

THE SENATE
OF THE
TWENTY-SIXTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2011

FORTY-THIRD DAY

APRIL 5, 2011-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

CELEBRATING 100 YEARS OF NAVAL AVIATION. (Senator Espero)

1. Messages from the Governor: Nos. 775-777

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 775	Submitting for consideration and confirmation to the Commission on the Status of Women, Gubernatorial Nominee, LESLIE WILKINS, for a term to expire 6-30-2015.	JDL
G.M. No. 776	Submitting for consideration and confirmation to the Hawaiian Homes Commission, Gubernatorial Nominee, LEIVALLYN KAUPU, for a term to expire 6-30-2013.	HWN
G.M. No. 777	Informing the Senate that on April 4, 2011, the Governor has withdrawn RIED C. FISHER, Gubernatorial Nominee to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, from consideration by the Senate (GM675).	FILE

2. Departmental Communications: None

3. House Communication Nos. 370-376

Returning the following Senate Bill which passed
Third Reading in the House on April 4, 2011, in
an amended form:

REFERRAL

370 [S.B. No. 105, S.D. 2, H.D. 1](#) AGREE/DISAGREE
"RELATING TO UNIFORM REAL PROPERTY
TRANSFER ON DEATH."(Real Property;
Probate)

371 [S.B. No. 1067, S.D. 1, H.D. 2](#) AGREE/DISAGREE
"RELATING TO PROBATION."(Adult
Probation; Records Confidentiality)

372 [S.B. No. 1533, S.D. 1, H.D. 1](#) AGREE/DISAGREE
"RELATING TO CRUELTY TO
ANIMALS."(Cruelty to Animals; Exception for
Insects, Vermin, and Other Pests)

Informing the Senate that on April 4, 2011, the
following House Concurrent Resolutions were
adopted in the House:

373 [H.C.R. No. 4, H.D. 1](#)
"DECLARING THE MONTH OF MAY AS
LUPUS AWARENESS MONTH IN
HAWAII."(Proclaiming May as Lupus
Awareness Month in Hawaii.)

374 [H.C.R. No. 80, H.D. 2](#)
"REQUESTING THE UNITED STATES
CONGRESS TO EXAMINE FEDERAL LAWS
AND REGULATIONS TO ALLOW STATES
TO MORE READILY ENACT
UNEMPLOYMENT COMPENSATION-
RELATED LAWS THAT ALLOW FEAR OF
DOMESTIC OR SEXUAL VIOLENCE TO BE
A VALID REASON FOR NOT ACCEPTING
SUITABLE WORK."(Unemployment Insurance;
Domestic Violence)

375 [H.C.R. No. 202](#)
"REQUESTING THE HAWAII SUPREME
COURT STANDING COMMITTEE ON THE
RULES OF EVIDENCE TO STUDY AND
REPORT ON THE IMPLEMENTATION OF
THE HAWAII UNIFORM COLLABORATIVE
LAW ACT."(Hawaii Uniform Collaborative Law
Act)

376 [H.C.R. No. 209](#)
"RECOGNIZING OCTOBER AS WOMEN'S
HEALTH MONTH."(Women's Health Month)

4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 1049-1056

[1049](#)
(48 Hrs. Notice)

(CPN)

[H.B. No. 1520, H.D. 2, S.D. 2](#)
"RELATING TO RENEWABLE ENERGY."
(Recommends passage on THIRD
READING)

[1050](#)
(48 Hrs. Notice)

(CPN)

[H.B. No. 1342, H.D. 1, S.D. 2](#)
"RELATING TO
TELECOMMUNICATIONS."
(Recommends passage on THIRD
READING)

[1051](#)
(48 Hrs. Notice)

(CPN)

[H.B. No. 747, H.D. 1, S.D. 2](#)
"RELATING TO LIQUOR LIABILITY
INSURANCE."
(Recommends passage on THIRD
READING)

[1052](#)
(One Day Notice)

(CPN)

[S.C.R. No. 134, S.D. 1](#)
"REQUESTING THE CONVENING OF A
WORKING GROUP TO INVESTIGATE
THE CREATION OF A LOCALLY-
FOCUSED, HAWAII-BASED STOCK
EXCHANGE."
(Recommends Adoption)

[1053](#)
(One Day Notice)

