

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

FORTY-FIRST DAY

MARCH 31, 2008-MONDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by Pastor Frank Diehl
The Tree of Life Christian Center

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

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

1. Messages from the Governor: Nos. 556-559

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 556	Dated March 28, 2008, transmitting the Employees' Retirement System's Criteria to determine the Funding Level of Hawaii Private Placement Investments, pursuant to Act 260, SLH 2007.	FILE
G.M. No. 557	Dated March 28, 2008, transmitting the Report on the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session 2007.	FILE

[G.M. No. 558](#) Letter dated March 25, 2008, transmitting FILE
proposed changes to the Executive Supplemental
Budget for FY 2009 for the Department of
Transportation.

[G.M. No. 559](#) Letter dated March 27, 2008, transmitting FILE
proposed changes to the General Appropriations
Act for the Department of Business, Economic
Development and Tourism, the Department of
Public Safety, and the Department of Land and
Natural Resources.

2. Departmental Communications: None

3. House Communication Nos. 405-411

Informing the Senate that on March 28, 2008, the
following House Concurrent Resolutions were
adopted in the House:

REFERRAL

405 [H.C.R. No. 147, H.D. 1](#)
"SUPPORTING THE INSTALLATION AND
USE OF SMOKE DETECTORS IN EVERY
HAWAII HOME BY 2010."(Smoke Detectors
for Low-income Families in Hawaii)

406 [H.C.R. No. 215, H.D. 1](#)
"REQUESTING THE HAWAII PUBLIC
HOUSING AUTHORITY AND THE HAWAII
HOUSING FINANCE AND DEVELOPMENT
CORPORATION TO CREATE A
REDEVELOPMENT MASTER PLAN FOR
KUKUI GARDENS AND MAYOR WRIGHT
HOMES."(Kukui Gardens and Mayor Wright
Homes; Development; Master Plan)

407 [H.C.R. No. 240, H.D. 1](#)
"URGING THE GOVERNOR TO DESIGNATE
THE MONTH OF SEPTEMBER AS "BRAIN
ANEURYSM AWARENESS
MONTH".(Designates the month of September
as "Brain Aneurysm Awareness Month" in
Hawaii.)

408 [H.C.R. No. 300](#)
"ENCOURAGING THE COUNTIES TO
IMPLEMENT THE UNITED STATES
DEPARTMENT OF TRANSPORTATION'S
DESIGN GUIDANCE DOCUMENT ON
INTEGRATING BICYCLING AND WALKING
WHEN BUILDING THEIR
TRANSPORTATION INFRASTRUCTURE IN
ORDER FOR ALL HAWAII RESIDENTS WHO
CHOOSE TO WALK OR BICYCLE TO DO SO
SAFELY AND EFFICIENTLY."(Bicycling and
Walking; Urge Counties to Implement Federal
Guidance)

409 [H.C.R. No. 310](#)
"REQUESTING THE COUNTIES TO USE THE
AUTHORITY GRANTED TO THEM UNDER
SECTION 342D-70, HAWAII REVISED
STATUTES, AND ADOPT AND IMPLEMENT
STANDARDS FOR THE REUSE OF
RESIDENTIAL GRAY WATER FOR
SUBSURFACE LANDSCAPE
IRRIGATION."(Counties; Adoption of Standards
for Reuse of Gray Water)

Informing the Senate that on March 28, 2008, the
following Senate Bill passed Third Reading in the
House:

410 [S.B. No. 3027, S.D. 2](#)
"RELATING TO OSTEOPATHY."(Osteopathy)

FILE

Informing the Senate that on March 28, 2008, the House disagreed to the amendments proposed by the Senate to the following House Bills:

- | | | |
|-----|--|------|
| 411 | H.B. No. 1832, H.D. 1, S.D. 1
"RELATING TO OUTDOOR
ADVERTISING."(Outdoor Advertising) | FILE |
| | H.B. No. 2492, H.D. 1, S.D. 1
"RELATING TO PLANNED COMMUNITY
ASSOCIATIONS."(Planned Community
Associations) | |
| | H.B. No. 2954, S.D. 1
"RELATED TO TOWING."(Towing Fees;
Towing Companies) | |

- 4. Senate Communications: None
- 5. Judiciary Communications: None
- 6. Standing Committee Report Nos. 3251-3271

[3251](#) (CPH)
(One Day Notice)

[G.M. No. 299](#)
"Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, NICHOLAS G. OPIE DC, for a term to expire 6-30-2012."

