

THE SENATE
OF THE
TWENTY-FIFTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2010

FIFTIETH DAY

APRIL 15, 2010-THURSDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by Shawna Lau Kong
Office of Senator Dwight Y. Takamine

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 477-479

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 477	Informing the Senate that on April 14, 2010, the Governor signed the following bill into law: HB2596 (Act 021). "RELATING TO TAX CREDITS."	FILE
G.M. No. 478	Informing the Senate that on April 14, 2010, the Governor signed the following bill into law: HB2600 (Act 022). "RELATING TO TAX ADMINISTRATION."	FILE
G.M. No. 479	Informing the Senate that on April 14, 2010, the Governor returned the following bill without approval: HB1868 HD1 . "RELATING TO CIVIL SERVICE."	FILE

2. Departmental Communications: None
3. House Communication Nos. 569-572

Informing the Senate that on April 14, 2010, the House made changes to conferee assignments to the following bill:

REFERRAL

569 [H.B. No. 2383, H.D. 1, S.D. 2](#) FILE
"RELATING TO FLAGS."(Prisoner of War/Missing in Action Flag)

Discharged Representatives McKelvey,
Karamatsu, Co-Chairs; Har, Ward

Informing the Senate that on April 14, 2010, the following bills passed Final Reading in the House:

570 [H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1](#) FILE
"RELATING TO TAXATION."(Itemized Deductions - Limits; Capital Goods Excise Tax Credit)

[H.B. No. 1985, S.D. 1, C.D. 1](#)
"RELATING TO TAXATION."(Taxation; Political Contribution; Insurance Fees)

[H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1](#)
"RELATING TO GOVERNMENT."(Food and Energy Security)

[H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1](#)
"RELATING TO TAXATION."(Taxation; Income Tax Rates)

[S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO THE DEPARTMENT OF HUMAN SERVICES."(Department of Human Services)

6. Standing Committee Report Nos. 3151-3170

[3151](#)
(One Day Notice)

(CPN)

[G.M. No. 384](#)

"Submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, Gubernatorial Nominee, BRUCE T. KAWANO, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3152](#)
(One Day Notice)

(CPN)

[G.M. No. 385](#)

"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, MORRIS H. KANESHIRO, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3153](#)
(One Day Notice)

(CPN)

[G.M. No. 387](#)

"Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, LAURA Y. CHOCK, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3153](#)
(One Day Notice)

(CPN)

[G.M. No. 388](#)

"Submitting for consideration and confirmation to the Board of Massage Therapy, Gubernatorial Nominee, OLIVIA B. NAGASHIMA, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3154](#)
(One Day Notice)

(CPN)

[G.M. No. 401](#)

"Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, STEVEN R. OBERG CPA, for a term to expire 6-30-2010."

(Recommends Senate Consent to Nomination)

[3154](#)
(One Day Notice)

(CPN)

[G.M. No. 402](#)

"Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, STEVEN R. OBERG CPA, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3155](#)
(One Day Notice)

(CPN)

[G.M. No. 404](#)

"Submitting for consideration and confirmation to the Hawaii Medical Board, Gubernatorial Nominee, CARL K. YORITA, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3156](#)
(One Day Notice)

(CPN)

[G.M. No. 405](#)

"Submitting for consideration and confirmation to the Board of Naturopathic Medicine, Gubernatorial Nominee, DAVID R. KERN, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3157](#)
(One Day Notice)

(CPN)

[G.M. No. 406](#)

"Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, TODD K. INAFUKU, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3158](#)
(One Day Notice)

(CPN)

[G.M. No. 407](#)

"Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, SCOTT A. SHERLEY, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3159](#)
(One Day Notice)

(HMS)

[G.M. No. 445](#)

"Submitting for consideration and confirmation to the Statewide Council on Independent Living, Gubernatorial Nominee, GORDON L. FULLER, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[3160](#)
(One Day Notice)

(ENE/EDT)

[G.M. No. 395](#)

"Submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, Gubernatorial Nominee, MICHAEL BUCHAL, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3161](#)
(One Day Notice)

(EDT)

[G.M. No. 393](#)

"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, TREVOR H. KAINOA DAINES, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3161](#)
(One Day Notice)

(EDT)

[G.M. No. 409](#)

"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, KALEIAHIHI K. FERMANTEZ, for a term to expire 6-30-2010."

(Recommends Senate Consent to Nomination)

[3161](#)
(One Day Notice)

(EDT)

[G.M. No. 410](#)

"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, KALEIAHIHI K. FERMANTEZ, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3161](#)
(One Day Notice)

(EDT)

[G.M. No. 434](#)

"Submitting for consideration and confirmation to the King Kamehameha Celebration Commission, Gubernatorial Nominee, DORADEEN M. KANUHA, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[3162](#)
(One Day Notice)

(EDT)

[G.M. No. 411](#)

"Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, RICHARD SCHNITZLER, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3163](#)
(One Day Notice)

(EDT)

[G.M. No. 433](#)

"Submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, Gubernatorial Nominee, JEFFREY N. DODGE, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3164](#)
(One Day Notice)

(HRE)

[G.M. No. 397](#)

"Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, FEREDOUN DON PARSA, MD, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[3165](#)
(One Day Notice)

(EDT)

[G.M. No. 198](#)

"Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, ALAN S. TAMAYOSE, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3165](#)
(One Day Notice)

(EDT)

[G.M. No. 199](#)

"Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, KENNETH B. MARCUS ESQ., for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3165](#)
(One Day Notice)

(EDT)

[G.M. No. 200](#)

"Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, KATHRYN WHANG INOUYE, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3166](#)
(One Day Notice)

(JGO)

[G.M. No. 351](#)

"Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, EDELENE O. URIARTE, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3167](#)
(One Day Notice)

(HRE)

[G.M. No. 436](#)

"Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), Gubernatorial Nominee, STEVEN CHARLES WHEELWRIGHT, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[3168](#)
(One Day Notice)

(ENE/CPN)

[H.C.R. No. 230](#)

"URGING THE HAWAII CLEAN ENERGY INITIATIVE END-USE EFFICIENCY WORKING GROUP TO CONVENE DEVELOPMENT AND BUILDING INDUSTRY STAKEHOLDERS TO IDENTIFY BARRIERS TO IMPLEMENTATION AND WORK TOWARDS A CONSENSUS POSITION TO PROMOTE THE DESIGN AND CONSTRUCTION OF NET ZERO ENERGY BUILDINGS."

