

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

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FORTY-FIFTH DAY

APRIL 7, 2011-THURSDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

HONORING NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF  
ECOSYSTEM RESERVE UPON THE 10<sup>TH</sup> ANNIVERSARY. (Senator Gabbard)

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communication Nos. 386-387

Returning the following Senate Bills which  
passed Third Reading in the House on April 6,  
2011:

REFERRAL

386	<a href="#">S.B. No. 27, S.D. 1</a> "RELATING TO LONG-TERM CARE INSURANCE."(Long-Term Care Insurance)	FILE
387	<a href="#">S.B. No. 1273, S.D. 1</a> "RELATING TO HEALTH INSURANCE."(Health Insurance; Compliance with Federal Law )	FILE

4. Senate Communications: None
5. Judiciary Communication Nos. 2-5

<u>J.C. NO.</u>	<u>TITLE</u>	<u>REFERRAL</u>
2	Submitting for consideration and confirmation to the District Court of the First Circuit, State of Hawaii, Judicial Nominee, DEAN E. OCHIAI, for a term of six years.	JDL
3	Submitting for consideration and confirmation to the District Court of the First Circuit, State of Hawaii, Judicial Nominee, LANSON K. KUPAU, for a term of six years.	JDL
4	Submitting for consideration and confirmation to the District Court of the First Circuit, State of Hawaii, Judicial Nominee, MELANIE MITO MAY, for a term of six years.	JDL
5	Submitting for consideration and confirmation to the District Family Court of the First Circuit, State of Hawaii, Judicial Nominee, CATHERINE H. REMIGIO, for a term of six years.	JDL

6. Standing Committee Report Nos. 1063-1077

[1063](#)  
(48 Hrs. Notice)

(CPN)

[H.B. No. 320, H.D. 2, S.D. 1](#)  
"RELATING TO BROKER PRICE  
OPINIONS."  
(Recommends passage on SECOND  
READING and placement on the calendar for  
Third Reading)

[1064](#)  
(One Day Notice)

(CPN)

[H.B. No. 112, H.D. 1](#)

"RELATING TO CABLE TELEVISION SYSTEMS."

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

[1065](#)  
(One Day Notice)

(PGM)

[H.B. No. 1622, H.D. 1](#)

"RELATING TO HISTORIC PRESERVATION."

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

[1066](#)  
(One Day Notice)

(PGM)

[H.B. No. 1087, H.D. 1](#)

"RELATING TO PUBLIC SAFETY."

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

[1067](#)  
(One Day Notice)

(AGL/EDT)

[S.C.R. No. 71, S.D. 1](#)

"REQUESTING THE CONVENING OF A WORKING GROUP TO REVIEW THE DUTIES AND RESPONSIBILITIES OF THE AGRIBUSINESS DEVELOPMENT CORPORATION AND MAKE RECOMMENDATIONS TO IMPROVE THE CORPORATION'S EFFICIENCY AND PROGRAMS TO BETTER ADDRESS CURRENT AND FUTURE AGRICULTURAL ISSUES."

(Recommends Adoption)

[1068](#)  
(One Day Notice)

(AGL/EDT)

[S.R. No. 44, S.D. 1](#)

"REQUESTING THE CONVENING OF A WORKING GROUP TO REVIEW THE DUTIES AND RESPONSIBILITIES OF THE AGRIBUSINESS DEVELOPMENT CORPORATION AND MAKE RECOMMENDATIONS TO IMPROVE THE CORPORATION'S EFFICIENCY AND PROGRAMS TO BETTER ADDRESS CURRENT AND FUTURE AGRICULTURAL ISSUES."  
(Recommends Adoption)

[1069](#)  
(One Day Notice)

(EDU/ENE)

[S.C.R. No. 69, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ITS PROGRESS ON THE INCORPORATION OF ENVIRONMENTAL CURRICULA INTO ITS STANDARDS-BASED SYSTEM AND GENERAL LEARNER OUTCOMES."  
(AMENDED TITLE)  
(Recommends Adoption)

[1070](#)  
(One Day Notice)