(Recommends Senate Consent to
Nomination)

[3252](#)
(One Day Notice)

(CPH)

[G.M. No. 313](#)

"Submitting for consideration and confirmation to the Board of Examiners in Naturopathy, Gubernatorial Nominee, MICHAEL L. TRAUB, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3253](#)
(One Day Notice)

(CPH)

[G.M. No. 314](#)

"Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, PATRICIA A. LANGE-OTSUKA, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[3254](#)
(One Day Notice)

(CPH)

[G.M. No. 319](#)

"Submitting for consideration and confirmation to the Board of Physical Therapy, Gubernatorial Nominee, HARRIETT CHRISTINA BAXENDALE, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3255](#)
(One Day Notice)

(EDT)

[G.M. No. 330](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, DONALD L. DYMOND, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3255](#)
(One Day Notice)

(EDT)

[G.M. No. 331](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, DORVIN D. LEIS, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3255](#)
(One Day Notice)

(EDT)

[G.M. No. 332](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, MICHAEL C. L. YEE, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3256](#)
(One Day Notice)

(EDT)

[G.M. No. 333](#)

"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, Gubernatorial Nominee, BLENN AKIRA FUJIMOTO, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3256](#)
(One Day Notice)

(EDT)

[G.M. No. 334](#)

"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, Gubernatorial Nominee, VINCENT A. PIEKARSKI, for a term to expire 6-30-2009."

(Recommends Senate Consent to Nomination)

[3256](#) (EDT)
(One Day Notice)

[G.M. No. 335](#)
"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, Gubernatorial Nominee, ERIC BRANDON YEE, for a term to expire 6-30-2008."

(Recommends Senate Consent to Nomination)

[3256](#) (EDT)
(One Day Notice)

[G.M. No. 336](#)
"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, Gubernatorial Nominee, ERIC BRANDON YEE, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3257](#) (EDT)
(One Day Notice)

[G.M. No. 468](#)
"Submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, Gubernatorial Nominee, CRAIG I. NAKANISHI, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[3258](#) (IGM)
(One Day Notice)

[G.M. No. 510](#)
"Submitting for consideration and confirmation to the Civil Defense Advisory Council, Gubernatorial Nominee, MYRON N. DOBASHI, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3259](#)
(One Day Notice)

(TSG)

[G.M. No. 484](#)

"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, Gubernatorial Nominee, KYOKO Y. KIMURA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3260](#)
(One Day Notice)

(WTL)

[G.M. No. 532](#)

"Submitting for consideration and confirmation to the Natural Area Reserve System Commission, Gubernatorial Nominee, TRAE MENARD, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3261](#)
(One Day Notice)

(WTL)

[G.M. No. 543](#)

"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."

(Recommends Senate Consent to Nomination)

[3262](#)
(One Day Notice)

(HSP/HTH)

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

"REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A TASK FORCE TO ASSIST IN DEVELOPING A MASTER PLAN FOR LONG-TERM CARE FOR LEAHI HOSPITAL."

(Recommends Adoption)

[3263](#)
(One Day Notice)

(HSP/HTH)

[S.C.R. No. 201, S.D. 1](#)

"REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A TASK FORCE TO ASSIST IN DEVELOPING A MASTER PLAN FOR LONG-TERM CARE FOR LEAHI HOSPITAL."

(Recommends Adoption)

[3264](#)
(One Day Notice)

(WTL)

[S.R. No. 42, S.D. 1](#)

"REQUESTING THE PRESIDENT OF THE UNITED STATES TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY." (AMENDED TITLE)

(Recommends Adoption)

[3265](#)
(One Day Notice)

(WTL)

[S.C.R. No. 77, S.D. 1](#)

"REQUESTING THE PRESIDENT OF THE UNITED STATES TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY." (AMENDED TITLE)

(Recommends Adoption)

[3266](#)
(48 Hrs. Notice)

(CPH)

[H.B. No. 2460, S.D. 1](#)

"RELATING TO CONDOMINIUMS."

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

[3267](#)
(48 Hrs. Notice)

(CPH)

[H.B. No. 2591, H.D. 1, S.D. 1](#)

"RELATING TO GIFT CERTIFICATES."

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

[3268](#)
(48 Hrs. Notice)

(CPH)

[H.B. No. 3109, S.D. 1](#)

"RELATING TO DISPENSING
OPTICIANS."

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

[3269](#)
(48 Hrs. Notice)

(TIA/WTL)

[H.B. No. 2917, H.D. 2, S.D. 1](#)

"RELATING TO HARBORS."

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

[3270](#)
(One Day Notice)

(CPH)

[H.B. No. 3325, H.D. 2](#)

"RELATING TO THE UNIFORM LAND
SALES PRACTICES ACT."

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

[3271](#)
(One Day Notice)

(CPH)

[H.B. No. 2810, H.D. 1, S.D. 1](#)

"RELATING TO WATER RATES."

