

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

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THIRTY-FOURTH DAY

MARCH 18, 2008-TUESDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by The Reverend Falelua Lafitaga  
Kanana Fou Congregational Christian Church

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

HONORING AND RECOGNIZING ACCESS SURF HAWAII FOR  
OUTSTANDING ACHIEVEMENT IN REACHING OUT TO THE DISABLED  
PEOPLE IN THE STATE OF HAWAII. (SENATOR HEMMINGS)

1. Messages from the Governor: Nos. 505-547

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 505</a>	Informing the Senate that on March 17, 2008, the Governor has withdrawn DENISE L. COHEN, Gubernatorial Nominee to the Health Planning Council, Tri-Isle Subarea from consideration by the Senate (GM378).	FILE
<a href="#">G.M. No. 506</a>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, KEITH ALLEN REGAN, for a term to expire 6-30-2011.	CPH

<a href="#"><u>G.M. No. 507</u></a>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, EMERITO C. SANIATAN, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 508</u></a>	Submitting for consideration and confirmation to the Cable Advisory Committee, Gubernatorial Nominee, JENNY J. FUJITA, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 509</u></a>	Submitting for consideration and confirmation to the Cable Advisory Committee, Gubernatorial Nominee, KEITH R. ROLLMAN, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 510</u></a>	Submitting for consideration and confirmation to the Civil Defense Advisory Council, Gubernatorial Nominee, MYRON N. DOBASHI, for a term to expire 6-30-2012.	IGM
<a href="#"><u>G.M. No. 511</u></a>	Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, GUY M. AKASAKI, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 512</u></a>	Submitting for consideration and confirmation to the Correctional Industries Advisory Committee, Gubernatorial Nominee, THEODORE G. M. JUNG, for a term to expire 6-30-2011.	PBS
<a href="#"><u>G.M. No. 513</u></a>	Submitting for consideration and confirmation to the Credit Union Advisory Board, Gubernatorial Nominee, GWEN S. LAU, for a term to expire 6-30-2011.	CPH
<a href="#"><u>G.M. No. 514</u></a>	Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, SHERYL A. NELSON, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 515</u></a>	Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, ED CHEVY, for a term to expire 6-30-2011.	HTH

<a href="#"><u>G.M. No. 516</u></a>	Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, PETER L. FRITZ, for a term to expire 6-30-2009.	HTH
<a href="#"><u>G.M. No. 517</u></a>	Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, ANN CHINEN ITO, for a term to expire 6-30-2010.	HTH
<a href="#"><u>G.M. No. 518</u></a>	Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, LANCE KANESHIRO, for a term to expire 6-30-2011.	HTH
<a href="#"><u>G.M. No. 519</u></a>	Submitting for consideration and confirmation to the Board of Health, Gubernatorial Nominee, KEVIN D. CASSEL, for a term to expire 6-30-2010.	HTH
<a href="#"><u>G.M. No. 520</u></a>	Submitting for consideration and confirmation to the Board of Health, Gubernatorial Nominee, CLARYSSE KAMI NUNOKAWA, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 521</u></a>	Submitting for consideration and confirmation to the Board of Health, Gubernatorial Nominee, DRAKE W. WILL MD, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 522</u></a>	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, S. PETER KIM MD, PHD, MBA, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 523</u></a>	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, KEN M. SHIMONISHI, for a term to expire 6-30-2012.	HTH

<a href="#"><u>G.M. No. 524</u></a>	Submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, Gubernatorial Nominee, JONAGUSTINE LIM, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 525</u></a>	Submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, Gubernatorial Nominee, BETTY J. MOORE, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 526</u></a>	Submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, Gubernatorial Nominee, KEN M. SHIMONISHI, for a term to expire 6-30-2012.	HTH
<a href="#"><u>G.M. No. 527</u></a>	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Housing Finance and Development Corporation (HFD), Gubernatorial Nominee, DAVID A. LAWRENCE, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 528</u></a>	Submitting for consideration and confirmation to the Island Burial Council, Island of Hawai'i, Gubernatorial Nominee, GENE KALEOLANI LESLIE, for a term to expire 6-30-2012.	AHW
<a href="#"><u>G.M. No. 529</u></a>	Submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, Gubernatorial Nominee, SHAD S. KANE, for a term to expire 6-30-2012.	AHW
<a href="#"><u>G.M. No. 530</u></a>	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, GARY K. KAJIWARA, for a term to expire 6-30-2011.	EDU
<a href="#"><u>G.M. No. 531</u></a>	Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, JAMES K. HIRAKAWA, for a term to expire 6-30-2012.	CPH

