

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

FIFTY-SIXTH DAY

APRIL 24, 2013-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 1127-1138

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 1127	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: HB411 HD2 (Act 027). RELATING TO HOSPITAL EMERGENCY COMPASSIONATE CARE FOR SEXUAL ASSAULT VICTIMS.	FILE
G.M. No. 1128	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB409 SD1 (Act 028). RELATING TO MAHINA 'OLELO HAWAI'I.	FILE
G.M. No. 1129	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB891 (Act 029). RELATING TO NOTARIES PUBLIC.	FILE
G.M. No. 1130	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: HB919 (Act 030). RELATING TO STATE EMPLOYMENT.	FILE

G.M. No. 1131	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB870 SD1 HD1 (Act 031). RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS.	FILE
G.M. No. 1132	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB306 SD1 (Act 032). RELATING TO MEDICAID.	FILE
G.M. No. 1133	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB1187 SD1 (Act 033). RELATING TO DELINQUENT TAXES.	FILE
G.M. No. 1134	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB1040 (Act 034). RELATING TO ELECTRIC SYSTEMS.	FILE
G.M. No. 1135	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB1075 (Act 035). RELATING TO PHYSICAL THERAPY.	FILE
G.M. No. 1136	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB1076 (Act 036). RELATING TO THE USE OF THE DOCTOR OF ACUPUNCTURE TITLE.	FILE
G.M. No. 1137	Informing the Legislature that on April 22, 2013, the Governor signed the following bill into law: SB120 SD1 (Act 037). RELATING TO PUBLIC UTILITIES.	FILE

[G.M. No. 1138](#) Informing the Legislature that on April 22, 2013, FILE
the Governor signed the following bill into law:
[HB1133 SD2 \(Act 038\)](#).
RELATING TO PUBLIC LAND.

2. Departmental Communications: None
3. House Communications: Nos. 727-731

Returning the following Senate Concurrent REFERRAL
Resolutions which were adopted by the House on
April 23, 2013:

- 727 [S.C.R. No. 62, S.D. 1](#) FILE
"URGING HAWAII'S CONGRESSIONAL
DELEGATION TO SUPPORT CONTINUED
FUNDING FOR THE CONGRESSIONALLY
DIRECTED MEDICAL RESEARCH
PROGRAM FOR
NEUROFIBROMATOSIS."(Neurofibromatosis;
Congressionally Directed Medical Research
Programs)
- 728 [S.C.R. No. 84, S.D. 1](#) FILE
"REQUESTING THE CONTRACTORS
LICENSE BOARD TO CONDUCT AN
ASSESSMENT AND PREPARE A REPORT
THAT EVALUATES EACH LICENSING
CLASSIFICATION UNDER CHAPTER 444,
HAWAII REVISED STATUTES."(Contractors
License Board; General Contractors; Specialty
Contractors; Legislative Reference Bureau
(SD1))
- 729 [S.C.R. No. 129, S.D. 1](#) FILE
"REQUESTING THE INSURANCE
COMMISSIONER TO CREATE A WORKING
GROUP TO STUDY INSURANCE
RECOUPMENT."(Insurance Recoupment;
Insurance Commissioner; Health Insurance;
Working Group (SD1))

730 [S.C.R. No. 158, S.D. 2](#) FILE
"AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE
SUBMERGED LANDS AT MANELE BAY,
LANAI, FOR RENOVATION OF MANELE
SMALL BOAT HARBOR."(Submerged Lands
Lease; Manele Small Boat Harbor)

731 [S.C.R. No. 159, S.D. 1](#) FILE
"REQUESTING THE INSURANCE
COMMISSIONER TO CONVENE A
WORKING GROUP TO EXPLORE THE USE
OF ELECTRONIC TRANSMISSION OF
INSURANCE NOTICES AND
DOCUMENTS."(Insurance Commission;
Working Group; Insurance Notices and
Documents; Electronic Transmission)

4. Senate Communications: None

5. Judiciary Communications: None

6. Conference Committee Reports: Nos. 10-14

[10](#)
(48 Hrs. Notice)

[S.B. No. 960, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO FORECLOSURES."
(Recommends passage on FINAL READING
as amended C.D. 1)

[11](#)
(48 Hrs. Notice)

[S.B. No. 1196, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO CASH ECONOMY
ENFORCEMENT."
(Recommends passage on FINAL READING
as amended C.D. 1)

[12](#)
(48 Hrs. Notice)