(Recommends passage on THIRD
READING)

ORDER OF THE DAY

7. Deferred Matters – House Communications for Agree/Disagree

HSE. COM. NO.

402

S.B. No. 1035, S.D. 1, H.D. 1
"RELATING TO MAKAHIKI DAY
COMMEMORATION."(Makahiki;
Commemoration)

AGREE/DISAGREE

403	S.B. No. 2441, H.D. "RELATING TO HIGHWAYS."(State Highways; County Subdivision Ordinances; Exemption)	AGREE/DISAGREE
404	S.B. No. 2849, S.D. 1, H.D. 1 "RELATING TO AGRICULTURAL LANDS."(Agricultural-energy Facilities; Agricultural Districts)	AGREE/DISAGREE

8. Adopt Resolutions

3214 Testimony Prior Versions Status	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)
3215 Testimony Prior Versions Status	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."

3216	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."
Testimony Prior Versions Status		
3217	HTH/HSP	S.C.R. No. 79 "REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING."
Testimony Prior Versions Status		
3218	HTH/HSP	S.R. No. 44 "REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING."
Testimony Prior Versions Status		
3219	CPH	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."
Testimony Prior Versions Status		

9. Third Reading

[\(See Stand. Com. Rep. No. 3210\)](#)

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

[H.B. No. 2847, S.D. 1](#)

"RELATING TO CONDITIONAL LICENSE PERMITS." - (TIA)

(Conditional License Permits; DUI)

[\(See Stand. Com. Rep. No. 3211\)](#)

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

[H.B. No. 2524, S.D. 1](#)

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

(Highways; Counties)

[Stand. Com. Rep. No. 3224](#)

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

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

"RELATING TO TAXATION." - (WAM)

(Taxes; Intrastate Aviation; Foreign Trade Zone; Exemption)

[\(See Floor Amendment No. 4\)](#)

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

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

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

(Housing; Rental or For-Sale Developments)

10. Referrals and Re-Referrals

RE-REFERRAL FOR MONDAY, MARCH 31, 2008

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
H.B. 1412, H.D. 1	RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES. (Department of Taxation) (EDT, WAM)	EDT/WAM

11. Miscellaneous Communications: None

12. Miscellaneous Business

13. Announcements

- Floor Presentations for Tuesday, April 1, 2008:

HONORING AND RECOGNIZING NATIONAL LUPUS ALERT DAY FOR BRINGING OUTSTANDING AWARENESS TO LUPUS AND REACHING OUT TO THOSE AFFECTED. (Senator Hemmings)

HONORING KUALOA-HE'EIA ECUMENICAL YOUTH (KEY) PROJECT'S 40TH ANNIVERSARY. (Senator Hee)

HONORING THE SISTERS OF ST. FRANCIS OF THE NEUMANN COMMUNITIES FOR THEIR LEGACY OF CARING AND DARING FOR 125 YEARS. (Senator Chun Oakland)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
AHW	3/31/2008 1:15 PM	229
AHW/IGM	3/31/2008 1:15 PM	229
HTH	3/31/2008 1:15 PM	016
AHW/WTL/IGM	3/31/2008 2:45 PM	414
WTL	3/31/2008 2:45 PM	414
WTL/IGM/ENE	3/31/2008 2:45 PM	414
CPH	4/1/2008 9:00 AM	229

CPH/WAM	4/1/2008 9:00 AM	229
HTH/JDL	4/1/2008 10:00 AM	016
JDL	4/1/2008 10:00 AM	016
WAM	4/1/2008 10:00 AM	211
WAM	4/1/2008 10:15 AM	211
EDT	4/1/2008 1:15 PM	224
HSP	4/1/2008 1:15 PM	016
HSP/EDU	4/1/2008 1:15 PM	016
HSP/IGM	4/1/2008 1:15 PM	016
HSP/IGM/EDU	4/1/2008 1:15 PM	016
HSP/PBS	4/1/2008 1:15 PM	016
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/EDT	4/2/2008 1:30 PM	225
EDU/AHW/EDT/WTL	4/2/2008 1:30 PM	225
AHW/TSG	4/2/2008 1:45 PM	225
PBS/AHW	4/2/2008 1:45 PM	225
AHW/ENE	4/3/2008 1:15 PM	414
EDT	4/3/2008 1:15 PM	224
TSG	4/3/2008 1:15 PM	229
AHW	4/3/2008 2:45 PM	224
ENE	4/3/2008 2:45 PM	414
PBS	4/3/2008 2:45 PM	225
PBS/JDL	4/3/2008 2:45 PM	225
HTH/HSP	4/4/2008 1:15 PM	016
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
EDT	4/10/2008 1:15 PM	224

- Senate Session will convene at 11:30 a.m. on Tuesday, April 1, 2008.

14. Adjournment