

THE SENATE
OF THE
TWENTY-FOURTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2008

FIFTH DAY

January 23, 2008-Wednesday-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by The Reverend William J. Kunisch II
Co-Cathedral of St. Theresa of the Child Jesus

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 219-225

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<u>G.M. No. 219</u>	Dated December 21, 2007, transmitting the Hawaii State Council on Mental Health's Annual Report on the Implementation of the State Plan, prepared by the Department of Health pursuant to Section 334-10, HRS.	FILE
<u>G.M. No. 220</u>	Dated December 26, 2007, transmitting the 2007 Annual Report of the Office of Language Access, prepared by Department of Labor and Industrial Relations pursuant to Act 290, SLH 2006.	FILE
<u>G.M. No. 221</u>	Dated December 27, 2007, transmitting the 2007 Annual Report on Recommendations for Denial of Claims for Legislative Relief,	FILE

prepared by the Department of the Attorney General pursuant to Section 37-77, HRS.

G.M. No. 222	Dated December 27, 2007, transmitting the Report on the Financial Requirements of Transporting, Housing, and Any Other Costs Associated with the Operations and Administration of Sending Hawaii Inmates to Out-of-State Correctional Facilities, prepared by the Department of Public Safety pursuant to H.C.R. No. 312 (2007).	FILE
G.M. No. 223	Dated December 27, 2007, transmitting the Expenditure Report of the Federal Reimbursement Maximization Special Fund, prepared by the Department of Public Safety pursuant to Section 353C-7, HRS.	FILE
G.M. No. 224	Dated January 3, 2008, transmitting the Captive Insurance Company Feasibility Study for the Hawaii Health Systems Corporation, prepared by L.C. Severson Co., Inc., pursuant to Act 278, SLH 2007.	FILE
G.M. No. 225	Dated January 4, 2008, transmitting the Report on Contracted Providers, prepared by the Department of Human Services pursuant to Act 213, Section 200, SLH 2007.	FILE

2. Departmental Communications: Nos. 1-23

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 1	From the Department of the Attorney General, transmitting a report, "Crime in Hawaii, 2005, A Review of Uniform Crime Reports.	FILE

D.C. No. 2	From the Department of Business, Economic Development, and Tourism dated September 7, 2007, transmitting the 2007 Hawaii Data Disc containing the 2002-2006 State of Hawaii Data Books.	FILE
D.C. No. 3	From the University of Hawai'i dated November 5, 2007, transmitting the Annual Report on the University of Hawai'i's Continued Participation in the Western Interstate Commission of Higher Education.	FILE
D.C. No. 4	From the University of Hawai'i dated November 5, 2007, transmitting the Annual Report on Energy Efficient Design Standards for the University of Hawai'i at Manoa.	FILE
D.C. No. 5	From the University of Hawai'i dated November 21, 2007, transmitting the Annual Report on Salaries Paid to Executive/Managerial and Faculty Employees.	FILE
D.C. No. 6	From the University of Hawai'i dated November 26, 2007, transmitting the Annual Report on Teacher Education Coordinating Committee.	FILE
D.C. No. 7	From the State Ombudsman dated December 21, 2007, transmitting its Annual Report for Fiscal Year 2006-2007 (Report No. 38).	FILE
D.C. No. 8	From the State Auditor dated January 7, 2008, transmitting a report, "Sunrise Analysis: Destination Clubs" (Report No. 08-01).	FILE
D.C. No. 9	From the State Auditor dated December	FILE

31, 2007, transmitting a report, "Hawai'i Broadband Task Force Initial Report."

[D.C. No. 10](#) From the State Auditor dated December 27, 2007, transmitting a report, "Hawai'i 2050 Sustainability Task Force Report." FILE

[D.C. No. 11](#) From the State Auditor dated December 27, 2007, transmitting a report, "Hawai'i Identity Theft Task Force Report." FILE

[D.C. No. 12](#) From the State Auditor dated December 26, 2007, transmitting a report, "Systemwide Financial Audit of the University of Hawai'i System: Phase II" (Report No. 07-08). FILE

[D.C. No. 13](#) From the State Auditor dated December 26, 2007, transmitting a report, "Financial Audit of the Department of Human Resources Development" (Report No. 07-09). FILE

[D.C. No. 14](#) From the State Auditor dated October 25, 2007, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts of the Departments of Human Resources Development, Labor and Industrial Relations, Public Safety, and Taxation," (Report No. 07-07). FILE

[D.C. No. 15](#) From the Hawaii Labor Relations Board dated August 22, 2007, transmitting the 2006-2007 Annual Report. FILE

[D.C. No. 16](#) From the Office of Hawaiian Affairs' Temporary Advising Commission on Bioprospecting dated December 20, 2007, transmitting a letter stating its intentions to submit their report pursuant to H.C.R. No. 193 (2006) during the Regular Session of 2008. FILE

D.C. No. 17	From the City and County of Honolulu Police Department dated December 3, 2007, transmitting the 2007 Annual Misconduct Report pursuant to Section 52D-3.5, HRS.	FILE
D.C. No. 18	From the County of Maui Police Department dated December 31, 2007, transmitting a report of Disciplinary Action Imposed, Suspensions and Terminations for Calendar Year 2007 pursuant to Section 52D-3.5, HRS.	FILE
D.C. No. 19	From the County of Maui Police Department dated December 31, 2007, transmitting a misconduct report pursuant to Section 52D-3.5, HRS.	FILE
D.C. No. 20	From the County of Hawaii Police Department dated December 10, 2007, transmitting the 2007 Annual Misconduct Report pursuant to Chapter 52D-3.5, HRS.	FILE
D.C. No. 21	From the University of Hawaii, dated January 10, 2008, transmitting the Annual Report on the University of Hawaii Tuition and Fees Special Fund Expenditures for the Purpose of Generating Private Donations.	FILE
D.C. No. 22	From the Department of Education dated January 14, 2008, transmitting its List of Capital Improvements Program Projects.	FILE
D.C. No. 23	From the Department of the Attorney General, transmitting the Crime and Justice in Hawaii: 2005 Household Survey Report.	FILE

3. House Communications: No. 3

Returning Senate Concurrent Resolution
No. 1, which was adopted in the House on
January 18, 2008.

