THE SENATE OF THE TWENTY-FOURTH LEGISLATURE STATE OF HAWAI'I REGULAR SESSION OF 2008

THIRTIETH DAY

MARCH 12, 2008-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by The Reverend Akihiro Okada Daijingu Temple

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: None

2. Departmental Communications: None

3. House Communications: None

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures Senate Concurrent Resolution Nos. 132-153

Senate Resolution Nos. 68-83

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 2 of 15

7. Standing Committee Report Nos. 2923-2924

<u>2923</u> (EDU) <u>G.M. No. 341</u>

(One Day Notice) "Submitting for consideration and

confirmation to the Education Commission of the States, Gubernatorial Nominee, ANN R. BOTTICELLI, for a term to expire 6-30-

2012."

(Recommends Senate Consent to

Nomination)

<u>2924</u> (EDU) <u>G.M. No. 349</u>

(One Day Notice) "Submitting for consideration and

confirmation to the Western Interstate

Commission for Higher Education (WICHE), Gubernatorial Nominee, ROY T. OGAWA,

for a term to expire 6-30-2012."

(Recommends Senate Consent to

Nomination)

ORDER OF THE DAY

8. Advise and Consent

2918 JDL G.M. No. 403

Testimony Status

"Submitting for consideration and confirmation to the Defender Council, Gubernatorial Nominee, SHIRLEY MIKI KAWAMURA, for a term to expire 6-30-2010."

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 3 of 15

2919 JDL

Testimony Status

G.M. No. 404

"Submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, Gubernatorial Nominee, KENNETH T. TAIRA, for a term to expire 6-30-2012."

<u>2920</u> JDL

Testimony Status

G.M. No. 405

"Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, EARNEST CHUNG, for a term to expire 6-30-2012."

2920 JDL

Testimony Status

G.M. No. 406

"Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, DOMINIC K. INOCELDA, for a term to expire 6-30-2012."

<u>2920</u> JDL

Testimony Status

G.M. No. 407

"Submitting for consideration and confirmation to the Language Access Advisory Council, Gubernatorial Nominee, GERALD HISASHI OHTA, for a term to expire 6-30-2012."

2921 JDL

Testimony Status

G.M. No. 409

"Submitting for consideration and confirmation to the Board of Registration of the Island of Oahu, Gubernatorial Nominee, MAUREEN K. MURAOKA, for a term to expire 6-30-2012."

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 4 of 15

<u>2922</u> JDL <u>G.M. No. 410</u>

"Submitting for consideration and confirmation to the Commission to Promote

Uniform Legislation, Gubernatorial Nominee, PETER J. HAMASAKI, for a term to expire

6-30-2012."

<u>2922</u> JDL <u>G.M. No. 411</u>

Testimony Status

"Submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee,

KEVIN P.H. SUMIDA, for a term to expire

6-30-2012."

9. Referrals and Re-Referrals

REFERRALS FOR WEDNESDAY, MARCH 12, 2008

MEASURE TITLE REFERRAL

S.C.R. 96 REQUESTING THE STATE AUDITOR TO EDT, WAM

CONDUCT A PROGRAM,

PERFORMANCE, AND FINANCIAL AUDIT OF THE NATURAL ENERGY

LABORATORY OF HAWAII

AUTHORITY.

(Auditor; Natural Energy Laboratory of

Hawaii Authority)

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 5 of 15

S.C.R. 97	REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE LEGISLATION FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT EXECUTIVES, OFFICERS, AGENTS, OR EMPLOYEES OF INSURERS AND BUSINESS ENTITIES THAT HAVE CASES IN LITIGATION FROM SERVING ON THE HAWAII JUDICIAL SELECTION COMMISSION. (Hawaii Judicial Selection Commission; Bias)	JDL, WAM
S.C.R. 98	REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER. (Hawaii Disability Rights Center; Financial and Management Audit)	HSP, WAM
S.C.R. 99	REQUESTING THE AUDITOR TO CONDUCT A STUDY TO DETERMINE THE EFFECTS OF INDUSTRY REGULATION AND SAFETY STANDARDS ON RECREATIONAL INFLATABLE PLAY STRUCTURES FOR CHILDREN. (Requests the auditor to study the regulation of the effects of industry regulation of recreational inflatable play structures for children.)	CPH/HSP, WAM
S.C.R. 100	REQUESTING THE CONVENING OF A TASK FORCE TO ADDRESS THE ISSUE OF SHARING CRIMINAL BACKGROUND INFORMATION BETWEEN THE FEDERAL AND STATE GOVERNMENT. (Immigration; information sharing; task force)	IGM, JDL

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 6 of 15

S.C.R. 101 REQUESTING THE DEPARTMENT OF

PUBLIC SAFETY TO IDENTIFY, DURING THE 2009 REGULAR SESSION, TWO POSSIBLE LOCATIONS TO USE AS A HEADQUARTERS SITE FOR THE

SHERIFF DIVISION.

