

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

FIFTY-EIGHTH DAY

MAY 1, 2009-FRIDAY-6:30 O'CLOCK P.M.

ORDER OF BUSINESS

Invocation by The Reverend Alan Urasaki
Pacific Buddhist Academy

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 638-653

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 638	Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: SB880 (Act 025). "RELATING TO GAS PIPELINE SYSTEMS."	FILE
G.M. No. 639	Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: SB160 SD2 (Act 026). "RELATING TO SCHOOL MEALS."	FILE
G.M. No. 640	Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: SB715 HD1 (Act 027). "RELATING TO TRANSPORTATION."	FILE

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| <u>G.M. No. 641</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB39</u> (Act 028).

"RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND." | FILE |
| <u>G.M. No. 642</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB878 SD1</u> (Act 029).

"RELATING TO PUBLICATION OF HEARING NOTICES." | FILE |
| <u>G.M. No. 643</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB528 SD1</u> (Act 030).

"RELATING TO TOBACCO." | FILE |
| <u>G.M. No. 644</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB163</u> (Act 031).

"RELATING TO EDUCATION." | FILE |
| <u>G.M. No. 645</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB947 SD1</u> (Act 032).

"RELATING TO UNEMPLOYMENT CONTRIBUTION RATES." | FILE |
| <u>G.M. No. 646</u> | Informing the Senate that on April 30, 2009, the Governor signed the following bill into law:
<u>SB162</u> (Act 033).

"RELATING TO EDUCATION." | FILE |

- [G.M. No. 647](#) Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: FILE
[SB119](#) (Act 034).
"RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT."
- [G.M. No. 648](#) Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: FILE
[SB164](#) (Act 035).
"RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND."
- [G.M. No. 649](#) Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: FILE
[SB933 SD2 HD2](#) (Act 036).
"RELATING TO TEMPORARY LICENSURE OF DENTISTS."
- [G.M. No. 650](#) Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: FILE
[SB426 HD2](#) (Act 037).
"RELATING TO DENTISTRY."
- [G.M. No. 651](#) Informing the Senate that on April 30, 2009, the Governor signed the following bill into law: FILE
[SB862 SD2](#) (Act 038).
"RELATING TO HOUSING."
- [G.M. No. 652](#) Informing the Senate that on April 30, 2009, the following bill became law without the Governor's signature: FILE
[SB1108](#) (Act 039).
"RELATING TO NATIVE HAWAIIANS."

[G.M. No. 653](#) Informing the Senate that on April 30, 2009, the Governor has withdrawn LAURA K. MISSION, Gubernatorial Nominee to the Koke'e State Park Advisory Council from consideration by the Senate (GM388). FILE

2. Departmental Communication No. 71

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 71	From the State Auditor, dated May 1, 2009, transmitting the 2008 Annual Report.	FILE

3. House Communication Nos. 718-720

	Informing the Senate that on April 30, 2009, the House agreed to the amendments proposed by the Senate and that said bill passed Final Reading in the House:	<u>REFERRAL</u>
718	H.B. No. 179, S.D. 2 "RELATING TO SCHOOL FACILITIES."(Public School Facilities Repair and Maintenance)	FILE
	Informing the Senate that on April 30, 2009, the House reconsidered its action in disagreeing to the amendments proposed by the Senate to the following House Bills:	
719	H.B. No. 1362, H.D. 1, S.D. 2 "RELATING TO GENETIC COUNSELORS."(Genetic Counselors)	FILE
	H.B. No. 1538, H.D. 1, S.D. 1 "RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS."(Health; Environment; Cleaning Products; Public Schools)	

Informing the Senate that on April 30, 2009, the House agreed to the amendments proposed by the Senate and that said resolutions have been adopted in final form in the House:

720

[H.C.R. No. 76, H.D. 1, S.D. 1](#)

FILE

"REQUESTING THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A TASK FORCE ON REINVENTING GOVERNMENT TO EXAMINE THE CURRENT OPERATIONS AND ORGANIZATION OF STATE GOVERNMENT AND MAKE RECOMMENDATIONS ON MAKING STATE GOVERNMENT MORE EFFICIENT."(Task Force; Government Efficiency)

[H.C.R. No. 157, S.D. 1](#)

"URGING PUBLIC AND PRIVATE AGENCIES TO ENCOURAGE THEIR PARENT CLIENTS TO TURN ON CLOSED CAPTIONING WHEN THEIR CHILDREN WATCH TELEVISION."(Television; Use of Closed-Captioning For Children)

[H.C.R. No. 246, H.D. 1, S.D. 1](#)

"REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A TASK FORCE TO DEVELOP A POLICY TO ADDRESS TEEN DATING VIOLENCE AND ABUSE."(Teen Dating Violence; Education; Task Force; Policy)

[H.C.R. No. 266, S.D. 1](#)

"URGING THE COUNTIES TO CONSIDER ADOPTING GRAY WATER PROVISIONS OF THE UNIFORM PLUMBING CODE AND REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AUTHORIZE GRAY WATER RECYCLING SYSTEMS FOR RESIDENTIAL PREMISES UNDER APPROPRIATE CIRCUMSTANCES."(Gray Water; Building Permits)

[H.C.R. No. 298, H.D. 1, S.D. 1](#)

"URGING THE UNITED STATES PRESIDENT, SENATE, AND HOUSE OF REPRESENTATIVES TO ENACT LEGISLATION TO EXPEDITE IMMIGRANT VISAS FOR FAMILY REUNIFICATION OF CERTAIN FILIPINO VETERANS OF WORLD WAR II."(Filipino Veterans, Family Reunification)

