

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

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FORTIETH DAY

MARCH 28, 2008-FRIDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by The Honorable Lorraine R. Inouye  
Hawai'i State Senate

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

RECOGNIZING OUTSTANDING ACHIEVEMENTS BY TEACHERS.  
(Senator Sakamoto)

1. Messages from the Governor: None
2. Departmental Communications: None

3. House Communication Nos. 393-404

Informing the Senate that on March 27, 2008, the following House Concurrent Resolutions were adopted in the House:

REFERRAL

- 393      [H.C.R. No. 19](#)  
"URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO EXEMPT CHILDREN OF FILIPINO WORLD WAR II VETERANS FROM IMMIGRANT VISA LIMITS."(Filipino World War II Veterans; Family Reunification)
- 394      [H.C.R. No. 28](#)  
"REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY TO ADDRESS MAJOR CONCERNS ALONG KALIHI STREET."(Kalihi Street; City and County of Honolulu Feasibility Study)
- 395      [H.C.R. No. 87](#)  
"STRONGLY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO CONFER PRIORITY STATUS TO CHILDREN BORN TO DEPARTMENT OF DEFENSE PERSONNEL AND FOREIGN WOMEN DURING AND UP TO NINE MONTHS AFTER DEPLOYMENT IN ORDER TO FACILITATE AND EXPEDITE THE IMMIGRATION OF THESE CHILDREN AND WOMEN TO THE UNITED STATES."(Children Born to Military During Foreign Deployment; Immigration)
- 396      [H.C.R. No. 91](#)  
"REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET."(Kalihi Streets; City and County of Honolulu Feasibility Study)

- 397            [H.C.R. No. 106, H.D. 1](#)  
"URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO DEVELOP A PLAN FOR A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES BY 2011."(Smoking; State Correctional Facilities)
- 398            [H.C.R. No. 114](#)  
"REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS."(Lualualei Naval Magazine; Emergency Shelters)
- 399            [H.C.R. No. 126, H.D. 1](#)  
"URGING THE BOARD OF EDUCATION TO ESTABLISH AN INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS."(Anger Management; BOE Programs (HD 1))
- 400            [H.C.R. No. 194](#)  
"REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU UNDER THEIR JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES."(Pentagon Clean Up Request; Waipahu Anti-Foliage Operations)

Informing the Senate that on March 27, 2008, the following Senate Concurrent Resolution was adopted in the House:

401	<a href="#"><u>S.C.R. No. 47, S.D. 1</u></a> "RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE U.S. NAVY'S F-14 TOMCAT IN DEFENDING FREEDOM."(F-14 Tomcat Stamp)	FILE
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Informing the Senate that on March 27, 2008, the following Senate Bills passed Third Reading in the House:

402	<a href="#"><u>S.B. No. 1035, S.D. 1, H.D. 1</u></a> "RELATING TO MAKAHIKI DAY COMMEMORATION."(Makahiki; Commemoration)	AGREE/DISAGREE
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403	<a href="#"><u>S.B. No. 2441, H.D. 1</u></a> "RELATING TO HIGHWAYS."(State Highways; County Subdivision Ordinances; Exemption)	AGREE/DISAGREE
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404	<a href="#"><u>S.B. No. 2849, S.D. 1, H.D. 1</u></a> "RELATING TO AGRICULTURAL LANDS."(Agricultural-energy Facilities; Agricultural Districts)	AGREE/DISAGREE
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4. Senate Communications: None

5. Judiciary Communications: None

6. Standing Committee Report Nos. 3212-3224

[3212](#)

(HTH)

[S.C.R. No. 190, S.D. 1](#)

"REQUESTING THE LEGISLATIVE REFERENCE BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACT TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES."

(AMENDED TITLE)

(Recommends referral to WAM)

[3213](#)

(HTH)

[S.R. No. 109, S.D. 1](#)

"REQUESTING THE LEGISLATIVE REFERENCE BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACT TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES."

(AMENDED TITLE)

(Recommends referral to WAM)

[3214](#)

(One Day Notice)

(EDU)

[S.C.R. No. 114, S.D. 1](#)

"CREATING AN ADVISORY GROUP TO RE-ENGINEER THE DEPARTMENT OF EDUCATION'S OFFICE OF HUMAN RESOURCES." (AMENDED TITLE)

(Recommends Adoption)

[3215](#)  
(One Day Notice)

(EDU)

[S.C.R. No. 115, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A PILOT PROJECT TO ALLOW A SCHOOL COMPLEX TO IDENTIFY CRITICAL DEPARTMENT RULES AND POLICIES THAT IMPEDE EFFECTIVE DECISION-MAKING, ADMINISTERING, AND TEACHING AND TO OPERATE FREE OF THOSE RULES AND POLICIES."  
(Recommends Adoption)

[3216](#)  
(One Day Notice)

(EDU/IGM)

