

THE SENATE
OF THE
TWENTY-FIFTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2009

TWENTY-EIGHTH DAY

MARCH 13, 2009-FRIDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by The Honorable Rosalyn H. Baker
Hawaii State Senate

Roll Call

Approval of the Journal

Introductions

- Floor Presentations:

RECOGNIZING AND CONGRATULATING THE "OBAMA GIRLS" OF OBAMA CITY, JAPAN. (Senator Taniguchi)

RECOGNIZING THE 2009 HAWAI'I BUSINESS HALL OF FAME LAUREATES. (Senator Slom)

HONORING THE HONOLULU FESTIVAL FOUNDATION FOR 15 YEARS OF PROMOTING "PACIFIC HARMONY." (Senator Nishihara)

1. Messages from the Governor: Nos. 453-477

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 453	Dated February 27, 2009 , transmitting a Report on Hawaii-Grown Coffee Labeling and Inspection, and Economic Impact of Potential Changes to Minimum Content Requirements, prepared by the Department of Agriculture pursuant to S.C.R. No. 102 (2007).	FILE

G.M. No. 454	Dated March 2, 2009, transmitting a report, Lead by Example; State of Hawaii Agencies' Energy Initiatives for FY 2007-2008, prepared by the Department of Business, Economic Development and Tourism.	FILE
G.M. No. 455	Dated March 4, 2009, transmitting a Report on Expenditures from the Bond Protocol Account for FY 2008, pursuant to Act 213, SLH 2007.	FILE
G.M. No. 456	Informing the Senate that on March 11, 2009, the Governor has withdrawn RENE G. DELA CRUZ, Gubernatorial Nominee to the Health Planning Council, Hawai'i County Subarea, from consideration by the Senate (GM320).	FILE
G.M. No. 457	Informing the Senate that on March 11, 2009, the Governor has withdrawn MARK D. MONIZ, Gubernatorial Nominee to the Radiologic Technology Board from consideration by the Senate (GM260).	FILE
G.M. No. 458	Submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, Gubernatorial Nominee, STEVEN L. ARCE, for a term to expire 6-30-2013.	WTL
G.M. No. 459	Submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, Gubernatorial Nominee, FLORENTINA SMITH, for a term to expire 6-30-2013.	CPN
G.M. No. 460	Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, JOAQUIN M. DIAZ, for a term to expire 6-30-2013.	CPN
G.M. No. 461	Submitting for consideration and confirmation to the Board of Examiners in Naturopathy, Gubernatorial Nominee, KEVIN R. GIBSON, for a term to expire 6-30-2012.	CPN

G.M. No. 462	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, JAEDA R. ELVENIA, for a term to expire 6-30-2012.	CPN
G.M. No. 463	Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, WALTER L. HARVEY III, for a term to expire 6-30-2013.	CPN
G.M. No. 464	Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, STANLEY M. KURIYAMA, for a term to expire 6-30-2013.	CPN
G.M. No. 465	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, CHRISTI L. KELIPIO, for a term to expire 6-30-2013.	HRE
G.M. No. 466	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, SUSAN R. MURRAY, for a term to expire 6-30-2013.	HRE
G.M. No. 467	Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, MARY E. WORRALL, for a term to expire 6-30-2013.	HRE
G.M. No. 468	Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, ERIC K. MARTINSON, for a term to expire 6-30-2014.	HRE
G.M. No. 469	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, JOHN J. BARNETT PHD, for a term to expire 6-30-2013.	HTH
G.M. No. 470	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, JILL B. MIYAMURA, for a term to expire 6-30-2012.	HTH

G.M. No. 471	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, GARRETT F. SAIKLEY MD, for a term to expire 6-30-2012.	HTH
G.M. No. 472	Submitting for consideration and confirmation to the Statewide Health Coordinating Council, Gubernatorial Nominee, REBECCA S. WARD, for a term to expire 6-30-2013.	HTH
G.M. No. 473	Submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, Gubernatorial Nominee, TRACY H. OKUBO, for a term to expire 6-30-2013.	HTH
G.M. No. 474	Submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, Gubernatorial Nominee, SUSAN STALDER, for a term to expire 6-30-2013.	HTH
G.M. No. 475	Submitting for consideration and confirmation to the Hawai'i Paroling Authority, Gubernatorial Nominee, ALBERT TUFONO, for a term to expire 6-30-2012.	PSM
G.M. No. 476	Submitting for consideration and confirmation to the Advisory Board on Veterans' Services, Gubernatorial Nominee, PATRICIA ANN WIELAND, for a term to expire 6-30-2013.	PSM
G.M. No. 477	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, Gubernatorial Nominee, RONALD K. WILLIAMS, for a term to expire 6-30-2010.	TSM

2. Departmental Communications: None

3. House Communication Nos. 342-344

Informing the Senate that on March 12, 2009, the following House Bill passed Third Reading in the House:

REFERRAL

342

[H.B. No. 1175, H.D. 2](#)

"RELATING TO TAXATION."(Cigarette Tax Increase)

HTH, WAM

Informing the Senate that on March 12, 2009, the following House Concurrent Resolutions were adopted in the House:

343

[H.C.R. No. 19, H.D. 1](#)

"STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SGT. RAFAEL PERALTA THE MEDAL OF HONOR."(Medal of Honor; Sgt. Rafael Peralta)

344

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

"URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICANS WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN."(442nd Go For Broke; Commemorative Stamps)

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures: Senate Concurrent Resolution Nos. 61-66
Senate Resolution Nos. 36-40

7. Standing Committee Report Nos. 859-869

[859](#) (ENE)
(One Day Notice)

[G.M. No. 293](#)
"Submitting for consideration and confirmation to the Endangered Species Recovery Committee, Gubernatorial Nominee, JOHN T. HARRISON III, for a term to expire 6-30-2009."