(EDU/ENE)

[S.C.R. No. 146, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF EDUCATION TO COMPILE AND SUMMARIZE THE RESULTS OF ALL STUDIES CONDUCTED ON WASTE REDUCTION IN HAWAII'S PUBLIC SCHOOLS AND PROPOSE STRATEGIES, GOALS, AND BENCHMARKS FOR REDUCING WASTE IN HAWAII'S PUBLIC SCHOOLS." (AMENDED TITLE)  
(Recommends Adoption)

[1071](#)  
(One Day Notice)

(EDU/HMS)

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

"REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO EXAMINE THE FEASIBILITY OF RE-ESTABLISHING THE ADVANCED CERTIFICATE IN GERONTOLOGY PROGRAM, TO CONSIDER ESTABLISHING A RESEARCH EDUCATION AND MENTORSHIP PROGRAM TO SUPPORT RESEARCH ON AGING, AND TO EXPLORE WAYS TO BUILD CAPACITY TO MEET THE AGING-RELATED WORKFORCE NEEDS OF THE STATE."  
(AMENDED TITLE)  
(Recommends Adoption)

[1072](#)  
(One Day Notice)

(EDU/TSM/HTH)

[S.C.R. No. 132, S.D. 1](#)

"REQUESTING AN EXPLORATORY STUDY ON HAWAII'S SUITABILITY AS A CLIMATOTHERAPY TOURISM DESTINATION FOR ATOPIC DISEASE PATIENTS FROM EAST ASIA."  
(Recommends Adoption)

[1073](#)  
(One Day Notice)

(EDU)

[G.M. No. 544](#)

"Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, LOUISE CAYETANO, for a term to expire 6-30-2014. (Term amended to 6-30-2013 by GM576)"

(Recommends Senate Consent to Nomination)

[1073](#)  
(One Day Notice)

(EDU)

[G.M. No. 545](#)

"Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, WRAY JOSE, for a term to expire 6-30-2014. (Term amended to 6-30-2012 by GM576)"

(Recommends Senate Consent to Nomination)

[1073](#)  
(One Day Notice)

(EDU)

[G.M. No. 546](#)

"Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, BARRY WURST, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[1074](#)  
(One Day Notice)

(EDU)

[G.M. No. 570](#)

"Submitting for consideration and confirmation to the Education Commission of the States, Gubernatorial Nominee, J.N. MUSTO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1075](#)  
(48 Hrs. Notice)

(WAM)

[H.B. No. 200, H.D. 1, S.D. 1](#)

"RELATING TO THE STATE BUDGET."  
(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[1076](#)  
(48 Hrs. Notice)

(WAM)

[H.B. No. 300, H.D. 2, S.D. 2](#)

"RELATING TO THE JUDICIARY."  
(Recommends passage on THIRD READING)

[1077](#) (WAM)  
(One Day Notice)

[H.B. No. 400, H.D. 1](#)  
"RELATING TO THE BUDGET OF THE  
OFFICE OF HAWAIIAN AFFAIRS."  
(Recommends passage on THIRD  
READING)

ORDER OF THE DAY

7. Advise and Consent

[1059](#) CPN  
[Testimony Status](#)

[G.M. No. 537](#)  
"Submitting for consideration and  
confirmation to the Real Estate Commission,  
Gubernatorial Nominee, ROWENA COBB,  
for a term to expire 6-30-2015."

[1059](#) CPN  
[Testimony Status](#)

[G.M. No. 538](#)  
"Submitting for consideration and  
confirmation to the Real Estate Commission,  
Gubernatorial Nominee, NIKKI SENTER, for  
a term to expire 6-30-2015. (Term amended  
to 6-30-2014 by GM575)"

[1059](#) CPN  
[Testimony Status](#)

[G.M. No. 539](#)  
"Submitting for consideration and  
confirmation to the Real Estate Commission,  
Gubernatorial Nominee, AILEEN WADA,  
for a term to expire 6-30-2015."