REFERRAL

3

[S.C.R. No. 1](#)

FILE

"URGING THE UNITED STATES
POSTAL SERVICE TO ISSUE A
POSTAL STAMP HONORING THE
WORLD WAR II JAPANESE-
AMERICAN NISEI SOLDIERS."(442nd
Go For Broke; Commemorative Stamp)

4. Senate Communications: None
5. Judiciary Communications: None
6. Introduction of Measures

ORDER OF THE DAY

7. First Reading: Senate Bill Nos. 2734-3131
8. Referrals

REFERRALS FOR WEDNESDAY, JANUARY 23, 2008

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<u>S.B. 2734</u>	RELATING TO EDUCATION. (Cultural Activities; Curriculum; Keiki Caucus; Appropriation)	EDU, WAM
<u>S.B. 2735</u>	RELATING TO MINORS. (Minor Consent; Homeless Assistance; Keiki Caucus)	HSP, JDL
<u>S.B. 2736</u>	RELATING TO HOUSING. (Housing; Self-help Housing Trust	CPH, EDT, WAM

Fund; County Budgets; Tax Funds)

- [S.B. 2737](#) MAKING AN APPROPRIATION FOR ASSET BUILDING.
(Disabled Persons; Training; TANF Funds; Appropriation) HSP, WAM
- [S.B. 2738](#) RELATING TO AUTISM SPECTRUM DISORDERS.
(Autism Spectrum Disorders; Insurance Coverage) HTH, CPH, WAM
- [S.B. 2739](#) RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD.
(Natural Area Reserve System; Makena-Keoneoio Road) WTL/TIA, WAM
- [S.B. 2740](#) RELATING TO THE BUDGET.
(Budget; Governor) WAM
- [S.B. 2741](#) AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION.
(GO Bonds; Hawaii Health Systems Corporation; Maui) HTH, WAM
- [S.B. 2742](#) AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION.
(GO Bonds; Maui Memorial Medical Center; Health Care Facilities) HTH, WAM
- [S.B. 2743](#) RELATING TO PLANNED COMMUNITY ASSOCIATIONS.
(Planned Community Associations) CPH

S.B. 2744	RELATING TO HYDROGEN FUEL. (Hydrogen Fuel; Tax Credit; General Excise Tax Exemption)	ENE, EDT, WAM
S.B. 2745	RELATING TO DEFAMATION. (Defamation; Publication)	EDT, JDL
S.B. 2746	RELATING TO DISABLED VETERANS. (Special Number Plates; Disabled Veterans)	IGM, WAM
S.B. 2747	RELATING TO HUNTING. (Hunting; Department of Land and Natural Resources; Rules)	WTL, JDL
S.B. 2748	RELATING TO THE PROCUREMENT CODE. (Procurement Code; Pre-Job Conference)	TSG, WAM
S.B. 2749	RELATING TO THE NI‘IHAU ISLAND RESERVE COMMISSION. (Ni‘ihau Island Reserve Commission)	WTL/AHW, WAM
S.B. 2750	RELATING TO STATE HEALTH PLANNING. (Certificate of Need; Hospital Acquisition; Repeal)	HTH
S.B. 2751	RELATING TO CHARTER SCHOOLS. (Charter Schools; Charter School Review Panel)	EDU, WAM
S.B. 2752	RELATING TO EDUCATION. (Department of Education; Online Learning Task Force)	EDU/EDT
S.B. 2753	RELATING TO GOVERNMENT OPERATIONS. (Government Operations)	EDU/JDL

S.B. 2754	RELATING TO OWNER-BUILDER PERMITS. (Contractors; Owner-Builder Permits)	CPH
S.B. 2755	RELATING TO PUBLIC HUNTING AREAS. (Access to Public Hunting Areas; Easement; Appropriation)	WTL, WAM
S.B. 2756	RELATING TO TRAFFIC VIOLATIONS. (Traffic Violation; Text Messaging; Prohibition)	TIA, JDL
S.B. 2757	RELATING TO TAX CREDITS. (Tax Credit; Waialua Brushfire)	EDT, WAM
S.B. 2758	RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER. (Hawaii Disability Rights Center; Audit)	HSP, WAM
S.B. 2759	RELATING TO THE UNIVERSITY OF HAWAII. (University of Hawaii; Residency; Tuition)	EDU/IGM, WAM
S.B. 2760	RELATING TO LAND USE. (Land Use; Historic Agricultural Landmark)	WTL/AHW, WAM

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Floor Presentation for Friday, January 25, 2008

Honors and Thanks Maurice Kaya, Chief Technology Officer, Department of

Business, Economic Development and Tourism, for his Years of Service. (Senator Menor)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
TIA	1/23/2008 2:45 PM	224
PSM-PBS	1/24/2008 10:00 AM	309
HSP	1/24/2008 1:30 PM	016

- The Senate will be in recess on Thursday, January 24, 2008.
- Senate Session will convene at 11:30 a.m. on Friday, January 25, 2008.

12. Adjournment