

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

SEVENTEENTH DAY

FEBRUARY 14, 2011-MONDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 127-129 and 522

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 127	Dated January 18, 2011, transmitting the Hawaii Ocean Resources Management Plan 2010 Annual Report, prepared by the Department of Business, Economic Development and Tourism, Coastal Zone Management Program, pursuant to HCR 137, SLH 2005.	FILE
G.M. No. 128	Dated January 24, 2011, transmitting the Annual Report on the Status of the Office of Health Care Assurance Special Fund, prepared by the Department of Health pursuant to Section 321-1.4, HRS.	FILE
G.M. No. 129	Dated January 27, 2011, transmitting a Report on the Statewide Children's Mental Health Services Plan, prepared by the Department of Health, Child and Adolescent Mental Health Division, pursuant to Sections 321-175 and 176, HRS.	FILE

[G.M. No. 522](#)

Submitting for consideration and confirmation as Chairperson of the Public Utilities Commission, gubernatorial nominee, HERMINA MORITA, for a term to expire 6-30-2014.

CPN

2. Departmental Communications: None

3. House Communication No. 8

Returning the following Senate Bill which passed Third Reading in the House on February 11, 2011, in an amended form:

REFERRAL

8

[S.B. No. 232, S.D. 1, H.D. 1](#)
"RELATING TO CIVIL UNIONS." (Civil Unions)

AGREE/DISAGREE

4. Senate Communications: None

5. Judiciary Communications: None

6. Introduction of Measures: Senate Concurrent Resolution No. 30

Senate Resolution No. 11

7. Standing Committee Report Nos. 118-161

[118](#)

(EDT)

[S.B. No. 333, S.D. 1](#)

"RELATING TO HISTORIC PRESERVATION."

(Recommends recommittal to EDT)

[119](#)

(ENE)

[S.B. No. 704, S.D. 1](#)

"RELATING TO RENEWABLE ENERGY."

(Recommends passage on SECOND READING and referral to CPN)

- [120](#) (ENE) [S.B. No. 703, S.D. 1](#)
"RELATING TO ENERGY."
(Recommends passage on SECOND READING and referral to CPN)
- [121](#) (ENE) [S.B. No. 188, S.D. 1](#)
"RELATING TO FOSSIL FUELS."
(Recommends passage on SECOND READING and referral to CPN)
- [122](#) (ENE) [S.B. No. 107](#)
"PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REAFFIRM AND STRENGTHEN THE STATE'S COMMITMENT TO ENVIRONMENTAL RIGHTS."
(Recommends passage on SECOND READING and referral to JDL)
- [123](#) (ENE) [S.B. No. 723](#)
"RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
(Recommends passage on SECOND READING and referral to JDL)
- [124](#) (ENE) [S.B. No. 153](#)
"RELATING TO RENEWABLE ENERGY."
(Recommends passage on SECOND READING and referral to WAM)
- [125](#) (ENE) [S.B. No. 1479, S.D. 1](#)
"RELATING TO ENERGY."
(Recommends passage on SECOND READING and referral to WAM)

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| <u>126</u> | (ENE) | <u>S.B. No. 1476, S.D. 1</u>
"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>127</u> | (ENE) | <u>S.B. No. 1244, S.D. 1</u>
"RELATING TO BIOFUELS."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| <u>128</u> | (ENE/EDU) | <u>S.B. No. 1197, S.D. 1</u>
"RELATING TO ENERGY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>129</u> | (ENE) | <u>S.B. No. 745, S.D. 1</u>
"RELATING TO SEAWATER AIR CONDITIONING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>130</u> | (ENE) | <u>S.B. No. 725, S.D. 1</u>
"RELATING TO SOLID WASTE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>131</u> | (ENE/AGL) | <u>S.B. No. 722, S.D. 1</u>
"RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [132](#) (ENE) [S.B. No. 699, S.D. 1](#)
"RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL."
(Recommends passage on SECOND READING and referral to WAM)
- [133](#) (ENE) [S.B. No. 189, S.D. 1](#)
"RELATING TO ENERGY."
(Recommends passage on SECOND READING and referral to WAM)
- [134](#) (HWN) [S.B. No. 1130](#)
"RELATING TO THE HAWAIIAN LANGUAGE."
(Recommends passage on SECOND READING and referral to WAM)
- [135](#) (HWN) [S.B. No. 1290](#)
"RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
(Recommends passage on SECOND READING and referral to WAM)
- [136](#) (HWN) [S.B. No. 878, S.D. 1](#)
"RELATING TO STATE LAND MAMMAL."
(Recommends passage on SECOND READING and referral to JDL)
- [137](#) (CPN/JDL) [S.B. No. 92, S.D. 1](#)
"RELATING TO CONDOMINIUM DISPUTE RESOLUTION."
(Recommends passage on SECOND READING and referral to WAM)

