Procurements for the month of December 2012 through January 15, 2013, pursuant to Act 222, SLH 2012. FILE

[D.C. No. 67](#) From the Office of Elections dated January 18, 2013, transmitting a Report Relating to Office of Election Budget Provisions for the period October 1, 2012 through December 31, 2012 pursuant to Act 164, Section 31, SLH 2011. FILE

3. House Communication No. 4

Informing the Senate that on January 28, 2013, the following House Bill passed Third Reading in the House:

REFERRAL

4 [H.B. No. 26, H.D. 1](#)
"MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION."(Legislative Appropriations)

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures: Senate Concurrent Resolution No. 25

<u>S.C.R. NO.</u>	<u>TITLE</u>	<u>REFERRAL</u>
25	"AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN."	ADOPT

ORDER OF THE DAY

7. Re-Referrals

RE-REFERRAL FOR TUESDAY, JANUARY 29, 2013

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.B. 1304	RELATING TO ECONOMIC DEVELOPMENT. (Smart Growth Planning Districts; Mixed-Use Development) (WTL/EGH/PSM, WAM)	EGH/PSM, WAM

8. Miscellaneous Communications: None

9. Miscellaneous Business

10. Announcements

• Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
INFO-CPN-ENE	1/29/2013 8:30 AM	Auditorium
WAM	1/29/2013 9:00 AM	211
JDL	1/29/2013 9:30 AM	016
HMS	1/29/2013 1:30 PM	016

WTL/ENE	1/29/2013 2:15 PM	225
AGL	1/29/2013 2:45 PM	229
ENE/WTL	1/29/2013 2:45 PM	225
PSM/TIA	1/29/2013 2:45 PM	224
PSM	1/29/2013 2:50 PM	224
CPN	1/30/2013 8:30 AM	229
WAM	1/30/2013 9:00 AM	211
JDL	1/30/2013 9:30 AM	016
EDU/HMS	1/30/2013 1:15 PM	414
HTH	1/30/2013 1:15 PM	229
EDU	1/30/2013 1:20 PM	414
HTH/CPN	1/30/2013 2:00 PM	229
HMS/HTH	1/30/2013 2:05 PM	229
EEP	1/31/2013 8:30 AM	325
HMS/EGH/CPN	1/31/2013 10:00 AM	229
JDL	1/31/2013 10:00 AM	016
HMS	1/31/2013 10:15 AM	229
HMS/CPN	1/31/2013 10:15 AM	229
HMS	1/31/2013 1:15 PM	016
TEC	1/31/2013 1:15 PM	414
WTL	1/31/2013 1:15 PM	225
WTL/AGL	1/31/2013 2:00 PM	225
AGL/WTL	1/31/2013 2:45 PM	229
ENE	1/31/2013 2:45 PM	225
HRE	1/31/2013 2:45 PM	414
HRE/CPN	1/31/2013 2:45 PM	414
PSM/HTH/TEC	1/31/2013 2:45 PM	224
PSM/TEC	1/31/2013 2:50 PM	224
TEC/PSM	1/31/2013 2:50 PM	224
PSM	1/31/2013 3:00 PM	224
CPN	2/1/2013 8:30 AM	229
INFO-WAM-HRE	2/1/2013 9:00 AM	211
EDU/JDL	2/1/2013 1:15 PM	414
EDU	2/1/2013 1:30 PM	414
EDU/EGH/TEC	2/4/2013 1:15 PM	414
EDU/EGH	2/4/2013 1:30 PM	414
THA/CPN	2/4/2013 2:45 PM	224
CPN/THA	2/4/2013 2:50 PM	224
INFO-WAM-HRE	2/5/2013 9:00 AM	211
TEC	2/5/2013 1:15 PM	414
THA	2/6/2013 2:45 PM	224
HMS	2/12/2013 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Wednesday, January 30, 2013.

11. Adjournment