

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

---

FIFTY-FIRST DAY

APRIL 16, 2008-WEDNESDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by The Honorable Paul Whalen  
Hawai'i State Senate

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor Nos. 633-637

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 633</a>	Dated April 11, 2008, transmitting the Annual Report Summary of the Small Business Utilization Council, pursuant to Chapter 3-124, Hawaii Administrative Rules.	FILE
<a href="#">G.M. No. 634</a>	Informing the Senate that on April 15, 2008, the Governor signed the following bill into law: <a href="#">SB1809</a> (Act 013).  "RELATING TO CONDOMINIUMS."	FILE
<a href="#">G.M. No. 635</a>	Informing the Senate that on April 15, 2008, the Governor signed the following bill into law: <a href="#">HB3325 HD2</a> (Act 014).  "RELATING TO THE UNIFORM LAND SALES PRACTICES ACT."	FILE

[G.M. No. 636](#) Informing the Senate that on April 15, 2008, the Governor signed the following bill into law: FILE  
[HB3343 HD1](#) (Act 015).

"RELATING TO FILIPINO-AMERICAN HISTORY MONTH."

[G.M. No. 637](#) Informing the Senate that on April 15, 2008, the Governor signed the following bill into law: FILE  
[SB2399](#) (Act 016).

"RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

2. Departmental Communications: None

3. House Communications Nos. 738-742

Informing the Senate that on April 15, 2008, the House made changes to conferee assignments to the following bill:

REFERRAL

738 [S.B. No. 2499, H.D. 1](#)  
"RELATING TO TARO."

Added Representative Takumi as Co-Chair

Informing the Senate that on April 15, 2008, the House agreed to the amendments proposed by the Senate and that said bills passed Final Reading in the House:

739                    [H.B. No. 7, H.D. 1, S.D. 1](#)                    FILE  
"RELATING TO THE I-SAVERX  
PRESCRIPTION DRUG  
PROGRAM."(Prescription Drugs; I-SaveRx;  
Governor; Reimportation)

[H.B. No. 2254, H.D. 2, S.D. 1](#)  
"RELATING TO BANKS AND FINANCIAL  
INSTITUTIONS."(Financial Institution Name  
Fraud; Banks)

[H.B. No. 2559, H.D. 2, S.D. 1](#)  
"RELATING TO THE UNIFORM  
UNCLAIMED PROPERTY ACT."(Uniform  
Unclaimed Property Act)

[H.B. No. 2699, H.D. 1, S.D. 1](#)  
"RELATING TO THE UNIFORM PROBATE  
CODE."(Probate; Omnibus Bill)

Informing the Senate that on April 15, 2008, the  
House appointed Conferees to the following  
House Bills:

740                    [H.B. No. 2429, H.D. 2, S.D. 2](#)                    FILE  
"RELATING TO RECREATION."

Representatives Ito/Chang/Yamane/M. Oshiro,  
Co-Chrs.; Finnegan

Informing the Senate that on April 15, 2008, the  
House appointed Conferees to the following  
Senate Bills:

741                    [S.B. No. 2842, S.D. 2, H.D. 2](#)                    FILE  
"RELATING TO LIGHTING."

Representatives Morita/Carroll, Co-Chrs.;  
Sagum, Thielen

[S.B. No. 2843, S.D. 2, H.D. 3](#)

"RELATING TO ELECTRONIC DEVICE  
RECYCLING."

Representatives Morita/Yamashita/M. Oshiro,  
Co-Chrs.; Carroll, Wakai, Ward

[S.B. No. 2849, S.D. 1, H.D. 1](#)

"RELATING TO AGRICULTURAL LANDS."

Representatives Morita/Ito/Tsuji, Co-Chrs.;  
Thielen

[S.B. No. 3174, S.D. 2, H.D. 2](#)

"RELATING TO AFFORDABLE HOUSING."