[S.C.R. No. 192](#)

"REQUESTING KAUAI COMMUNITY COLLEGE TO WORK WITH THE KAUAI POLICE DEPARTMENT TO EXPLORE THE DEVELOPMENT OF AN ASSOCIATE OF SCIENCE DEGREE PROGRAM IN CRIMINAL JUSTICE."  
(Recommends Adoption)

[3217](#)  
(One Day Notice)

(HTH/HSP)

[S.C.R. No. 79](#)

"REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING."  
(Recommends Adoption)

[3218](#)  
(One Day Notice)

(HTH/HSP)

[S.R. No. 44](#)

"REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING."  
(Recommends Adoption)

[3219](#) (CPH)  
(One Day Notice)

[S.C.R. No. 231](#)  
"URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT A COMPREHENSIVE PLAN TO ASSIST THE BUREAU OF CONVEYANCES IN BECOMING A MORE EFFICIENT, EFFECTIVE, AND ACCOUNTABLE OPERATION, AND DEVELOP STRATEGIC INITIATIVES FOR THE BUREAU."  
(Recommends Adoption)

[3220](#) (CPH)

[S.C.R. No. 232](#)  
"REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES."  
(Recommends referral to WAM)

[3221](#) (CPH)

[S.C.R. No. 41, S.D. 1](#)  
"REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE INDUSTRIAL HYGIENE, SAFETY, AND HEALTH PHYSICS PROFESSIONS."  
(Recommends referral to WAM)

[3222](#)

(HSP/IGM)

[S.C.R. No. 93, S.D. 1](#)

"URGING THE STATE BUILDING CODE COUNCIL TO ADOPT EXPEDITIOUSLY PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES." (AMENDED TITLE)

(Recommends referral to TSG)

[3223](#)

(HSP/IGM)

[S.R. No. 53, S.D. 1](#)

"URGING THE STATE BUILDING CODE COUNCIL TO ADOPT EXPEDITIOUSLY PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES." (AMENDED TITLE)

(Recommends referral to TSG)

[3224](#)

(48 Hrs. Notice)

(WAM)

[H.B. No. 2860, H.D. 2, S.D. 3](#)

"RELATING TO TAXATION."

(Recommends passage on THIRD READING)



ORDER OF THE DAY

7. Advise and Consent

[3185](#) CPH [G.M. No. 304](#)  
[Testimony Status](#) "Submitting for consideration and confirmation to the Board of Dental Examiners, Gubernatorial Nominee, ARMAND K. CHONG DDS, for a term to expire 6-30-2012."

[3186](#) TIA [G.M. No. 542](#)  
[Testimony Status](#) "Submitting for consideration and confirmation to the Commission on Transportation, Gubernatorial Nominee, RICHARD R. HOUCK, for a term to expire 6-30-2012."

8. Adopt Resolutions

[3187](#) EDU [S.C.R. No. 111](#)  
[Testimony Prior Versions Status](#) "REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE CURRICULAR MATERIALS THAT REFLECT THE HAWAII STANDARDS TO ASSIST A TEACHER WHO HAS TO TEMPORARILY TEACH IN AN AREA WHERE THE TEACHER IS NOT HIGHLY QUALIFIED."

[3188](#) EDU [S.C.R. No. 120](#)  
[Testimony Prior Versions Status](#) "REQUESTING THE UNIVERSITY OF HAWAI'I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES."

<a href="#">3189</a>	EDU	<a href="#">S.C.R. No. 180</a> "OFFERING SUPPORT TO THE UNIVERSITY OF HAWAII IN ITS EFFORTS TO ENHANCE AND DIVERSIFY ITS SOURCES OF REVENUE AND MAXIMIZE USE OF ITS FACILITIES."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3190</a>	EDU	<a href="#">S.C.R. No. 184</a> "REQUESTING THE UNIVERSITY OF HAWAI'I TO REPORT ON HIGHER EDUCATION STUDENT FINANCIAL ASSISTANCE COMMISSIONS."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3191</a>	EDU	<a href="#">S.C.R. No. 220</a> "REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONTINUING PROJECT GRADUATION TRAINING THROUGH DRIVER EDUCATION UNDERWRITERS' FEES AS PART OF TRAFFIC SAFETY EDUCATION."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3192</a>	EDU/HTH	<a href="#">S.C.R. No. 94</a> "URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3193</a>	EDU	<a href="#">S.C.R. No. 83, S.D. 1</a> "REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		

