

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

FIFTIETH DAY

APRIL 21, 2009-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by Mr. Alani Apio
KANU Hawaii

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 617-620

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 617	Informing the Senate that on April 17, 2009, the Governor has withdrawn ROXANNA U. BOLDEN, Gubernatorial Nominee to the Statewide Council on Independent Living from consideration by the Senate (GM296).	FILE
G.M. No. 618	Informing the Senate that on April 20, 2009, the Governor signed the following bill into law: SB936 (Act 008). "RELATING TO DEPARTMENT OF HEALTH CERTIFICATES"	FILE
G.M. No. 619	Informing the Senate that on April 20, 2009, the Governor signed the following bill into law: SB574, SD1 (Act 009). "RELATING TO CONDOMINIUMS."	FILE

[G.M. No. 620](#)

Informing the Senate that on April 20, 2009, the Governor signed the following bill into law:
[SB298, SD1](#) (Act 010).

FILE

"RELATING TO CONDOMINIUMS."

2. Departmental Communications: None
3. House Communication Nos. 656-662

Informing the Senate that on April 20, 2009, the House made changes to conferee assignments to the following bills:

REFERRAL

656

[H.B. No. 262, H.D. 2, S.D. 2](#)

FILE

"RELATING TO INSURANCE FRAUD."

Representative B. Oshiro replaced Representative Karamatsu as Co-Chair.

[H.B. No. 519, H.D. 1, S.D. 2](#)

"RELATING TO INMATES."

Representative M. Lee replaced Representative Aquino as Co-Chair.
Added Representative Aquino as a member.

[H.B. No. 1152, H.D. 1, S.D. 1](#)

"RELATING TO COMMITTED PERSONS' ACCOUNTS."

Representative M. Lee replaced Representative Aquino as Co-Chair.
Added Representative Aquino as a member.

[S.B. No. 1060, S.D. 1, H.D. 2](#)

"RELATING TO FIREWORKS."

Added Representative M. Lee as a member.

Informing the Senate that on April 20, 2009, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

657 [H.B. No. 267, H.D. 2, S.D. 1](#) FILE
"RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."(Motor Vehicle Rental Industry; Interisland Transport)

[H.B. No. 1270, H.D. 1, S.D. 2](#)
"RELATING TO RENEWABLE ENERGY."
(Public Utilities Commission; Renewable Energy)

658 [H.B. No. 319, H.D. 1, S.D. 1](#) FILE
"RELATING TO FAMILY LEAVE." (Family Leave; Notification of Benefits)

Informing the Senate that on April 20, 2009, the House made changes to conferee assignments to the following bill:

659 [H.B. No. 814, H.D. 2, S.D. 2](#) FILE
"RELATING TO NURSE AIDES."

Added Representative Mizuno as a member.

Informing the Senate that on April 20, 2009, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:

660 [H.B. No. 1075, S.D. 1](#) FILE
"RELATING TO INSURANCE."(Insurance; Long-Term Care Insurance)

661 [H.B. No. 1436, H.D. 1, S.D. 1](#) FILE
"RELATING TO AGRICULTURE."
(Agricultural District; Permitted Uses)

Informing the Senate that on April 20, 2009, the House made changes to conferee assignments to the following bill:

662

[H.B. No. 1414, H.D. 1, S.D. 1](#)
"RELATING TO METAL."

FILE

Discharged all conferees.

4. Senate Communications: None
5. Judiciary Communications: None
6. Standing Committee Report Nos. 1450-1467

[1450](#)
(One Day Notice)

(HRE)

[G.M. No. 310](#)

"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 6-30-2009."

(Recommends Senate Consent to Nomination)

[1450](#)
(One Day Notice)

(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."

(Recommends Senate Consent to Nomination)

[1451](#) (HRE)
(One Day Notice)

[G.M. No. 309](#)
"Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, CHUCK YIM GEE, for a term to expire 6-30-2010."

(Recommends Senate Consent to Nomination)

[1452](#) (HRE)
(One Day Notice)

[G.M. No. 308](#)
"Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, MARK H. FUKUNAGA, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[1453](#) (HRE)
(One Day Notice)

[G.M. No. 307](#)
"Submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, Gubernatorial Nominee, RAMON S. DE LA PENA PHD, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[1454](#) (TIA)
(One Day Notice)

[G.M. No. 567](#)
"Submitting for consideration and confirmation to the Medical Advisory Board, Gubernatorial Nominee, DAVID M. SAITO MD, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[1455](#)
(One Day Notice)

(WTL)

[G.M. No. 593](#)

"Submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, Gubernatorial Nominee, CAROLYN KEHAUNANI ABAD, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1456](#)
(One Day Notice)

(WTL)

[G.M. No. 594](#)

"Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, DAVID C. GOODE, for a term to expire 6-30-2010."

(Recommends Senate Consent to Nomination)

[1456](#)
(One Day Notice)

(WTL)

[G.M. No. 595](#)

"Submitting for consideration and confirmation to the Board of Land and Natural Resources, Gubernatorial Nominee, JOHN MORGAN, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1457](#)
(One Day Notice)

(WTL)

[G.M. No. 560](#)

"Submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, Gubernatorial Nominee, COLETTE Y. P. MACHADO, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1458](#)
(One Day Notice)

(WTL)

[G.M. No. 596](#)

"Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, THOMAS P. CONTRADES, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1458](#)
(One Day Notice)

(WTL)

[G.M. No. 597](#)

"Submitting for consideration and confirmation to the Land Use Commission, Gubernatorial Nominee, NICHOLAS W. TEVES JR., for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1459](#)
(One Day Notice)

(LBR)

[G.M. No. 586](#)

"Submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, Gubernatorial Nominee, EDWARD G. SANCHEZ, for a term to expire 6-30-2012."