Representatives Shimabukuro/Ito/M. Oshiro, Co-  
Chrs.; Karamatsu, Rhoads, Ward

Informing the Senate that on April 15, 2008, the  
House agreed to the amendments proposed by the  
Senate and that said resolution has been adopted  
in final form in the House:

742

[H.C.R. No. 111, H.D. 1, S.D. 1](#)

"URGING HAWAII'S CONGRESSIONAL  
DELEGATION TO SUPPORT LEGISLATIVE  
INCENTIVES FOR PUBLIC HOUSING  
TENANTS TO TRANSITION INTO  
PERMANENT HOUSING."(Public Housing  
Tenants; Transition into Permanent Housing)

FILE

4. Senate Communications: None
5. Judiciary Communications: None

6. Standing Committee Report Nos. 3577-3588

[3577](#) (CPH)  
(One Day Notice)

[G.M. No. 455](#)  
"Submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, Gubernatorial Nominee, ROLAND CABALO CASAMINA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3578](#) (CPH)  
(One Day Notice)

[G.M. No. 458](#)  
"Submitting for consideration and confirmation to the Board of Veterinary Examiners, Gubernatorial Nominee, JOHN K. KAYA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3579](#) (CPH)  
(One Day Notice)

[G.M. No. 506](#)  
"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."

(Recommends Senate Consent to Nomination)

[3579](#)  
(One Day Notice)

(CPH)

[G.M. No. 507](#)

"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."

(Recommends Senate Consent to Nomination)

[3580](#)  
(One Day Notice)

(CPH)

[G.M. No. 533](#)

"Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, MATTHEW J. BISHOP, for a term to expire 6-30-2010."

(Recommends Senate Consent to Nomination)

[3581](#)  
(One Day Notice)

(EDT)

[G.M. No. 338](#)

"Submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), Gubernatorial Nominee, PATRICK L. ING CPA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3582](#)  
(One Day Notice)

(EDT)

[G.M. No. 339](#)

"Submitting for consideration and confirmation to the Board of Taxation Review, 3rd Taxation District (Hawai'i), Gubernatorial Nominee, IOANA D. AGASA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3583](#)  
(One Day Notice)

(EDT)

[G.M. No. 469](#)

"Submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), Gubernatorial Nominee, TRACY T. CHIANG, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[3584](#)  
(One Day Notice)

(EDU)

[G.M. No. 530](#)

"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."

(Recommends Senate Consent to Nomination)

[3585](#)  
(One Day Notice)

(EDU/HTH)

[H.C.R. No. 294](#)

"URGING THE UNIVERSITY OF HAWAII AND SUPPORTING COMMUNITY MEMBERS TO MOVE EXPEDITIOUSLY TO IMPLEMENT PLANS FOR THE CONSTRUCTION OF THE CANCER RESEARCH CENTER OF HAWAII AT KAKAAKO."

(Recommends Adoption)

[3586](#)  
(One Day Notice)

(EDU/HTH)

[H.C.R. No. 126, H.D. 1, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO JOINTLY STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS."

(AMENDED TITLE)

(Recommends Adoption)

[3587](#)  
(One Day Notice)

(EDU/HTH)

[H.C.R. No. 226, S.D. 1](#)

"REQUESTING THE UNIVERSITY OF HAWAII'S JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A SURVEY OF CURRENT AND PROSPECTIVE STUDENTS TO EXAMINE AND DEVELOP A PLAN TO ADDRESS RURAL HEALTH PROFESSIONAL SHORTAGE AREAS IN THE STATE." (AMENDED TITLE)  
(Recommends Adoption)

[3588](#)  
(One Day Notice)

(IGM)

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

"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."  
(Recommends Adoption)

ORDER OF THE DAY

7. Deferred Matters – House Communications for Agree/Disagree

HSE. COM. NO.

724

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

AGREE/DISAGREE

"REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN." - (TIA)

(Taiwan Free Trade Agreement)



8. Advise and Consent

<a href="#">3568</a>	EDT	<a href="#">G.M. No. 329</a>
<a href="#">Testimony Status</a>		"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, TREVOR H. KAINOA DAINES, for a term to expire 6-30-2010."
<a href="#">3568</a>	EDT	<a href="#">G.M. No. 463</a>
<a href="#">Testimony Status</a>		"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, CECILIA K. AKIM, for a term to expire 6-30-2012."
<a href="#">3568</a>	EDT	<a href="#">G.M. No. 464</a>
<a href="#">Testimony Status</a>		"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, PONI ELLIOT KAMAUU, for a term to expire 6-30-2012."
<a href="#">3568</a>	EDT	<a href="#">G.M. No. 465</a>
<a href="#">Testimony Status</a>		"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, JACQUELINE LEILANI ROSSETTI, for a term to expire 6-30-2009."
<a href="#">3568</a>	EDT	<a href="#">G.M. No. 466</a>
<a href="#">Testimony Status</a>		"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, MAXEEN LAUAAHI SHEA, for a term to expire 6-30-2012."