<a href="#"><u>G.M. No. 532</u></a>	Submitting for consideration and confirmation to the Natural Area Reserve System Commission, Gubernatorial Nominee, TRAE MENARD, for a term to expire 6-30-2012.	WTL
<a href="#"><u>G.M. No. 533</u></a>	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, MATTHEW J. BISHOP, for a term to expire 6-30-2010.	CPH
<a href="#"><u>G.M. No. 534</u></a>	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, AMY STONE MURAI, for a term to expire 6-30-2011.	CPH
<a href="#"><u>G.M. No. 535</u></a>	Submitting for consideration and confirmation to the Advisory Committee on Pesticides, Gubernatorial Nominee, DARREN J. STRAND, for a term to expire 6-30-2012.	AHW
<a href="#"><u>G.M. No. 536</u></a>	Submitting for consideration and confirmation to the Board of Private Detectives and Guards, Gubernatorial Nominee, LAWRENCE K. MAHUNA, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 537</u></a>	Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, GWEN L. KELIIHOOMALU, for a term to expire 6-30-2010.	HSP
<a href="#"><u>G.M. No. 538</u></a>	Submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, Gubernatorial Nominee, ANNE MARIE HORNER, for a term to expire 6-30-2011.	CPH
<a href="#"><u>G.M. No. 539</u></a>	Submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, Gubernatorial Nominee, EMI ISAKI PHD, for a term to expire 6-30-2011.	CPH

<a href="#"><u>G.M. No. 540</u></a>	Submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), Gubernatorial Nominee, RANDAL TANIGUCHI, for a term to expire 6-30-2011.	EDT
<a href="#"><u>G.M. No. 541</u></a>	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, Gubernatorial Nominee, SHARON R. WEINER, for a term to expire 6-30-2012.	TSG
<a href="#"><u>G.M. No. 542</u></a>	Submitting for consideration and confirmation to the Commission on Transportation, Gubernatorial Nominee, RICHARD R. HOUCK, for a term to expire 6-30-2012.	TIA
<a href="#"><u>G.M. No. 543</u></a>	Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, LAWRENCE H. MIIKE MD, JD, for a term to expire 6-30-2012.	WTL
<a href="#"><u>G.M. No. 544</u></a>	Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, ROBERT S. SPETICH PE, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 545</u></a>	Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, JODI M. YAMAMI, for a term to expire 6-30-2012.	CPH
<a href="#"><u>G.M. No. 546</u></a>	Submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, Gubernatorial Nominee, LAN REISO YONEDA, for a term to expire 6-30-2011.	CPH
<a href="#"><u>G.M. No. 547</u></a>	Submitting for consideration and confirmation to the Hawai'i Workforce Development Council, Gubernatorial Nominee, STEVETTE K. SANTIAGO, for a term to expire 6-30-2012.	JDL

2. Departmental Communications: None
3. House Communication Nos. 381-382

Returning the following Senate Bill which passed  
Third Reading in the House on March 17, 2008:

REFERRAL

381      [S.B. No. 2292](#)      FILE  
"RELATING TO AUTOMATED TELLER  
MACHINES."(Automated Teller Machine)

Returning the following Senate Concurrent  
Resolution which was adopted by the House on  
March 17, 2008:

382      [S.C.R. No. 57](#)      FILE  
"REQUESTING THAT PAHOA HIGH AND  
INTERMEDIATE SCHOOL DEDICATE ITS  
GYMNASIUM IN HONOR OF FORMER  
REPRESENTATIVE HELENE H. HALE, BY  
CHANGING THE NAME OF THE  
GYMNASIUM TO "HELENE H. HALE  
GYMNASIUM.""(Pahoa High & Intermediate;  
Gymnasium Name Change to Helene H. Hale  
Gymnasium)

4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 2972-2984

[2972](#)

(EDU)

[H.B. No. 602, H.D. 2, S.D. 1](#)  
"RELATING TO EDUCATION."  
(Recommends passage on SECOND  
READING and referral to WAM)

- |                      |           |   |
|----------------------|-----------|---|
| <a href="#">2973</a> | (EDU)     | <a href="#">H.B. No. 2971, H.D. 1, S.D. 1</a><br>"RELATING TO EDUCATION."<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM)                |
| <a href="#">2974</a> | (EDU)     | <a href="#">H.B. No. 2972, H.D. 1, S.D. 1</a><br>"RELATING TO EDUCATION."<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM)                |
| <a href="#">2975</a> | (AHW)     | <a href="#">H.B. No. 3126, S.D. 1</a><br>"RELATING TO THE HAWAIIAN HOMES COMMISSION ACT"<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <a href="#">2976</a> | (AHW)     | <a href="#">H.B. No. 2593, H.D. 1, S.D. 1</a><br>"RELATING TO DROUGHT MITIGATION."<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM)       |
| <a href="#">2977</a> | (AHW)     | <a href="#">H.B. No. 2373, H.D. 1</a><br>"MAKING AN APPROPRIATION FOR MOOKINI HEIAU."<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM)    |
| <a href="#">2978</a> | (EDT/TSG) | <a href="#">H.B. No. 2259, H.D. 2, S.D. 1</a><br>"RELATING TO AEROSPACE DEVELOPMENT."<br>(Recommends passage on <u>SECOND READING</u> and referral to WAM)    |



[2979](#)  
(One Day Notice)

(WAM)

[H.B. No. 3037](#)

"MAKING AN EMERGENCY  
APPROPRIATION FOR ELECTRICITY,  
SEWER, REFUSE, AND INSURANCE  
PREMIUM PAYMENTS."

