

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

FIFTY-SIXTH DAY

APRIL 23, 2010-FRIDAY-6:30 O'CLOCK P.M.

ORDER OF BUSINESS

Invocation by Ms. Suzanne Marinelli
Legislative Reference Bureau Public Access Room

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 505-512

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 505	Informing the Senate that on April 22, 2010, the Governor returned the following bill without approval: SB2394 HD1 . "RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN."	FILE
G.M. No. 506	Informing the Senate that on April 22, 2010, the Governor returned the following bill without approval: SB2501 SD1 HD1 . "RELATING TO PUBLIC ACCOUNTANCY."	FILE
G.M. No. 507	Informing the Senate that on April 22, 2010, the Governor returned the following bill without approval: HB1642 HD1 SD2 CD1 . "RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES."	FILE

G.M. No. 508	Informing the Senate that on April 22, 2010, the Governor returned the following bill without approval: HB2546 SD1 . "RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES."	FILE
G.M. No. 509	Informing the Senate that on April 23, 2010, the Governor signed the following bill into law: SB2701 SD1 HD1 (Act 047). "RELATING TO CONSUMER PROTECTION."	FILE
G.M. No. 510	Informing the Senate that on April 23, 2010, the Governor signed the following bill into law: HB2568 SD1 (Act 048). "RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY."	FILE
G.M. No. 511	Informing the Senate that on April 23, 2010, the Governor signed the following bill into law: SB2921 SD1 HD1 (Act 049). "RELATING TO ESCROW DEPOSITORIES."	FILE
G.M. No. 512	Informing the Senate that on April 23, 2010, the Governor signed the following bill into law: SB2390 SD2 HD2 (Act 050). "RELATING TO PHARMACIST LICENSURE."	FILE

2. Departmental Communications: None

3. House Communication Nos. 614-618

Informing the Senate that on April 22, 2010, the House appointed Conferees to the following bill:

REFERRAL

614

[H.C.R. No. 296, S.D. 1](#)

FILE

"REQUESTING A STATUS REPORT FROM THE HAWAI'I CAPITAL CULTURAL COALITION."(Hawai'i Capital Cultural Coalition; Planning Status)

McKelvey/Choy, Co-Chrs.; Evans, Ward

[H.C.R. No. 297, S.D. 1](#)

"REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES."(Status Report: STEM; Robotics)

McKelvey/Choy, Co-Chrs.; Evans, Ward

Informing the Senate that on April 22, 2010, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

615

[H.B. No. 840, H.D. 1, S.D. 1](#)

FILE

"RELATING TO CHARGING BY WRITTEN INFORMATION."(Information Charging; Charging of Criminal Offenses)

616

[H.B. No. 2003, H.D. 3, S.D. 2](#)

FILE

"RELATING TO CAMPAIGN FINANCING."(Elections; Campaign Financing)

617

[H.B. No. 2083, H.D. 1, S.D. 2](#)

FILE

"RELATING TO MILK LABELING."(Milk; Labeling; Date of Pasteurization or Packaging)

618

[H.B. No. 2721, H.D. 1, S.D. 1](#)

FILE

"RELATING TO COURT REPORTERS."(Judiciary; Shorthand Reporters)

4. Senate Communications: None
5. Judiciary Communications: None
6. Conference Committee Report Nos. 41-42 and 95-98

[41-10](#)
(48 Hrs. Notice)

[H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1](#)
"RELATING TO SOLID WASTE."
(Recommends passage on FINAL READING
as amended C.D. 1)

[42-10](#)
(48 Hrs. Notice)

[H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1](#)
"RELATING TO HAWAIIAN
FISHPONDS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[95-10](#)
(48 Hrs. Notice)

[S.B. No. 2610, H.D. 1, C.D. 1](#)
"RELATING TO CONVEYANCE TAX."
(Recommends passage on FINAL READING
as amended C.D. 1)

[96-10](#)
(48 Hrs. Notice)

[S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO THE EMERGENCY AND
BUDGET RESERVE FUND."
(Recommends passage on FINAL READING
as amended C.D. 1)

[97-10](#)
(48 Hrs. Notice)

[S.B. No. 930, H.D. 2, C.D. 1](#)
"RELATING TO VOLUNTEER MEDICAL
ASSISTANCE SERVICES."
(Recommends passage on FINAL READING
as amended C.D. 1)

[98-10](#)
(48 Hrs. Notice)

[S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO IMMUNIZATION."
(Recommends passage on FINAL READING
as amended C.D. 1)

ORDER OF THE DAY

7. Advise and Consent

[3214](#) WAM
[Testimony Status](#)

[G.M. No. 423](#)
"Submitting for consideration and
confirmation to the Board of Taxation
Review, 1st Taxation District (Oahu),
Gubernatorial Nominee, ALAN MUN
LEONG YEE, for a term to expire 6-30-
2014."

[3215](#) WAM
[Testimony Status](#)

[G.M. No. 424](#)
"Submitting for consideration and
confirmation to the Board of Taxation
Review, 3rd Taxation District, Gubernatorial
Nominee, MICHAEL CHANG, for a term to
expire 6-30-2014."

[3216](#) WAM
[Testimony Status](#)

[G.M. No. 455](#)
"Submitting for consideration and
confirmation to the Board of Taxation
Review, 2nd Taxation District (Maui),
Gubernatorial Nominee, MICHELE A.
KATO, for a term to expire 6-30-2014."

