

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

FIFTY-THIRD DAY

APRIL 21, 2011-THURSDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communications: Nos. 663-668

Informing the Senate that on April 20, 2011, the House made changes to conferee assignments to the following bills:

REFERRAL

663

[H.B. No. 1308, H.D. 2, S.D. 2](#)

FILE

"RELATING TO DIGITAL MEDIA."(Business Development in Hawaii; Motion Picture, Digital Media, and Film Production Tax Credits)

Added Representative Yamashita and Ward as members.

[S.B. No. 318, S.D. 2, H.D. 2](#)

"RELATING TO BUSINESS DEVELOPMENT IN HAWAII."(Tax Credits; Film Production; Media Infrastructure; Digital Media Subzones; Hawaii Film Office Special Fund)

Added Representative Yamashita and Ward as members.

Informing the Senate that on April 20, 2011, the House agreed to the amendments proposed by the Senate and that said bills passed Final Reading in the House:

664

[H.B. No. 389, H.D. 3, S.D. 2](#)

FILE

"RELATING TO LAND USE."(Land Use; Heeia Community Development District)

[H.B. No. 1004, H.D. 1, S.D. 1](#)

"RELATING TO CHAPTER 480, HAWAII REVISED STATUTES."(Antitrust)

Informing the Senate that on April 20, 2011, the House made changes to conferee assignments to the following bills:

665

[H.B. No. 49, H.D. 1, S.D. 1](#)

FILE

"RELATING TO ARMED FORCES SERVICE MEMBERS."(Disposition of Body; Armed Forces Services Members)

Discharged all conferees.

666

[S.B. No. 1065, S.D. 1, H.D. 1](#)

FILE

"RELATING TO COLLECTIVE BARGAINING."(Collective Bargaining; State Law Enforcement Officers; BU (14))

Representative Fontaine replaced Representative Ward as conferee.

667 [H.B. No. 1038, H.D. 2, S.D. 2](#) FILE
"RELATING TO THE EMPLOYEES'
RETIREMENT SYSTEM."(Employees'
Retirement System)

Discharged all conferees.

668 [H.B. No. 397, H.D. 2, S.D. 2](#) FILE
"RELATING TO LANDS CONTROLLED BY
THE STATE."(Office of Hawaiian Affairs; Lands
Controlled by the State)

Discharged all conferees.

[H.B. No. 915, H.D. 2, S.D. 2](#)
"RELATING TO CONVEYANCE
TAX."(Taxation; Conveyance Tax)

Discharged all conferees.

4. Senate Communications: None
5. Judiciary Communications: None
6. Conference Committee Report No. 1

[1](#)
(48 Hrs. Notice)

[S.B. No. 98, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO WATER CARRIERS."
(Recommends passage on FINAL READING
as amended C.D. 1)

7. Standing Committee Report Nos. 1331-1334

[1331](#)
(One Day Notice)

(AGL)

[G.M. No. 577](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, LETITIA UYEHARA, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[1331](#)
(One Day Notice)

(AGL)

[G.M. No. 578](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, SCOTT E. ENRIGHT, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1331](#)
(One Day Notice)

(AGL)

[G.M. No. 579](#)

"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, ALAN T. TAKEMOTO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1332](#) (HMS)
(One Day Notice)

[G.M. No. 612](#)
"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, JOE D. CORDOVA, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1332](#) (HMS)
(One Day Notice)

[G.M. No. 613](#)
"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, BERNADETTE L. KELIAA, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1332](#) (HMS)
(One Day Notice)

[G.M. No. 615](#)
"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, ROSELANI M. ROWE, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1333](#) (TIA)
(One Day Notice)

[G.M. No. 751](#)
"Submitting for consideration and confirmation to the Commission on Transportation, Gubernatorial Nominee, ERIC MATSUDA, for a term to expire 6-30-2014."