4. Senate Communications: None
5. Judiciary Communications: None
6. Conference Committee Report Nos. 47-50 and 93-97

[47](#)
(48 Hrs. Notice)

[H.B. No. 1713, H.D. 2, S.D. 2, C.D. 1](#)
"RELATING TO HAZARDS."
(Recommends passage on FINAL READING
as amended C.D. 1)

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

[H.B. No. 994, H.D. 1, S.D. 2, C.D. 1](#)
"RELATING TO TOURISM."
(Recommends passage on FINAL READING
as amended C.D. 1)

[49](#)
(48 Hrs. Notice)

[H.B. No. 1174, H.D. 3, S.D. 2, C.D. 1](#)
"RELATING TO THE UNIVERSITY OF
HAWAII."
(Recommends passage on FINAL READING
as amended C.D. 1)

[50](#)
(48 Hrs. Notice)

[H.B. No. 1471, H.D. 2, S.D. 1, C.D. 1](#)
"RELATING TO FARMS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[93](#)
(48 Hrs. Notice)

[S.B. No. 1206, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO COUNTIES."
(Recommends passage on FINAL READING
as amended C.D. 1)

[94](#)
(48 Hrs. Notice)

[S.B. No. 1665, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO HIGHER EDUCATION."
(Recommends passage on FINAL READING
as amended C.D. 1)

[95](#)
(48 Hrs. Notice)

[S.B. No. 1223, S.D. 1, H.D. 2, C.D. 1](#)
"RELATING TO HAWAII MADE
PRODUCTS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[96](#)
(48 Hrs. Notice)

[S.B. No. 539, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO CORRECTIONS."
(Recommends passage on FINAL READING
as amended C.D. 1)

[97](#)
(48 Hrs. Notice)

[S.B. No. 851, S.D. 1, H.D. 3, C.D. 1](#)
"RELATING TO CHILD SUPPORT
ENFORCEMENT."
(Recommends passage on FINAL READING
as amended C.D. 1)

ORDER OF THE DAY

7. Advise and Consent

1547	HRE	G.M. No. 429
Testimony Status		"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, JUNE S. LEE, for a term to expire 6-30-2012."
1547	HRE	G.M. No. 554
Testimony Status		"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, MARIAN A. CRISLIP, for a term to expire 6-30-2012."
1547	HRE	G.M. No. 555
Testimony Status		"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, SALLY A. HARPER, for a term to expire 6-30-2012."
1547	HRE	G.M. No. 556
Testimony Status		"Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ALBERT D. KIM, for a term to expire 6-30-2012."

[1547](#) HRE [G.M. No. 557](#)
[Testimony Status](#) "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, NADINE N. NISHIOKA, for a term to expire 6-30-2012."

[1547](#) HRE [G.M. No. 558](#)
[Testimony Status](#) "Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CHRISTOPHER J. WONG, for a term to expire 6-30-2012."

8. Adopt Resolutions

[1545](#) PSM [H.C.R. No. 10, H.D. 1](#)
[Testimony Prior Versions Status](#) "REQUESTING THE ADJUTANT GENERAL TO IDENTIFY THE LOCATION OF EVERY PUBLIC SAFE ROOM IN THE COUNTY OF HAWAII PROVIDING SUITABLE SHELTER FROM VOG AND DEVELOP PLANS TO ESTABLISH SUCH SAFE ROOMS IN ADDITIONAL AREAS THAT NEED THEM." (AMENDED TITLE)

[1546](#) HMS [H.C.R. No. 13](#)
[Testimony Prior Versions Status](#) "REQUESTING A STUDY OF VARIOUS UNRESOLVED ISSUES RELATING TO AGING."

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

[H.C.R. No. 92, H.D. 1](#)

"REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION, AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF DIVISION."

9. Final Reading

[Conf. Com. Rep. No. 10](#)

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

[H.B. No. 615, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO HARASSMENT."

(Harassment; Electronic Communications)

[Conf. Com. Rep. No. 11](#)

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

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

"RELATING TO RENEWABLE ENERGY FACILITIES."

(Renewable Energy Facility)

[Conf. Com. Rep. No. 12](#)

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

[H.B. No. 1071, H.D. 3, S.D. 2, C.D. 1](#)

"RELATING TO MORTGAGE SERVICERS."

(Mortgage Servicers; Regulation)

[Conf. Com. Rep. No. 13](#)

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

[H.B. No. 1351, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO PRIVATE AGRICULTURAL PARKS."

(Agriculture; Private Agricultural Parks)

[Conf. Com. Rep. No. 59](#)

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

[S.B. No. 714, S.D. 1, H.D. 2, C.D. 1](#)

"RELATING TO HIGH OCCUPANCY
VEHICLE LANES."

(High Occupancy Vehicle Lanes; Zipper
Lanes)

[Conf. Com. Rep. No. 60](#)

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

[S.B. No. 564, S.D. 2, H.D. 1, C.D. 1](#)

"RELATING TO FIRE PROTECTION."

(State Fire Council Package; Fire Protection;
Inspections)

[S.B. No. 876, S.D. 2, H.D. 2](#)

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

"RELATING TO THE EMPLOYEES'
RETIREMENT SYSTEM." - (WAM)

(Employees' Retirement System; Ordinary
Disability Retirement; Reemployed Retirants)

10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDT	5/4/2009 9:00 AM	016
EDT/PSM	5/4/2009 9:00 AM	016
TIA	5/4/2009 9:15 AM	016
PSM	5/4/2009 9:30 AM	016

- Senate Session will convene at 9:00 a.m. on Tuesday, May 5, 2009.

13. Adjournment