[1060](#) CPN  
[Testimony Status](#)

[G.M. No. 528](#)  
"Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, ROBERT KLEIN, for a term to expire 6-30-2015."

[1060](#) CPN  
[Testimony Status](#)

[G.M. No. 529](#)  
"Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, JAMES PLEISS, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM575)"

[1061](#) CPN  
[Testimony Status](#)

[G.M. No. 533](#)  
"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, PETER L. AKAMU, for a term to expire 6-30-2015."

[1061](#) CPN  
[Testimony Status](#)

[G.M. No. 534](#)  
"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, MATT BRADY, for a term to expire 6-30-2015."

[1062](#) CPN  
[Testimony Status](#)

[G.M. No. 536](#)  
"Submitting for consideration and confirmation to the Pest Control Board, Gubernatorial Nominee, RONALD S. WEINBERG, for a term to expire 6-30-2015."



8. Third Reading

[Stand. Com. Rep. No. 1049](#)

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

[H.B. No. 1520, H.D. 2, S.D. 2](#)

"RELATING TO RENEWABLE ENERGY."  
- (CPN)

(Renewable Energy; Energy Efficiency;  
Public Utilities Commission)

[Stand. Com. Rep. No. 1050](#)

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

[H.B. No. 1342, H.D. 1, S.D. 2](#)

"RELATING TO  
TELECOMMUNICATIONS." - (CPN)

(Broadband; Permit Exemptions; Utility  
Poles)

[Stand. Com. Rep. No. 1051](#)

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

[H.B. No. 747, H.D. 1, S.D. 2](#)

"RELATING TO LIQUOR LIABILITY  
INSURANCE." - (CPN)

(Intoxicating Liquor; Liability Insurance;  
Convenience Minimarts)

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Referrals and Re-Referrals

REFERRALS FOR THURSDAY, APRIL 7, 2011

MEASURE

TITLE

REFERRAL

[H.C.R. 147](#)

URGING THE UNITED STATES  
CONGRESS TO APPROVE THE UNITED  
STATES-KOREA TRADE AGREEMENT.  
(U.S.-Korea Trade Agreement)

TIA/EDT

<a href="#">H.C.R. 234</a>	ADOPTING THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION'S DECLARATION ON A CULTURE OF PEACE. (UNESCO; Declaration on a Culture of Peace)	TIA
<a href="#">H.C.R. 266, H.D. 1</a>	RECOGNIZING OCTOBER OF EACH YEAR AS "DOWN SYNDROME AWARENESS MONTH" IN HAWAII. (Down Syndrome Awareness Month; Lifelong Learning Guidelines)	HTH
<a href="#">H.C.R. 273</a>	REQUESTING THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT AT THE UNIVERSITY OF HAWAII AT MANOA TO DEVELOP ENHANCEMENTS FOR THE TOURISM-RELATED CAPABILITIES OF THE UNIVERSITY OF HAWAII ECONOMIC RESEARCH ORGANIZATION DATA PORTAL. (UH School of Travel Industry Management)	TSM/EDU
<a href="#">H.C.R. 309, H.D. 1</a>	REQUESTING THE GOVERNOR TO PROCLAIM THE SECOND WEEK OF AUGUST AS "NATIONAL ASSISTANCE DOG WEEK". (RELATING TO SERVICE DOGS)	HMS

## 12. Announcements

- Floor Presentation for Friday, April 8, 2011:

HONORING A TRUE LIVING TREASURE OF OUR ISLANDS, AGNES KALANIHOOKAHA COPE. (Senator Shimabukuro)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
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
JDL	4/8/2011 9:30 AM	016
WAM	4/8/2011 9:30 AM	211
WAM	4/8/2011 9:35 AM	211
JDL	4/8/2011 9:45 AM	016
EDU	4/8/2011 1:15 PM	225
PGM	4/12/2011 2:00 PM	229
PGM-PBM	4/13/2011 9:30 AM	309
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
WLH	4/14/2011 1:15 PM	225
AGL	4/14/2011 2:45 PM	229
EDT	4/18/2011 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Friday, April 8, 2011.

### 13. Adjournment