[S.B. No. 1207, H.D. 2, C.D. 1](#)
"RELATING TO TRANSPORTATION."
(Recommends passage on FINAL READING
as amended C.D. 1)

[13](#)
(48 Hrs. Notice)

[S.B. No. 995, H.D. 1, C.D. 1](#)
"RELATING TO IRRIGATION WATER
DEVELOPMENT."
(Recommends passage on FINAL READING
as amended C.D. 1)

[14](#)
(48 Hrs. Notice)

[H.B. No. 1207, H.D. 1, S.D. 1, C.D. 1](#)
"RELATING TO HUMAN SERVICES."
(Recommends passage on FINAL READING
as amended C.D. 1)

ORDER OF THE DAY

7. Deferred Matters – House Communications

HSE. COM. NO.

REFERRAL

725

[S.C.R. No. 21, H.D. 1](#)
"AUTHORIZING THE EXCHANGE AND
SALE OF PROPERTY BETWEEN THE
STATE OF HAWAII AND NAPOLEON, ET
AL., APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES AT
ITS MEETING ON JUNE 8, 2012, UNDER
AGENDA ITEM D-11."(Action Taken BLNR
on Land Exchange and Sale of Property)

AGREE/DISAGREE

726

[S.C.R. No. 41, S.D. 1, H.D. 1](#)

AGREE/DISAGREE

"REQUESTING THE EXTENSION OF THE GOVERNMENT CONTRACTING TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, COMMUNITIES, AND OTHER SMALL BUSINESSES." (Prompt Payment Task Force; Government Contracting Task Force)

8. Advise and Consent

[1636](#)

EGH

[G.M. No. 754](#)

[Status & Testimony](#)

"Submitting for consideration and confirmation to the Hawai'i Community Development Authority (Kaka'ako District), Gubernatorial Nominee, BRIAN LEE, for a term to expire 6-30-2015."

[1636](#)

EGH

[G.M. No. 756](#)

[Status & Testimony](#)

"Submitting for consideration and confirmation to the Hawai'i Community Development Authority (Kaka'ako District), Gubernatorial Nominee, LOIS MITSUNAGA, for a term to expire 6-30-2016."

9. Adopt Resolutions

1633	EDU/WAM	H.C.R. No. 30, H.D. 1 "REQUESTING THE DEPARTMENT OF EDUCATION TO MEET WITH INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF ESTABLISHING A BOXING PILOT PROGRAM IN AT LEAST ONE OF HAWAII'S PUBLIC HIGH SCHOOLS."
Prior Versions/Status & Testimony		
1634	PSM/TIA	H.C.R. No. 183 "URGING THE PRESIDENT OF THE UNITED STATES AND CONGRESS TO SUPPORT AND PASS THE FILIPINO VETERANS FAMILY REUNIFICATION ACT OF 2013."
Prior Versions/Status & Testimony		
1635	PSM/TIA	H.C.R. No. 224, H.D. 1 "URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXAMINE AND RE-EVALUATE ITS POLICIES REGARDING REFUGEE AND ASYLEE PROTECTIONS, INCLUDING THE PRINCIPLE OF NON-REFOULEMENT."
Prior Versions/Status & Testimony		
1637	HMS/CPN	H.C.R. No. 199, H.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		

[1638](#) HMS/WAM
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 184](#)
"REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE FINANCIAL AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MED-QUEST DIVISION, WITH EMPHASIS ON THE MEDICAID PROGRAM."

[1639](#) HMS
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 118, H.D. 1](#)
"REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO PREPARE A PROGRESS REPORT ON DETAILING EFFORTS TO IMPROVE AND RE-ENGINEER PROCESSING FOR ADULT PROTECTIVE SERVICES."

[1640](#) HMS/WAM
[Prior Versions/Status & Testimony](#)

[H.C.R. No. 76](#)
"REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONTINUE ITS RESEARCH OF THE TIMEBANKING CONCEPT FOR HAWAII'S RESPITE SYSTEM."

10. Final Reading

[Conf. Com. Rep. No. 2](#)
[Prior Versions/Status & Testimony](#)

[S.B. No. 1083, H.D. 2, C.D. 1](#)
"RELATING TO TRANSPORTATION OF SCHOOL CHILDREN."