3217 Testimony Status	WAM	G.M. No. 456 "Submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), Gubernatorial Nominee, FAYE M. MURAYAMA, for a term to expire 6-30-2012."
3218 Testimony Status	WAM	G.M. No. 457 "Submitting for consideration and confirmation to the Tax Review Commission, Gubernatorial Nominee, MICHAEL T. MCENERNEY, for a term to expire 6-30-2012."
3219 Testimony Status	WAM	G.M. No. 458 "Submitting for consideration and confirmation to the Tax Review Commission, Gubernatorial Nominee, GREGG M. TAKETA, for a term to expire 6-30-2012."
3224 Testimony Status	EDT	G.M. No. 435 "Submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, Gubernatorial Nominee, CLIFFORD P. KAPONO, for a term to expire 6-30-2014."
3225 Testimony Status	HRE	G.M. No. 377 "Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, MATTHEW R. WILLIAMS, for a term to expire 6-30-2012."

[3226](#)

HRE

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

[G.M. No. 378](#)

"Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, CHUCK Y. GEE, for a term to expire 6-30-2015."

[3227](#)

HRE

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

[G.M. No. 379](#)

"Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, RONALD D. MONTGOMERY, for a term to expire 6-30-2015."

8. Final Adoption

[S.C.R. No. 183, S.D. 1, H.D. 1](#)

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

"CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION."

(Noise Pollution; Legislative Task Force)

[S.C.R. No. 202, S.D. 1, H.D. 1](#)

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

"AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055; SEAWARD OF TAX MAP KEY: (2) 4-5-001:006."

(BLNR; Non-Exclusive Easement; Napili Beach Club)

9. Adopt Resolutions

3220	EDH	H.C.R. No. 167, H.D. 1 "REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY."
Testimony Prior Versions Status		
3221	ENE	H.C.R. No. 235, H.D. 2 "SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER IN THE UNITED STATES." (AMENDED TITLE)
Testimony Prior Versions Status		
3222	ENE/TIA	H.C.R. No. 216 "EXPRESSING SUPPORT FOR HAWAII TO PURSUE THE BID TO HOST THE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS."
Testimony Prior Versions Status		
3223	WTL/JGO	H.C.R. No. 289, H.D. 1 "REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING MORE OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS." (AMENDED TITLE)
Testimony Prior Versions Status		

[3228](#)

HMS

[H.C.R. No. 262, H.D. 1](#)

"REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS."

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

[3229](#)

PSM

[H.C.R. No. 123](#)

"RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE."

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

[3230](#)

PSM

[H.C.R. No. 139](#)

"REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL."

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

[3231](#)

PSM

[H.C.R. No. 187](#)

"REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM."

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

[3232](#)

PSM

[H.C.R. No. 223, H.D. 1](#)

"REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST."
(AMENDED TITLE)

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

[3233](#)

PSM/TIA

[H.C.R. No. 175](#)

"URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY."

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

10. Final Reading

[Conf. Com. Rep. No. 12 - 10](#)

[H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO TRAFFIC ACCIDENT INVESTIGATION."

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

(Highway Safety; Traffic Accident Investigation)

[Conf. Com. Rep. No. 13 - 10](#)

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

[H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1](#)

"RELATING TO COUNTIES."

(Traffic Regulation)

[Conf. Com. Rep. No. 14 - 10](#)

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

[H.B. No. 1854, S.D. 2, C.D. 1](#)

"RELATING TO EDUCATION."

(Food Distribution Program Revolving Fund;
Allowable Uses)

[Conf. Com. Rep. No. 15 - 10](#)

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

[H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO THE KAHO‘OLAWA
ISLAND RESERVE COMMISSION."

(Kaho‘olawe Island Reserve Commission;
Procurement)

[Conf. Com. Rep. No. 16 - 10](#)

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

[H.B. No. 2239, S.D. 2, C.D. 1](#)

"RELATING TO THE DEPOSIT
BEVERAGE CONTAINER PROGRAM."

(Deposit Beverage Container Program;
Dietary Supplements)

[Conf. Com. Rep. No. 59 - 10](#)

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

[S.B. No. 950, S.D. 2, H.D. 3, C.D. 1](#)

"RELATING TO ELECTRIC GUNS."

(Electric Guns)

[Conf. Com. Rep. No. 60 - 10](#)

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

[S.B. No. 2449, H.D. 1, C.D. 1](#)

"RELATING TO DRIVER LICENSING."

(Driver Licensing; Provisional License)

[Conf. Com. Rep. No. 61 - 10](#)

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

[S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1](#)

"RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING."

(Thrill Craft and Parasailing; Time Limit on Permits)

[Conf. Com. Rep. No. 62 - 10](#)

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

[S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1](#)

"RELATING TO SOLAR ENERGY DEVICES."

(Solar Energy Device; Homeowners Associations)

[S.B. No. 2547, S.D. 1, H.D. 1](#)

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

"RELATING TO SMALL BOAT HARBORS."

(Small Boat Harbors; Permits)

11. Miscellaneous Communications: None

12. Miscellaneous Business

13. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
PSM	4/26/2010 2:00 PM	16
LBR/WAM	4/26/2010 3:00 PM	312
PSM	4/28/2010 8:30 AM	16

- Senate Session will convene at 9:00 a.m. on Monday, April 26, 2010.

14. Adjournment