(CPN)

[S.C.R. No. 48](#)
"URGING CONGRESS TO SUPPORT
FEDERAL LEGISLATION PROHIBITING
HEALTH INSURERS FROM DENYING
COVERAGE TO VICTIMS OF DOMESTIC
VIOLENCE ON THE GROUNDS THAT IT
IS A PRE-EXISTING CONDITION."
(Recommends Adoption)

[1054](#)
(One Day Notice)

(PGM)

[S.C.R. No. 167, S.D. 1](#)

"REQUESTING THAT THE CIVIL DEFENSE DIVISION OF THE HAWAII DEPARTMENT OF DEFENSE IS REQUESTED WORK WITH THE COUNTY CIVIL DEFENSE OR EMERGENCY MANAGEMENT AGENCIES TO EVALUATE THE APPROPRIATENESS OF TSUNAMI EVACUATION SITES IN THE STATE."
(AMENDED TITLE)
(Recommends Adoption)

[1055](#)
(One Day Notice)

(PGM)

[S.R. No. 103, S.D. 1](#)

"REQUESTING THAT THE CIVIL DEFENSE DIVISION OF THE HAWAII DEPARTMENT OF DEFENSE IS REQUESTED WORK WITH THE COUNTY CIVIL DEFENSE OR EMERGENCY MANAGEMENT AGENCIES TO EVALUATE THE APPROPRIATENESS OF TSUNAMI EVACUATION SITES IN THE STATE."
(AMENDED TITLE)
(Recommends Adoption)

[1056](#)
(One Day Notice)

(CPN)

[G.M. No. 535](#)

"Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, CARL D. JOHNSEN, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

7. Advise and Consent

1042	CPN	G.M. No. 530
Testimony Status		"Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, ANACLETO "JOEY" S. ALCANTRA JR., for a term to expire 6-30-2015."
1042	CPN	G.M. No. 531
Testimony Status		"Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, PETER LEE, for a term to expire 6-30-2015."
1042	CPN	G.M. No. 532
Testimony Status		"Submitting for consideration and confirmation to the Contractors License Board, Gubernatorial Nominee, JOHN POLISCHECK, for a term to expire 6-30-2015."

8. Adopt Resolutions

1043	EDU	S.C.R. No. 145
Testimony Prior Versions Status		"REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO COLLABORATE WITH PARENT ORGANIZATIONS TO DEVELOP STATEWIDE POLICIES FOR FAMILY ENGAGEMENT FOR HAWAII'S PUBLIC SCHOOLS."

1044 Testimony Prior Versions Status	EDU/EDT	S.C.R. No. 80, S.D. 1 "REQUESTING REPORTS ON THE FEASIBILITY OF USING EXISTING TELECONFERENCING AND VIDEOCONFERENCING FACILITIES FOR UNIVERSITY OF HAWAII BOARD OF REGENTS AND BOARD OF EDUCATION MEETINGS."
1045 Testimony Prior Versions Status	HMS/WAM	S.C.R. No. 150, S.D. 1 "SUPPORTING THE COMMUNITY SERVICES BLOCK GRANT PROGRAM AND STRONGLY OPPOSING BUDGET CUTS PROPOSED BY THE PRESIDENT OF THE UNITED STATES AND MEMBERS OF THE UNITED STATES CONGRESS."
1046 Testimony Prior Versions Status	HMS/WAM	S.R. No. 90, S.D. 1 "SUPPORTING THE COMMUNITY SERVICES BLOCK GRANT PROGRAM AND STRONGLY OPPOSING BUDGET CUTS PROPOSED BY THE PRESIDENT OF THE UNITED STATES AND MEMBERS OF THE UNITED STATES CONGRESS."
1047 Testimony Prior Versions Status	HMS	S.R. No. 88 "ENCOURAGING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER IMPLEMENTING THE MY SAFE DRAWER COMPUTER APPLICATION FOR FOSTER YOUTH WHO ARE TRANSITIONING OUT OF THE FOSTER CARE SYSTEM."