(Sheriff Division; Headquarters; Site

Locations)

S.C.R. 102 REQUESTING THE DEPARTMENTS OF

PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS. (Deputy Sheriffs; Increase Salaries; Improve

Benefits)

S.C.R. 103 REQUESTING THE AUDITOR TO

CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII

2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE

WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007. (Requesting the Auditor to Study the Impact

of Act 226, SLH 2007)

S.C.R. 104 REQUESTING THE DEPARTMENT OF

EDUCATION AND THE UNIVERSITY OF

HAWAII, IN CONSULTATION WITH MEDICAL AND BRAIN INJURY

EXPERTS, TO WORK WITH THE

ATHLETIC COMMUNITY TO DEVELOP

A STATEWIDE CONCUSSION PREVENTION AND AWARENESS PROGRAM FOR YOUNG ATHLETES. (Concussion Prevention and Awareness) PBS

PBS/JDL

HTH/CPH, WAM

EDU/HTH

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 7 of 15

S.C.R. 105	CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS. (Task Force; Protocols; First Response; Child Protective Services)	HSP/PBS
S.C.R. 106	REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND CHILD WELFARE SERVICES CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH. (Shelter Admission; Youth Services; Child Welfare Services; Study)	HSP
S.C.R. 107	REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP NUTRITIONALLY-SOUND PUBLIC SCHOOL MENU PLANS THAT GIVE STUDENTS THE OPTION OF A VEGETARIAN SCHOOL LUNCH MEAL. (DOH; Vegetarian School Lunches)	HTH/EDU
S.C.R. 108	ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE. (DOT; Construct More Roundabouts)	TIA/IGM
S.C.R. 109	STRONGLY SUPPORTING THE PASSAGE AND ENACTMENT INTO LAW OF S. 1315, THE VETERANS BENEFITS ENHANCEMENT ACT OF 2007, IN SUPPORT OF FILIPINO VETERANS. (Support Veterans Benefits Enhancement Act of 2007; Filipino Vets)	IGM

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 8 of 15

<u>S.C.R. 110</u>	URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS. (Anger Management; DOE Programs)	EDU
S.C.R. 111	REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE CURRICULAR MATERIALS THAT REFLECT THE HAWAII STANDARDS TO ASSIST A TEACHER WHO HAS TO TEMPORARILY TEACH IN AN AREA WHERE THE TEACHER IS NOT HIGHLY QUALIFIED. (DOE; Highly Qualified Teachers; Curricular Materials and Assistance)	EDU
S.C.R. 112	REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE THE LIBRARY TASK FORCE TO EXAMINE ISSUES RELATING TO THE PROVISION OF LIBRARY SERVICES THROUGHOUT THE STATE. (DOE; Library Task Force)	EDU
<u>S.C.R. 113</u>	REQUESTING THE EDUCATIONAL WORKFORCE WORKING GROUP TO CONTINUE ITS WORK TO PLAN AND IMPLEMENT THE RECOMMENDATIONS PROPOSED IN ITS 2007 REPORT TO THE LEGISLATURE. (DLIR; Educational Workforce Working Group)	JDL/EDU
S.C.R. 114	CREATING A WORKING GROUP TO RE- ENGINEER THE DEPARTMENT OF EDUCATION'S OFFICE OF HUMAN RESOURCES. (DOE; Office of Human Resources; Working Group)	EDU