(Recommends Senate Consent to Nomination)

[859](#) (ENE)
(One Day Notice)

[G.M. No. 294](#)
"Submitting for consideration and confirmation to the Endangered Species Recovery Committee, Gubernatorial Nominee, JOHN T. HARRISON III, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

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

[S.R. No. 10, S.D. 1](#)
"REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING."

(Recommends Adoption)

[861](#)
(One Day Notice)

(HMS)

[S.C.R. No. 7, S.D. 1](#)

"REQUESTING THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR TO CREATE A HOME FOR LIFE TASK FORCE TO REDUCE BARRIERS TO AGING IN PLACE AND TO FACILITATE MULTIGENERATIONAL LIVING."

(Recommends Adoption)

[862](#)
(One Day Notice)

(HMS)

[S.R. No. 12, S.D. 1](#)

"DESIGNATING THE FIRST WEEK IN FEBRUARY 2010 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK."

(Recommends Adoption)

[863](#)
(One Day Notice)

(HMS)

[S.C.R. No. 15, S.D. 1](#)

"DESIGNATING THE FIRST WEEK IN FEBRUARY 2010 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK."

(Recommends Adoption)

[864](#)
(One Day Notice)

(HMS)

[S.R. No. 11, S.D. 1](#)

"ENCOURAGING PARTICIPATION IN THE WHITE RIBBON CAMPAIGN TO END VIOLENCE AGAINST WOMEN."

(Recommends Adoption)

[865](#)
(One Day Notice)

(HMS)

[S.C.R. No. 14, S.D. 1](#)

"ENCOURAGING PARTICIPATION IN THE WHITE RIBBON CAMPAIGN TO END VIOLENCE AGAINST WOMEN."

(Recommends Adoption)

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

[S.R. No. 8, S.D. 1](#)
"REQUESTING A STUDY OF VARIOUS
UNRESOLVED ISSUES RELATING TO
AGING."
(Recommends Adoption)

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

[S.C.R. No. 5, S.D. 1](#)
"REQUESTING A STUDY OF VARIOUS
UNRESOLVED ISSUES RELATING TO
AGING."
(Recommends Adoption)

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

[S.R. No. 15, S.D. 1](#)
"URGING FAITH-BASED
ORGANIZATIONS TO NETWORK AND
COOPERATE TO SUPPORT FOSTER
FAMILIES IN HAWAII."
(Recommends Adoption)

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

[S.C.R. No. 19, S.D. 1](#)
"URGING FAITH-BASED
ORGANIZATIONS TO NETWORK AND
COOPERATE TO SUPPORT FOSTER
FAMILIES IN HAWAII."
(Recommends Adoption)

ORDER OF THE DAY

8. Advise and Consent

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|--------------------------------------------------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>851</p> <p>Testimony Status</p> | <p>ENE</p> | <p>G.M. No. 423</p> <p>"Submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, Gubernatorial Nominee, SEAN D. IGNE, for a term to expire 6-30-2013."</p> |
| <p>854</p> <p>Testimony Status</p> | <p>WTL</p> | <p>G.M. No. 384</p> <p>"Submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, Gubernatorial Nominee, JONAH KE'EAUMOKU KAPU, for a term to expire 6-30-2013."</p> |
| <p>855</p> <p>Testimony Status</p> | <p>WTL</p> | <p>G.M. No. 392</p> <p>"Submitting for consideration and confirmation to the Board of Agriculture, Gubernatorial Nominee, DERRICK F. NISHIMURA, for a term to expire 6-30-2010."</p> |
| <p>856</p> <p>Testimony Status</p> | <p>WTL</p> | <p>G.M. No. 395</p> <p>"Submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, Gubernatorial Nominee, BRIAN H. SUZUKI, for a term to expire 6-30-2011."</p> |
| <p>857</p> <p>Testimony Status</p> | <p>WTL</p> | <p>G.M. No. 438</p> <p>"Submitting for consideration and confirmation to the Advisory Committee on Pesticides, Gubernatorial Nominee, WESLEY F. OTANI, for a term to expire 6-30-2013."</p> |

858	JGO	G.M. No. 439
Testimony Status		"Submitting for consideration and confirmation as Associate Justice to the Supreme Court, State of Hawaii, Gubernatorial Nominee, MARK E. RECKTENWALD, for a term of ten years."

9. Adopt Resolutions

852	WTL	S.C.R. No. 43
Testimony Prior Versions Status		"REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC."

853	WTL	S.R. No. 23
Testimony Prior Versions Status		"REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC."

10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDH	3/13/2009 2:00 PM	225
HTH-HMS	3/13/2009 2:45 PM	016
EDH	3/16/2009 1:15 PM	225
EDH/HMS	3/16/2009 2:00 PM	225
HMS/EDH	3/16/2009 2:00 PM	225
JGO	3/17/2009 9:30 AM	016
HMS	3/17/2009 1:15 PM	016
HMS/CPN	3/17/2009 1:15 PM	016
HRE	3/17/2009 1:15 PM	225
PSM	3/17/2009 1:15 PM	229
HMS/HTH	3/17/2009 1:30 PM	016
CPN	3/18/2009 8:30 AM	229
EDT	3/18/2009 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Monday, March 16, 2009.

13. Adjournment