[1048](#)

PGM

[S.C.R. No. 14, S.D. 2](#)

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

"DISAPPROVING THE RESET ASIDE OF THE FORMER KULANI CORRECTIONAL FACILITY LANDS FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF DEFENSE FOR THE YOUTH CHALLENGE ACADEMY, REQUESTING THE DEPARTMENT OF DEFENSE TO LOOK TO OTHER PLACES ON THE BIG ISLAND TO RELOCATE THE YOUTH CHALLENGE ACADEMY, AND URGING THE DEPARTMENT OF PUBLIC SAFETY TO REOPEN KULANI CORRECTIONAL FACILITY AT THE PRESENT SITE OF THE YOUTH CHALLENGE ACADEMY AND REHIRE THE SAME STAFF." (AMENDED TITLE)

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Referrals and Re-Referrals

RE-REFERRALS FOR TUESDAY, APRIL 5, 2011

MEASURE

TITLE

RE-REFERRAL

[G.M. 758](#)

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, STEWART BURLEY, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT)

PGM

<u>G.M. 759</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, LEEANN CRABBE, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT)	PGM
<u>G.M. 760</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, STEPHEN DAY, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT)	PGM
<u>G.M. 761</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, ROCKLIN GMEINER, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT)	PGM
<u>G.M. 762</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, GALEN HO, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT)	PGM
<u>G.M. 763</u>	Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MICHAEL T. MABERRY, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT)	PGM

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| G.M. 764 | Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MARK MCGUFFIE, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT) | PGM |
| G.M. 765 | Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER MOUGINIS-MARK, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT) | PGM |
| G.M. 766 | Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, JAMES L. PASQUINO, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT) | PGM |
| G.M. 767 | Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, ELLIOT PULHAM, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT) | PGM |
| G.M. 768 | Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER QUIGLEY, for a term to expire 6-30-2013.
(Hawai'i Aerospace Advisory Committee)
(EDT) | PGM |

- [G.M. 769](#) Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, STEVEN J. SKLADANEK, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT) PGM
- [G.M. 770](#) Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DONALD STRANEY, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT) PGM
- [G.M. 771](#) Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DERRICK TSURUDA, for a term to expire 6-30-2013. (Hawai'i Aerospace Advisory Committee) (EDT) PGM

12. Announcements

- Floor Presentation for Wednesday, April 6, 2011:

RECOGNIZES AND CONGRATULATES ALVIN KUO WONG AS THE HAPPIEST PERSON IN AMERICA. (Senator Taniguchi)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HMS	4/5/2011 1:15 PM	016
WLH	4/5/2011 1:15 PM	225
WLH/WAM	4/5/2011 1:15 PM	225
WLH	4/5/2011 1:20 PM	225
AGL/WLH/PGM	4/5/2011 2:45 PM	224
ENE/WAM	4/5/2011 2:45 PM	225

ENE	4/5/2011 2:50 PM	225
AGL	4/5/2011 2:55 PM	229
PGM	4/5/2011 2:55 PM	224
JDL	4/6/2011 9:00 AM	016
WAM	4/6/2011 9:30 AM	Auditorium
JDL	4/6/2011 10:00 AM	016
EDU	4/6/2011 1:15 PM	225
TIA	4/6/2011 1:15 PM	224
HTH/HMS/WAM	4/6/2011 2:45 PM	229
HTH	4/6/2011 3:00 PM	229
CPN	4/7/2011 9:00 AM	229
JDL/WAM	4/7/2011 9:00 AM	016
JDL	4/7/2011 9:30 AM	016
WAM	4/7/2011 9:30 AM	211
JDL	4/7/2011 10:00 AM	016
PGM/WLH	4/7/2011 1:15 PM	225
WLH	4/7/2011 1:15 PM	225
WLH/PGM	4/7/2011 1:15 PM	225
WLH/WAM	4/7/2011 1:15 PM	225
HMS	4/7/2011 2:00 PM	016
WLH/ENE	4/7/2011 2:30 PM	225
ENE/PGM	4/7/2011 2:45 PM	225
ENE	4/7/2011 3:00 PM	225
EDU	4/8/2011 1:15 PM	225
EDT	4/13/2011 1:15 PM	016
EDU	4/13/2011 1:15 PM	225
TIA	4/13/2011 1:15 PM	224
HWN	4/13/2011 2:45 PM	224
AGL	4/14/2011 2:45 PM	229

- Senate Session will convene at 11:30 a.m. on Wednesday, April 6, 2011.

13. Adjournment