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| 138 | (CPN) | S.B. No. 39, S.D. 1
"RELATING TO PLANNED COMMUNITY ASSOCIATIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 139 | (CPN) | S.B. No. 1231, S.D. 1
"RELATING TO CHAPTER 480, HAWAII REVISED STATUTES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 140 | (CPN) | S.B. No. 105, S.D. 1
"RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 141 | (CPN) | S.B. No. 1301, S.D. 1
"RELATING TO FAIR HOUSING EXEMPTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 142 | (PGM/WLH) | S.B. No. 144
"MAKING A GRANT-IN-AID APPROPRIATION TO THE COUNTIES TO FINANCE DROUGHT MITIGATION PROJECTS AND MEASURES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 143 | (PGM/WLH) | S.B. No. 696
"RELATING TO HOUSING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 144 | (PGM/WLH) | S.B. No. 582, S.D. 1
"RELATING TO COUNTY MUTUAL AID."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 145 | (HTH) | S.B. No. 218
"RELATING TO HEALTHCARE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 146 | (HTH) | S.B. No. 279, S.D. 1
"RELATING TO MEDICAL AND REHABILITATION BENEFITS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 147 | (HTH) | S.B. No. 174, S.D. 1
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 148 | (HTH) | S.B. No. 420, S.D. 2
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 149 | (HTH) | S.B. No. 233, S.D. 1
"RELATING TO TOBACCO PRODUCTS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 150 | (HTH) | S.B. No. 979, S.D. 1
"RELATING TO WELLNESS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>151</u> | (HTH) | <u>S.B. No. 594, S.D. 1</u>
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>152</u> | (HTH) | <u>S.B. No. 1139</u>
"RELATING TO COMMUNITY HEALTH CENTERS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>153</u>
(48 Hrs. Notice) | (ENE) | <u>S.B. No. 729, S.D. 1</u>
"RELATING TO ENVIRONMENTAL PROTECTION."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| <u>154</u>
(48 Hrs. Notice) | (HTH) | <u>S.B. No. 36, S.D. 1</u>
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| <u>155</u>
(48 Hrs. Notice) | (PGM/TIA) | <u>S.B. No. 170, S.D. 1</u>
"RELATING TO SHIPPING CONTAINER INSPECTIONS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| <u>156</u>
(48 Hrs. Notice) | (PGM/WLH) | <u>S.B. No. 1213, S.D. 1</u>
"RELATING TO PERMITTING."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |

[157](#)
(48 Hrs. Notice)

(WAM)

[S.B. No. 1309, S.D. 1](#)

"RELATING TO THE ESTABLISHMENT OF THE LIEUTENANT GOVERNOR SPECIAL FUND."

(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[158](#)
(48 Hrs. Notice)

(WAM)

[S.B. No. 250, S.D. 1](#)

"RELATING TO THE COMMISSION ON SALARIES."

(Recommends passage on SECOND READING and placement on the calendar for Third Reading)

[159](#)
(One Day Notice)

(WAM)

[G.M. No. 518](#)

"Submitting for consideration and confirmation to the Director of the Department of Budget and Finance, Gubernatorial Nominee, KALBERT K. YOUNG, for a term to expire December 1, 2014."

(Recommends Senate Consent to Nomination)

[160](#)
(One Day Notice)

(WAM)

[G.M. No. 519](#)

"Submitting for consideration and confirmation to the Director of the Department of Taxation, Gubernatorial Nominee, FREDERICK D. PABLO, for a term to expire December 1, 2014."

(Recommends Senate Consent to Nomination)

[161](#) (CPN)

[S.B. No. 298, S.D. 1](#)
"RELATING TO BUSINESS
REGULATION."
(Recommends recommittal to CPN)

ORDER OF THE DAY

8. Advise and Consent

[117](#) AGL
[Testimony](#) [Status](#)

[G.M. No. 504](#)
"Submitting for consideration and
confirmation to the Chairperson of the Board
of Agriculture, Gubernatorial Nominee,
RUSSELL S. KOKUBUN, for a term to
expire December 31, 2014."