(Recommends passage on THIRD  
READING)

[2980](#)  
(One Day Notice)

(WAM)

[H.B. No. 3038](#)

"MAKING AN EMERGENCY  
APPROPRIATION FOR ELECTRICITY  
PAYMENTS STATEWIDE."

(Recommends passage on SECOND  
READING and placement on the calendar for  
Third Reading)

[2981](#)  
(48 Hrs. Notice)

(WAM)

[H.B. No. 2908, S.D. 1](#)

"RELATING TO AUDIT  
RECOMMENDATIONS."

(Recommends passage on SECOND  
READING and placement on the calendar for  
Third Reading)

[2982](#)  
(48 Hrs. Notice)

(WAM)

[H.B. No. 118, S.D. 1](#)

"RELATING TO STATE BONDS."

(Recommends passage on SECOND  
READING and placement on the calendar for  
Third Reading)

[2983](#)

(EDT/CPH)

[H.B. No. 2712, H.D. 1, S.D. 1](#)

"MAKING AN APPROPRIATION TO THE  
CITY AND COUNTY OF HONOLULU."

(Recommends passage on SECOND  
READING and referral to WAM)

[2984](#)

(EDT/AHW)

[H.B. No. 2955, H.D. 1, S.D. 1](#)

"RELATING TO ARCHAEOLOGICAL  
DATA."

(Recommends passage on SECOND  
READING and referral to WAM)

ORDER OF THE DAY

7. Miscellaneous Communications: None

8. Miscellaneous Business: Reconsideration of action taken on Monday, March 17, 2008

[Stand. Com. Rep. No. 2954](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[Floor Amendment No. 3](#)

[H.B. No. 3161, S.D. 2](#)

"MAKING AN EMERGENCY  
APPROPRIATION TO THE HAWAII  
HEALTH SYSTEMS CORPORATION" -  
(WAM)

(Emergency Appropriation; Hawaii Health  
Systems Corporation)

9. Announcements

- Floor Presentation for Wednesday, March 19, 2008:

CONGRATULATING THE RECIPIENTS OF THE 50<sup>TH</sup> ANNUAL GRAMMY  
AWARD FOR BEST HAWAIIAN ALBUM – "TREASURES OF HAWAIIAN  
SLACK KEY GUITAR – LIVE IN CONCERT FROM MAUI." (Senator English)

RECOGNIZING CLIFF HASHIMOTO AS THE ALI'I NUI AND GRAND  
MASTER OF THE ROYAL ORDER OF KAMEHAMEHA I. (Senator English)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
EDT	3/18/2008 1:15 PM	224
EDT/CPH	3/18/2008 1:15 PM	224
HSP	3/18/2008 1:15 PM	016
HSP/JDL	3/18/2008 1:15 PM	016
TIA/TSG	3/18/2008 1:15 PM	229
TSG	3/18/2008 1:15 PM	229
AHW	3/18/2008 2:45 PM	224
AHW/WTL/IGM	3/18/2008 2:45 PM	224
ENE	3/18/2008 2:45 PM	414
ENE/WTL/IGM	3/18/2008 2:45 PM	414
PBS	3/18/2008 2:45 PM	225
PBS/JDL	3/18/2008 2:45 PM	225
ENE/CPH	3/18/2008 3:00 PM	414
ENE	3/18/2008 3:15 PM	414
ENE/EDT	3/18/2008 3:15 PM	414
ENE/TSG	3/18/2008 3:15 PM	414
WTL	3/18/2008 3:15 PM	224
ENE	3/18/2008 4:00 PM	414
JDL	3/19/2008 10:00 AM	016
AHW/HTH	3/19/2008 1:15 PM	016
HSP/HTH	3/19/2008 1:15 PM	016
HTH	3/19/2008 1:15 PM	016
HTH/ENE	3/19/2008 1:15 PM	016
HTH/HSP	3/19/2008 1:15 PM	016
HTH/CPH	3/19/2008 1:20 PM	016
EDT/EDU	3/19/2008 2:00 PM	225
EDT	3/20/2008 1:15 PM	224
HIC	3/20/2008 1:15 PM	229
HSP	3/20/2008 1:15 PM	016
AHW	3/20/2008 2:45 PM	224
AHW/ENE	3/20/2008 2:45 PM	224
ENE/AHW	3/20/2008 2:45 PM	224
PBS	3/20/2008 2:45 PM	225
ENE	3/20/2008 4:00 PM	414
EDU	3/24/2008 1:15 PM	225
ENE/IGM	3/24/2008 1:15 PM	229
TSG	3/25/2008 1:00 PM	229
EDT	3/25/2008 1:15 PM	224
AHW	4/1/2008 2:45 PM	224
AHW	4/3/2008 2:45 PM	224

- Senate Session will convene at 11:30 a.m. on Wednesday, March 19, 2008.

#### 10. Adjournment