(Recommends Senate Consent to Nomination)

[1460](#)
(One Day Notice)

(LBR)

[G.M. No. 513](#)

"Submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, Gubernatorial Nominee, SCOTT A. KAMI, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1460](#)
(One Day Notice)

(LBR)

[G.M. No. 514](#)

"Submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, Gubernatorial Nominee, WESLEY MACHIDA, for a term to expire 6-30-2013."

(Recommends Senate Consent to Nomination)

[1461](#)
(One Day Notice)

(LBR)

[G.M. No. 587](#)

"Submitting for consideration and confirmation to the Hawai'i Workforce Development Council, Gubernatorial Nominee, CHRISTOPHER D. TATUM, for a term to expire 6-30-2011."

(Recommends Senate Consent to Nomination)

[1462](#)
(One Day Notice)

(ENE/CPN)

[S.R. No. 18, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A STATEWIDE RAINWATER DETENTION AND RETENTION POND SAFETY PROGRAM."

(Recommends Adoption)

[1463](#)
(One Day Notice)

(ENE)

[H.C.R. No. 56, S.D. 1](#)

"REQUESTING THE UNITED STATES CONGRESS TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES." (AMENDED TITLE)

(Recommends Adoption)

[1464](#)
(One Day Notice)

(ENE)

[H.C.R. No. 65, H.D. 1, S.D. 1](#)

"REQUESTING HAWAII-AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI."
(Recommends Adoption)

[1465](#)
(One Day Notice)

(PSM/HTH)

[H.C.R. No. 42, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF DEFENSE TO ALLOW AVAILABLE HELICOPTERS TO BE USED FOR MEDICAL EVACUATION SERVICES."
(Recommends Adoption)

[1466](#)
(One Day Notice)

(PSM)

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

"STRONGLY URGING THE SECRETARY OF DEFENSE AND THE PRESIDENT OF THE UNITED STATES TO AWARD SERGEANT RAFAEL PERALTA THE MEDAL OF HONOR."
(Recommends Adoption)

[1467](#)
(One Day Notice)

(PSM)

[H.C.R. No. 24, S.D. 1](#)

"URGING THE UNITED STATES POSTAL SERVICE TO ISSUE POSTAL STAMPS HONORING THE WORLD WAR II NISEI SOLDIERS, OTHER DISTINGUISHED MILITARY UNITS IN UNITED STATES HISTORY, AND AMERICANS WHO FOUGHT AGAINST DISCRIMINATION BASED ON RACE OR NATIONAL ORIGIN."
(Recommends Adoption)

ORDER OF THE DAY

7. Final Reading

[S.B. No. 161, H.D. 1](#)

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

"RELATING TO EDUCATION."

(Department of Education; Teachers; Salary Ranges)

[S.B. No. 190, S.D. 1, H.D. 2](#)

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

"RELATING TO COMMUNITY CARE FOSTER FAMILY HOME."

(Human Services; Community Care Foster Family Home; Private Pay Clients)

[S.B. No. 537, S.D. 2, H.D. 2](#)

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

"RELATING TO AEROSPACE."

(Aerospace Development; Advisory Committee)

[S.B. No. 718, S.D. 1, H.D. 1](#)

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

"RELATING TO TRANSPORTATION."

(Complete Streets; Roads and Highways)

[S.B. No. 896, S.D. 1, H.D. 2](#)

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

"RELATING TO CIVIL SERVICE LAW."

(Hawaii National Guard Adult Programs)

[S.B. No. 979, S.D. 2, H.D. 1](#)

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

"RELATING TO COMMERCIAL DRIVERS."

(Commercial Driver's License)

[S.B. No. 1056, S.D. 2, H.D. 2](#)

"RELATING TO COMMERCIAL
DRIVERS."

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

(Commercial Driver's License; Penalties;
Violations; Motor Vehicle)

8. Miscellaneous Communications: None

9. Miscellaneous Business

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

[S.B. No. 301, S.D. 2, H.D. 1](#)

CPN, WAM

"RELATING TO THE HAWAII
REGISTERED AGENTS ACT."

(Hawaii Registered Agents Act)

[S.B. No. 521, S.D. 2, H.D. 1](#)

CPN/JGO,
WAM

"RELATING TO REAL PROPERTY."

(Bureau of Conveyances; Counties; Recorded
Instruments)

10. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HMS	4/21/2009 1:15 PM	229
CONF	4/21/2009 3:45 PM	229
CONF	4/22/2009 9:30 AM	312
CONF	4/22/2009 9:30 AM	423
CONF	4/22/2009 10:00 AM	225
CPN	4/23/2009 9:30 AM	016
HTH	4/23/2009 10:00 AM	229
HTH/CPN	4/23/2009 10:00 AM	229
HRE/WTL	4/23/2009 1:00 PM	329

PSM	4/24/2009 9:00 AM	312
HMS	4/24/2009 9:30 AM	229

- Senate Session will convene at 11:30 a.m. on Wednesday, April 22, 2009.

11. Adjournment