(Recommends Senate Consent to Nomination)

[1334](#)
(One Day Notice)

(HMS)

[G.M. No. 611](#)

"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, LANI BARTHOLOMEW, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1334](#)
(One Day Notice)

(HMS)

[G.M. No. 614](#)

"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, AARON M. KEMP, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1334](#)
(One Day Notice)

(HMS)

[G.M. No. 616](#)

"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, TIFFANY VARA, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1334](#)
(One Day Notice)

(HMS)

[G.M. No. 617](#)

"Submitting for consideration and confirmation to the State Council on Developmental Disabilities, Gubernatorial Nominee, JOSEPHINE C. WOLL, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

8. Advise and Consent

1327	HMS	G.M. No. 722 "Submitting for consideration and confirmation to the Commission on Fatherhood, Gubernatorial Nominee, RUSS S. AWAKUNI, for a term to expire 6-30-2015."
Testimony Status		
1328	HMS	G.M. No. 727 "Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, ABELINA SHAW, for a term to expire 6-30-2015."
Testimony Status		
1328	HMS	G.M. No. 728 "Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, BEVERLY JEAN WITHINGTON, for a term to expire 6-30-2012."
Testimony Status		
1329	CPN	G.M. No. 596 "Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, SWEE L. BERKEY, for a term to expire 6-30-2015."
Testimony Status		

[1329](#) CPN [G.M. No. 597](#)
[Testimony Status](#) "Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, STEVEN J.T. CHOW, for a term to expire 6-30-2015."

[1329](#) CPN [G.M. No. 598](#)
[Testimony Status](#) "Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, WARREN HIGA, for a term to expire 6-30-2015."

[1329](#) CPN [G.M. No. 599](#)
[Testimony Status](#) "Submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, Gubernatorial Nominee, ALAN M. NAKAMURA, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM789)."

9. Adopt Resolutions

[1325](#) HMS [H.C.R. No. 60, S.D. 1](#)
[Testimony Prior Versions Status](#) "RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH."

[1326](#) HMS [H.C.R. No. 309, H.D. 1, S.D. 1](#)
[Testimony Prior Versions Status](#) "REQUESTING THE GOVERNOR TO PROCLAIM THE SECOND WEEK OF AUGUST OF EVERY YEAR AS "HAWAII STATE ASSISTANCE DOGS WEEK"."
(AMENDED TITLE)

[1330](#)

WLH

[S.R. No. 110, S.D. 1](#)

"REQUESTING THE STATE HAZARD MITIGATION FORUM TO STUDY MEASURES TO MITIGATE RISKS ASSOCIATED WITH STATE FLOOD HAZARDS." (AMENDED TITLE)

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

Adopt Resolutions – Referrals Waived

[H.C.R. No. 24](#)

"EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING."

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

(Home for Life Task Force)

[H.C.R. No. 286, H.D. 1](#)

"REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO WORK COLLABORATIVELY TO FIND WAYS TO MORE EFFECTIVELY ENFORCE THE STATE'S CIVIL AND CRIMINAL LAWS THAT MAY APPLY TO UNLICENSED CONTRACTORS."

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

(Contractors)

10. Final Reading

[S.B. No. 590, S.D. 1, H.D. 2](#)

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

"RELATING TO THE LEGISLATIVE
FEDERAL ECONOMIC STIMULUS
PROGRAM OVERSIGHT COMMISSION."

(Federal Stimulus Program; Oversight
Commission)

[S.B. No. 782, S.D. 2, H.D. 1](#)

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

"RELATING TO DANGEROUS
WEAPONS."

(Dangerous Weapons; Homemade Explosive
Devices)

[S.B. No. 823, S.D. 1, H.D. 1](#)

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

"RELATING TO PROCUREMENT."

(Procurement; Public Transit Agencies)

[S.B. No. 883, S.D. 2, H.D. 1](#)

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

"RELATING TO SPECIAL NUMBER
PLATES."

(Gold Star Family Plates)

[S.B. No. 892, S.D. 2, H.D. 2](#)

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

"RELATING TO SERVICE ANIMALS."

(Service Animals; Definitions; Americans
with Disabilities Act; Fair Housing Act)

[S.B. No. 1288, S.D. 1, H.D. 1](#)

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

"RELATING TO THE EMERGENCY AND
BUDGET RESERVE FUND."