9. Third Reading

[\(See Stand. Com. Rep. No. 111\)](#)
[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 20, S.D. 1](#)
"RELATING TO THE BUDGET." - (WAM)

(Modifications to Legislative Appropriations;
Reporting)

[\(See Stand. Com. Rep. No. 112\)](#)
[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 163, S.D. 1](#)
"RELATING TO STATE BONDS." -
(WAM)

(General Obligation Bond Authorization)

[\(See Stand. Com. Rep. No. 113\)](#)

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

[S.B. No. 1260, S.D. 1](#)

"RELATING TO PUBLIC FINANCE." - (WAM)

(Public Finance)

[\(See Stand. Com. Rep. No. 114\)](#)

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

[S.B. No. 1318, S.D. 1](#)

"RELATING TO USE TAX." - (WAM)

(Use Tax; Stevedoring Exemption)

[\(See Stand. Com. Rep. No. 115\)](#)

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

[S.B. No. 19](#)

"RELATING TO THE STATE
TREASURY." - (WAM)

(State Treasury; Reporting)

[\(See Stand. Com. Rep. No. 116\)](#)

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

[S.B. No. 1271](#)

"RELATING TO THE PUBLIC NOTICES
FOR THE EXPENDITURE CEILING AND
THE AWARDING OF GRANTS." - (WAM)

(Expenditure Ceiling; Grants and Subsidies)

10. Referrals and Re-Referrals

RE-REFERRALS FOR MONDAY, FEBRUARY 14, 2011

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.B. 298, S.D. 1	RELATING TO BUSINESS REGULATION. (Business Regulation; Sustainable Business Corporations) (CPN)	CPN, JDL

11. Miscellaneous Communications: None

12. Miscellaneous Business

13. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDU	2/14/2011 1:15 PM	225
ENE/EDT	2/14/2011 1:15 PM	016
TIA	2/14/2011 1:15 PM	224
TSM/EDT/HWN	2/14/2011 1:15 PM	016
EDT/TSM	2/14/2011 1:30 PM	016
HTH	2/14/2011 2:45 PM	229
HWN/JDL	2/14/2011 3:00 PM	224
HTH	2/14/2011 4:00 PM	229
CPN	2/15/2011 9:00 AM	229
JDL	2/15/2011 9:00 AM	016
JDL	2/15/2011 9:15 AM	016
JDL	2/15/2011 9:30 AM	016
HMS/WAM	2/15/2011 10:30 AM	211
HMS	2/15/2011 1:15 PM	016
HMS/JDL	2/15/2011 1:15 PM	016
TSM	2/15/2011 1:15 PM	224
TSM/HWN	2/15/2011 1:15 PM	224
WLH	2/15/2011 1:15 PM	225
HMS	2/15/2011 1:30 PM	016
TSM	2/15/2011 1:30 PM	224
AGL	2/15/2011 2:45 PM	229
AGL/CPN	2/15/2011 2:45 PM	229
ENE/HWN	2/15/2011 2:45 PM	225
PGM	2/15/2011 2:45 PM	224
PGM/EDT	2/15/2011 2:45 PM	224
ENE	2/15/2011 2:55 PM	225
ENE/CPN	2/15/2011 3:00 PM	225
ENE	2/15/2011 3:05 PM	225
ENE	2/15/2011 3:10 PM	225
ENE	2/15/2011 3:15 PM	225
EDT	2/16/2011 1:15 PM	016
HMS	2/16/2011 1:15 PM	016
HTH	2/16/2011 2:45 PM	229
PGM/HWN	2/16/2011 2:45 PM	224
HWN	2/16/2011 3:00 PM	224
HTH	2/16/2011 3:30 PM	229
CPN	2/17/2011 9:00 AM	229

WAM	2/17/2011 9:00 AM	211
WLH	2/17/2011 1:15 PM	225
PGM	2/17/2011 2:45 PM	224
CPN	2/22/2011 8:30 AM	229
CPN	2/23/2011 8:30 AM	229
CPN	2/24/2011 9:00 AM	229
CPN	2/25/2011 9:00 AM	229
JDL	3/1/2011 10:00 AM	016

- Senate Session will convene at 11:30 a.m. on Tuesday, February 15, 2011.

14. Adjournment