<a href="#">3194</a>	EDU	<a href="#">S.C.R. No. 110, S.D. 1</a> "URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO JOINTLY STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3195</a>	EDU	<a href="#">S.C.R. No. 121, S.D. 1</a> "REQUESTING TEACHING STRATEGIES FOR SPEAKERS OF HAWAI'I PIDGIN IN HAWAI'I PUBLIC SCHOOLS."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3196</a>	EDU	<a href="#">S.C.R. No. 158, S.D. 1</a> "REQUESTING THE DEPARTMENT OF EDUCATION TO PURSUE A FINANCING AGREEMENT FOR THE CONSTRUCTION OF THE NEW KIHEI HIGH SCHOOL ON MAUI AND TO CONSIDER A DESIGN-BUILD APPROACH FOR THE SCHOOL."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		
<a href="#">3197</a>	EDT	<a href="#">S.C.R. No. 5, S.D. 1</a> "SUPPORTING THE EFFORTS OF THE ALL BELIEVERS NETWORK TO ESTABLISH THE STATEWIDE INTERFAITH STEERING COMMITTEE TO EXPLORE THE POSSIBILITY OF ORGANIZING A MAJOR INTERNATIONAL INTERFAITH CONFERENCE IN HAWAII TO TAKE PLACE BY 2011."
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		

<a href="#">3198</a> <a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>	HSP/HTH	<a href="#">S.C.R. No. 33, S.D. 1</a> "REQUESTING THE EXECUTIVE OFFICE ON AGING, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO CONTINUE THEIR WORK ON THE LONG TERM LIVING INITIATIVE."
<a href="#">3199</a> <a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>	HSP	<a href="#">S.C.R. No. 106, S.D. 1</a> "REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND THE DEPARTMENT OF HUMAN SERVICES CONVENE A WORKING STUDY GROUP TO CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH."
<a href="#">3200</a> <a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>	TIA	<a href="#">S.C.R. No. 51, S.D. 1</a> "URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT."
<a href="#">3201</a> <a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>	TIA	<a href="#">S.R. No. 25, S.D. 1</a> "URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT."
<a href="#">3202</a> <a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>	TIA/IGM	<a href="#">S.C.R. No. 108</a> "ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE."

[3203](#)

TIA/IGM

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

[S.R. No. 60](#)

"ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE."

[3204](#)

IGM

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

[S.C.R. No. 109](#)

"STRONGLY SUPPORTING THE PASSAGE AND ENACTMENT INTO LAW OF S. 1315, THE VETERANS BENEFITS ENHANCEMENT ACT OF 2007, IN SUPPORT OF FILIPINO VETERANS."

9. Deferred Matters - Third Reading

[\(See Stand. Com. Rep. No. 3159\)](#)

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

[Floor Amendment No. 4](#)

[H.B. No. 2662, H.D. 2, S.D. 1](#)

"RELATING TO AFFORDABLE HOUSING." - (CPH/HSP)

(Housing; Rental or For-Sale Developments)

10. Third Reading

[\(See Stand. Com. Rep. No. 3209\)](#)

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

[H.B. No. 2428](#)

"RELATING TO HIGHWAYS." -  
(TIA/IGM)

(State Highways; County Subdivision Ordinances; Exemption)

11. Miscellaneous Communications: None

12. Miscellaneous Business

13. Announcements

- Floor Presentation for Monday, March 31, 2008:

CONGRATULATING THE LEILEHUA HIGH SCHOOL FOOTBALL TEAM ON BECOMING THE 2007 HAWAI'I HIGH SCHOOL DIVISION I STATE CHAMPIONS. (Senator Bunda)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
HTH	3/28/2008 1:15 PM	016
HTH/EDU	3/28/2008 1:15 PM	016
HTH/HSP	3/28/2008 1:30 PM	016
HTH/HSP/IGM	3/28/2008 1:30 PM	016
HTH/JDL	3/28/2008 1:30 PM	016
HTH	3/28/2008 1:40 PM	016
WTL	3/28/2008 2:45 PM	414
WTL/AHW/TIA	3/28/2008 2:45 PM	414
WTL/HSP	3/28/2008 2:45 PM	414
CPH	3/31/2008 9:30 AM	229
HTH	3/31/2008 1:15 PM	016
CPH/WAM	4/1/2008 9:00 AM	229
WAM	4/1/2008 10:00 AM	211
WAM	4/1/2008 10:15 AM	211
EDT	4/1/2008 1:15 PM	224
TSG	4/1/2008 1:15 PM	229
TSG	4/1/2008 1:30 PM	229
AHW	4/1/2008 2:45 PM	224
ENE	4/1/2008 2:45 PM	414
ENE/EDT	4/1/2008 2:45 PM	414
ENE/EDU	4/1/2008 2:45 PM	414
ENE/TSG	4/1/2008 2:45 PM	414
HTH	4/2/2008 1:15 PM	016
AHW	4/3/2008 2:45 PM	224
ENE	4/3/2008 2:45 PM	414
PBS-PSM	4/5/2008 9:00 AM	225
HSP	4/8/2008 1:15 PM	016
EDT	4/9/2008 1:00 PM	016

- Senate Session will convene at 11:30 a.m. on Monday, March 31, 2008.

#### 14. Adjournment