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 9 of 15

S.C.R. 115	REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A PILOT PROJECT TO ALLOW A SCHOOL COMPLEX TO IDENTIFY CRITICAL DEPARTMENT RULES AND POLICIES THAT IMPEDE EFFECTIVE DECISION-MAKING, ADMINISTERING, AND TEACHING AND TO OPERATE FREE OF THOSE RULES AND POLICIES. (DOE; Model School Complex)	EDU
S.C.R. 116	REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY. (NELHA; Auditor; Deep Seawater Pumping; Audit)	EDT, WAM
S.C.R. 117	SUPPORTING A HOME FOR THE AFRICAN AMERICAN DIVERSITY CULTURAL CENTER HAWAII. (African American Diversity Cultural Center Hawaii; Facility)	EDT
S.C.R. 118	REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A TASK FORCE TO ENSURE THAT ADDITIONAL INVESTMENT FOR EDUCATION IN THE STATE WILL MEET THE PUBLIC'S EXPECTATIONS. (Department of Education Task Force on Education Funding Adequacy)	EDU
S.C.R. 119	REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE'EHI LAGOON. (Public Land; Ke'ehi Community Resource Center)	WTL/HSP

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 10 of 15

<u>S.C.R. 120</u>	REQUESTING THE UNIVERSITY OF HAWAI'I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES. (UH; DOE; Philippine Language Courses)	EDU
<u>S.C.R. 121</u>	REQUESTING TEACHING STRATEGIES FOR SPEAKERS OF HAWAI'I PIDGIN IN HAWAI'I PUBLIC SCHOOLS. (DOE; UH; Bidialectical Teaching Strategies)	EDU
S.C.R. 122	REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO PROVIDE CURRENT PUBLIC SCHOOL ADMINISTRATORS AND FACULTY WITH COURSES IN HAWAIIAN LANGUAGE AND CULTURE INSTRUCTION, AND TO INCORPORATE THESE COURSES INTO THE DEPARTMENT'S PREFERENCES FOR EMPLOYMENT AND CONDITIONS FOR TEACHER LICENSURE. (Hawaiian Language; Hawaii State Teacher Standards)	EDU/AHW
<u>S.C.R. 123</u>	REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY IN HAWAII OF COMMUNITY-BASED AND WORK CAMP ALTERNATIVES TO MAINLAND PRISONS. (DPS; Task Force; Prison Alternatives)	PBS/AHW
<u>S.C.R. 124</u>	REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MEDICAID-SPONSORED PROGRAMS. (Department of Human Services; Medicaid; Audit)	HSP, WAM

<u>MEASURE</u>	TITLE	REFERRAL
<u>S.R. 56</u>	REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY, DURING THE 2009 REGULAR SESSION, TWO POSSIBLE LOCATIONS TO USE AS A HEADQUARTERS SITE FOR THE SHERIFF DIVISION. (Sheriff Division; Headquarters; Site Locations)	PBS
<u>S.R. 57</u>	REQUESTING THE DEPARTMENTS OF PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS. (Deputy Sheriffs; Increase Salaries; Improve Benefits)	PBS/JDL
<u>S.R. 58</u>	REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII, IN CONSULTATION WITH MEDICAL AND BRAIN INJURY EXPERTS, TO WORK WITH THE ATHLETIC COMMUNITY TO DEVELOP A STATEWIDE CONCUSSION PREVENTION AND AWARENESS PROGRAM FOR YOUNG ATHLETES. (Concussion Prevention and Awareness)	EDU/HTH
<u>S.R. 59</u>	CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS. (Task Force; Protocols; First Response; Child Protective Services)	HSP/PBS

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 12 of 15

<u>S.R. 60</u>	ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE. (DOT; Construct More Roundabouts)	TIA/IGM
<u>S.R. 61</u>	URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS. (Anger Management; DOE Programs)	EDU
<u>S.R. 62</u>	SUPPORTING A HOME FOR THE AFRICAN AMERICAN DIVERSITY CULTURAL CENTER HAWAII. (African American Diversity Cultural Center Hawaii; Facility)	EDT
<u>S.R. 63</u>	REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A TASK FORCE TO ENSURE THAT ADDITIONAL INVESTMENT FOR EDUCATION IN THE STATE WILL MEET THE PUBLIC'S EXPECTATIONS. (Department of Education Task Force on Education Funding Adequacy)	EDU
<u>MEASURE</u>	TITLE	REFERRAL
<u>H.C.R. 11</u>	RECOGNIZING THE SECOND WEEK OF JUNE AS MEN'S HEALTH WEEK. (Men's Health Week)	НТН

H.C.R. 25 URGING ALL HOSPITALS THAT HTH/HSP

PROVIDE MEDICAL CARE TO

NEWBORNS TO PROVIDE PARENTS OF

THE NEWBORN WITH WRITTEN EDUCATIONAL INFORMATION

APPROVED BY THE DEPARTMENT OF HEALTH ABOUT THE DANGEROUS

EFFECTS OF SHAKEN BABY

SYNDROME AND THE METHODS OF

PREVENTING SHAKEN BABY

SYNDROME.