<a href="#">3569</a> <a href="#">Testimony Status</a>	EDT	<a href="#">G.M. No. 337</a> "Submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), Gubernatorial Nominee, MICHAEL JOSEPH CHOI, for a term to expire 6-30-2012."
<a href="#">3570</a> <a href="#">Testimony Status</a>	HSP	<a href="#">G.M. No. 537</a> "Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, GWEN L. KELIIHOOMALU, for a term to expire 6-30-2010."
<a href="#">3570</a> <a href="#">Testimony Status</a>	HSP	<a href="#">G.M. No. 582</a> "Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, CHRISTIAN E. YATES, for a term to expire 6-30-2011."
<a href="#">3574</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 365</a> "Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, DIANE M. IRONS, for a term to expire 6-30-2012."
<a href="#">3574</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 366</a> "Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, IAN T. T. SANTEE, for a term to expire 6-30-2012."

<a href="#">3574</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 367</a> "Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, DANIEL E. SCHAAL, for a term to expire 6-30-2012."
<a href="#">3574</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 368</a> "Submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, Gubernatorial Nominee, WILLIAM T. WATKINS JR., for a term to expire 6-30-2012."
<a href="#">3575</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 381</a> "Submitting for consideration and confirmation to the Medical Advisory Board, Gubernatorial Nominee, CARLOS WARTER, for a term to expire 6-30-2009."
<a href="#">3576</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 382</a> "Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, Gubernatorial Nominee, THOMAS E. DORSEY PHD, for a term to expire 6-30-2010."
<a href="#">3576</a> <a href="#">Testimony Status</a>	HTH	<a href="#">G.M. No. 383</a> "Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, Gubernatorial Nominee, MARDI L. MAIONE, for a term to expire 6-30-2012."

<a href="#">3576</a>	HTH	<a href="#">G.M. No. 384</a>
<a href="#">Testimony</a> <a href="#">Status</a>		"Submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, gubernatorial nominee, CANDACE M. SANDAL, for a term to expire 6-30-2012."

9. Adopt Resolutions

<a href="#">3571</a>	IGM	<a href="#">H.C.R. No. 194, S.D. 1</a>
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		"REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHAU THAT IS UNDER ITS JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES." (AMENDED TITLE)

<a href="#">3572</a>	WTL	<a href="#">H.C.R. No. 117, S.D. 1</a>
<a href="#">Testimony</a> <a href="#">Prior</a> <a href="#">Versions</a> <a href="#">Status</a>		"REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN."

10. Final Reading

[S.B. No. 3068, S.D. 1, H.D. 1](#)

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

"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION." - (WAM)

(Emergency Appropriation for the Adult Mental Health Division)

[S.B. No. 3074, S.D. 1, H.D. 1](#)

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

"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH." - (WAM)

(Emergency Appropriation for Emergency Medical Services)

11. Miscellaneous Communication No. 2

MEASURE

TITLE

REFERRAL

[M.C. No. 2](#)

From the Honorable Colleen Hanabusa, President of the Senate, and the Honorable Calvin K. Y. Say, Speaker of the House of Representatives, dated April 14, 2008, transmitting a Legislative Communication authorizing an exception to the 2008 Legislative Timetable for S.B. No. 69, S.D. 2, H.D. 2, to process, transmit and receive said measure, as appropriate to meet Constitutional bill passage requirements.

FILE

12. Miscellaneous Business

13. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
EDU	4/16/2008 1:15 PM	225
HSP	4/17/2008 8:30 AM	229
EDT	4/17/2008 1:15 PM	224
HSP	4/18/2008 9:00 AM	229
HTH	4/18/2008 1:15 PM	016
HTH/CPH	4/18/2008 1:15 PM	016
HTH/EDU	4/18/2008 1:15 PM	016
HTH/HSP	4/18/2008 1:15 PM	016
TIA/CPH	4/18/2008 2:00 PM	224
EDU	4/18/2008 2:45 PM	229
EDU/AHW	4/18/2008 2:45 PM	229
EDU/AHW/PBS	4/18/2008 2:45 PM	229
EDU/HSP	4/18/2008 2:45 PM	229

- Senate Session will convene at 11:30 a.m. on Thursday, April 17, 2008.

14. Adjournment