(Recommends Adoption)

[3169](#)
(One Day Notice)

(HMS)

[H.C.R. No. 51, S.D. 1](#)

"DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK."

(Recommends Adoption)

[3170](#)
(One Day Notice)

(HMS)

[H.C.R. No. 62, S.D. 1](#)

"SUPPORTING CAREGIVERS AND RECOGNIZING THEIR ROLE IN MAINTAINING THE HEALTH AND WELL-BEING OF HAWAII'S FRAIL AND VULNERABLE POPULATION."

(Recommends Adoption)

ORDER OF THE DAY

7. Advise and Consent

3145	ENE	G.M. No. 394 "Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, PETER H. COOPER, for a term to expire 6-30-2014."
Testimony Status		
3146	JGO	G.M. No. 418 "Submitting for consideration and confirmation to the Defender Council, Gubernatorial Nominee, JEFFREY ALAN HAWK, for a term to expire 6-30-2014."
Testimony Status		
3146	JGO	G.M. No. 419 "Submitting for consideration and confirmation to the Defender Council, Gubernatorial Nominee, SHIRLEY MIKI KAWAMURA, for a term to expire 6-30-2014."
Testimony Status		
3147	JGO	G.M. No. 420 "Submitting for consideration and confirmation to the Board of Registration of the Islands of Kaua'i and Ni'ihau, Gubernatorial Nominee, DANIEL KAWAMURA, for a term to expire 6-30-2014."
Testimony Status		
3148	JGO	G.M. No. 421 "Submitting for consideration and confirmation to the Commission on the Status of Women, Gubernatorial Nominee, ELENA M.H. CABATU, for a term to expire 6-30-2014."
Testimony Status		

[3149](#)

EDH

[Testimony](#) [Status](#)

[G.M. No. 392](#)

"Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority, Gubernatorial Nominee, R. ERIC HO'OLULUKAMAKANI BEAVER, ESQ., for a term to expire 6-30-2014."

8. Adopt Resolutions

[3150](#)

ENE

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

[H.C.R. No. 178](#)

"RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII."

9. Final Reading

[S.B. No. 898, S.D. 2, H.D. 1](#)

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

"RELATING TO CIVIL DEFENSE."

(Liability Exemptions; Disasters; Care Homes; Schools)

[S.B. No. 2775, S.D. 1, H.D. 2](#)

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

"RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P."

(Publicity Rights)

10. Miscellaneous Communications: None

11. Miscellaneous Business

- Reconsideration of Disagreement to House Amendments; Agree; One Day Notice for Final Reading

[S.B. No. 358, S.D. 1, H.D. 2](#) PSM, JGO "RELATING TO FIREARMS."

- Waiver of Referral; One Day Notice for Adoption

[H.C.R. No. 46](#) WTL "AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES."

[H.C.R. No. 47](#) WTL "REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF KEEHI INDUSTRIAL LOTS, ISLAND OF OAHU."

[H.C.R. No. 89](#) WTL "RECOGNIZING FEBRUARY AS "HAWAI'I-GROWN CACAO MONTH."

[H.C.R. No. 320](#) WTL "SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE."

12. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/15/2010 1:00 PM	224
CONF	4/15/2010 2:00 PM	016
CONF	4/15/2010 2:00 PM	329
CONF	4/15/2010 2:00 PM	423
CONF	4/15/2010 2:15 PM	325
CONF	4/15/2010 2:30 PM	329
CONF	4/15/2010 2:30 PM	423
CONF	4/15/2010 3:00 PM	224

CONF	4/15/2010 3:00 PM	016
WTL/TIA	4/15/2010 3:30 PM	224
WTL	4/15/2010 3:40 PM	224
LBR	4/15/2010 4:00 PM	312
CONF	4/16/2010 8:45 AM	229
CONF	4/16/2010 9:00 AM	312
CONF	4/16/2010 9:00 AM	229
CONF	4/16/2010 9:30 AM	312
WAM	4/16/2010 9:30 AM	211
CONF	4/16/2010 10:30 AM	225
CONF	4/16/2010 11:00 AM	312
CONF	4/16/2010 11:00 AM	016
CONF	4/16/2010 11:00 AM	229
EDT	4/16/2010 1:30 PM	423
CONF	4/16/2010 1:45 PM	329
CONF	4/16/2010 2:30 PM	329
CONF	4/16/2010 2:30 PM	225
CONF	4/16/2010 3:00 PM	312
CONF	4/16/2010 3:05 PM	312
CONF	4/16/2010 7:00 PM	309
HMS	4/19/2010 8:30 AM	229
CONF	4/19/2010 1:30 PM	225
CONF	4/20/2010 10:00 AM	225
EDT	4/21/2010 1:30 PM	423
PSM	4/28/2010 8:30 AM	229

- Senate Session will convene at 11:30 a.m. on Friday, April 16, 2010.

13. Adjournment