(Transportation of School Children;
Contracts; Wage Certification)

11. Miscellaneous Communications: No. 4

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
M.C. No. 4	From the Americans for Democratic Action/Hawaii; Common Cause Hawaii; League of Women Voters of Hawaii; Citizen Voice; Choon James, Country Talk Story; Conservation Council for Hawaii; Hawaii Coalition for Legislative Reform; Hawaii Open Data; Hawaii's Thousand Friends; Kokua Council; Media Council Hawaii; Open Law Alliance; and members of the public, transmitting an undated petition to the Hawaii State Senate under Rule 67 and the Hawaii State House under Rule 44.	FILE

12. Miscellaneous Business

- Reconsideration of Disagreement to House Amendments; Motion to Agree; One Day Notice for Final Reading

S.B. No. 68, S.D. 1, H.D. 1	JDL	"RELATING TO SENTENCING."
S.B. No. 319, H.D. 1	WTL/ENE	"RELATING TO THRILL CRAFT."
S.B. No. 454, S.D. 1, H.D. 1	WTL/ENE	"RELATING TO WATER CONSERVATION."

13. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/24/2013 8:30 AM	229
CONF	4/24/2013 9:00 AM	224
CONF	4/24/2013 9:30 AM	423
CONF	4/24/2013 9:30 AM	312
CONF	4/24/2013 10:00 AM	423
CONF	4/24/2013 10:20 AM	312
CONF	4/24/2013 10:30 AM	423
CONF	4/24/2013 10:30 AM	325
CONF	4/24/2013 10:30 AM	329
CONF	4/24/2013 10:30 AM	225
CONF	4/24/2013 10:30 AM	312
CONF	4/24/2013 10:30 AM	325
CONF	4/24/2013 10:40 AM	224
CONF	4/24/2013 11:00 AM	224
CONF	4/24/2013 11:00 AM	225
CONF	4/24/2013 12:30 PM	016
CONF	4/24/2013 1:00 PM	325
CONF	4/24/2013 1:15 PM	329
CONF	4/24/2013 1:30 PM	224
CONF	4/24/2013 1:30 PM	312
CONF	4/24/2013 1:30 PM	224
CONF	4/24/2013 1:40 PM	312
CONF	4/24/2013 1:55 PM	229
CONF	4/24/2013 2:00 PM	224
CONF	4/24/2013 2:00 PM	325
CONF	4/24/2013 2:00 PM	225
CONF	4/24/2013 2:00 PM	229
CONF	4/24/2013 2:10 PM	225
CONF	4/24/2013 2:15 PM	229
CONF	4/24/2013 2:30 PM	325
CONF	4/24/2013 2:30 PM	016
CONF	4/24/2013 2:45 PM	229
CONF	4/24/2013 3:00 PM	309
CONF	4/24/2013 3:00 PM	224
OMH	4/24/2013 3:00 PM	312
CONF	4/24/2013 3:15 PM	309
CONF	4/24/2013 3:30 PM	224
CONF	4/24/2013 3:30 PM	229

CONF	4/24/2013 3:30 PM	224
CONF	4/24/2013 3:30 PM	229
CONF	4/24/2013 3:30 PM	016
CONF	4/24/2013 3:35 PM	224
CONF	4/24/2013 4:00 PM	325
CONF	4/24/2013 4:00 PM	229
CONF	4/24/2013 4:15 PM	229
CONF	4/24/2013 4:30 PM	016
CONF	4/25/2013 9:15 AM	312
CONF	4/25/2013 9:30 AM	312
CONF	4/25/2013 10:00 AM	329
CONF	4/25/2013 10:30 AM	312
CONF	4/25/2013 10:30 AM	224
CONF	4/25/2013 10:30 AM	325
CONF	4/25/2013 11:00 AM	423
CONF	4/25/2013 12:00 PM	229
CONF	4/25/2013 1:00 PM	325
CONF	4/25/2013 1:15 PM	312
TEC	4/25/2013 1:15 PM	414
CONF	4/25/2013 1:30 PM	325
CONF	4/25/2013 2:00 PM	312
CONF	4/25/2013 2:30 PM	423
CONF	4/25/2013 2:45 PM	329
CONF	4/25/2013 3:00 PM	309
CONF	4/25/2013 3:00 PM	329
CONF	4/25/2013 3:30 PM	423
EGH	4/25/2013 4:00 PM	423
HTH	4/26/2013 8:30 AM	229
CONF	4/26/2013 3:00 PM	309

- Senate Session will convene at 6:30 p.m. on Thursday, April 25, 2013.

14. Adjournment