(Shaken Baby Syndrome; Prevention)

H.C.R. 33, H.D. 1 ACKNOWLEDGING THE MONTH OF HTH

SEPTEMBER AS NATIONAL OVARIAN

CANCER MONTH AND

GYNECOLOGICAL CANCER

AWARENESS MONTH.

(Ovarian Cancer; Awareness of Common

Symptoms)

H.C.R. 53 REQUESTING THE HEALTHCARE HTH/HSP

ASSOCIATION OF HAWAII TO

CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE.

(Long-term Care; Waitlisted Patients)

10. Miscellaneous Communications: None

- 11. Miscellaneous Business
- 12. Announcements
- Committee Hearing Schedule:

COMMITTEE	DATE & TIME	<u>ROOM</u>
HSP-HTH	3/12/2008 1:15 PM	016
HSP/HTH	3/12/2008 1:15 PM	016
EDU	3/12/2008 2:00 PM	225
TIA	3/12/2008 2:00 PM	224
TIA/JDL	3/12/2008 2:00 PM	224

TIA/TSG	3/12/2008 2:00 PM	224
HSP/HTH	3/12/2008 2:00 FM 3/12/2008 2:45 PM	016
HTH/HSP	3/12/2008 2:45 PM 3/12/2008 2:45 PM	016
WTL	3/12/2008 2:45 PM	414
СРН	3/13/2008 10:00 AM	229
JDL	3/13/2008 10:30 AM	016
TSG	3/13/2008 1:00 PM	229
EDT/CPH	3/13/2008 1:15 PM	224
HSP HGD/DDG	3/13/2008 1:15 PM	016
HSP/PBS	3/13/2008 1:15 PM	016
HTH	3/13/2008 1:15 PM	225
EDT/EDU	3/13/2008 1:30 PM	224
HSP/JDL	3/13/2008 1:30 PM	016
EDT	3/13/2008 1:40 PM	224
EDT	3/13/2008 2:05 PM	224
AHW	3/13/2008 2:45 PM	224
AHW/CPH	3/13/2008 2:45 PM	224
AHW/WTL	3/13/2008 2:45 PM	224
EDT/AHW	3/13/2008 2:45 PM	224
EDT/TSG	3/13/2008 2:45 PM	229
ENE/AHW	3/13/2008 2:45 PM	224
PBS	3/13/2008 2:45 PM	225
PBS/WTL	3/13/2008 2:45 PM	225
ENE	3/13/2008 3:00 PM	414
HIC	3/13/2008 3:00 PM	229
CPH/IGM	3/14/2008 9:00 AM	229
WAM	3/14/2008 9:00 AM	211
CPH	3/14/2008 9:15 AM	229
WAM	3/14/2008 9:55 AM	211
WAM	3/14/2008 10:00 AM	211
HSP/HTH	3/14/2008 1:15 PM	016
HTH	3/14/2008 1:15 PM	016
HTH/HSP	3/14/2008 1:15 PM	016
IGM	3/14/2008 1:15 PM	229
AHW/EDU	3/14/2008 2:00 PM	225
EDU	3/14/2008 2:00 PM	225
EDU/ENE	3/14/2008 2:00 PM	225
ENE/EDU	3/14/2008 2:00 PM	225
WTL	3/14/2008 2:45 PM	414
HTH/CPH	3/17/2008 9:00 AM	229
СРН	3/17/2008 9:30 AM	229
JDL	3/17/2008 9:30 AM	016
AHW/ENE/TIA	3/17/2008 1:15 PM	224
AHW/WTL/JDL	3/17/2008 2:45 PM	414
	2. 2 2000 2 111	

ORDER OF THE DAY THIRTIETH DAY March 12, 2008 Page 15 of 15

WTL/AHW/JDL	3/17/2008 2:45 PM	414
СРН	3/18/2008 9:00 AM	229
EDT	3/18/2008 1:15 PM	224
AHW	3/18/2008 2:45 PM	224
PBS/JDL	3/18/2008 2:45 PM	225
EDT	3/20/2008 1:15 PM	224
EDT	3/25/2008 1:15 PM	224
AHW	4/1/2008 2:45 PM	224
AHW	4/3/2008 2:45 PM	224

• Senate Session will convene at 11:30 a.m. on Thursday, March 13, 2008.

13. Adjournment