(Emergency and Budget Reserve Fund)

[S.B. No. 1292, H.D. 1](#)

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

"MAKING AN EMERGENCY
APPROPRIATION TO THE
DEPARTMENT OF HUMAN SERVICES
FOR HEALTH CARE PAYMENTS."

(Health Care Payments (HMS 401);
Emergency Appropriation)

[S.B. No. 1325, S.D. 1, H.D. 1](#)

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

"RELATING TO MOTOR VEHICLE
REGISTRATION."

(Motor Vehicle Registration)

11. Miscellaneous Communications: None

12. Miscellaneous Business

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

[S.B. No. 1293, H.D. 2](#)

HMS/WAM

"MAKING EMERGENCY
APPROPRIATIONS FOR THE
DEPARTMENT OF HUMAN
SERVICES."

- Waiver of Referral; One Day Notice for Adoption

[H.C.R. No. 100, H.D. 2](#)

WLH/EDT

"ENCOURAGING THE DEPARTMENT OF
LAND AND NATURAL RESOURCES AND
HAWAII COMMUNITY DEVELOPMENT
AUTHORITY TO LOCATE LAND SUITABLE
TO CONSTRUCT A MOTORSPORTS
CENTER ON THE ISLAND OF OAHU."

H.C.R. No. 85, H.D. 1	WLH	"URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHETHER LANDS ALONG THE WAIPIO PENINSULA AND WAIPAHO SHORELINES ARE ACCRETED LANDS AND THEREFORE STATE PROPERTY FOR PROSPECTIVE USE AS A STATE PARK."
H.C.R. No. 173	WLH	"URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH MOANALUA GARDENS FOUNDATION TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE USE OF KAMANANUI (MOANALUA) VALLEY FOR EDUCATIONAL AND CULTURAL PURPOSES."
H.C.R. No. 167	AGL/EDU	"REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONVENE A WORKING GROUP TO EXAMINE THE FEDERAL 2008 FARM BILL AMENDMENT TO THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT."

13. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
CONF	4/21/2011 1:00 PM	225
CONF	4/21/2011 1:30 PM	224
CONF	4/21/2011 1:45 PM	312
CONF	4/21/2011 1:45 PM	224
CONF	4/21/2011 2:00 PM	016
CONF	4/21/2011 2:00 PM	325
CONF	4/21/2011 2:05 PM	312
CONF	4/21/2011 2:30 PM	016
CONF	4/21/2011 2:30 PM	423

CONF	4/21/2011 2:30 PM	329
CONF	4/21/2011 2:30 PM	325
HMS	4/21/2011 2:30 PM	229
CONF	4/21/2011 3:00 PM	229
CONF	4/21/2011 3:15 PM	225
CONF	4/21/2011 3:30 PM	225
CONF	4/21/2011 3:30 PM	312
CONF	4/25/2011 9:30 AM	229
CONF	4/25/2011 9:30 AM	325
CONF	4/25/2011 10:00 AM	016
EDU	4/25/2011 10:00 AM	329
CONF	4/25/2011 1:30 PM	423
CONF	4/25/2011 1:30 PM	229
CONF	4/25/2011 1:30 PM	225
CONF	4/25/2011 1:45 PM	423
CONF	4/25/2011 2:00 PM	329
CONF	4/25/2011 2:30 PM	224
TSM	4/25/2011 3:00 PM	423
CONF	4/25/2011 3:30 PM	423
CONF	4/25/2011 4:00 PM	229
CONF	4/25/2011 7:00 PM	309
HMS-HUS	4/26/2011 8:00 AM	229
CONF	4/26/2011 1:30 PM	229
CONF	4/26/2011 2:00 PM	224
CONF	4/26/2011 2:30 PM	229
CONF	4/26/2011 2:30 PM	312
CONF	4/26/2011 3:00 PM	224

- Senate Session will convene at 11:30 a.m. on Monday, April 25, 2011.

14. Adjournment