

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

---

---

FORTIETH DAY

MARCH 31, 2011-THURSDAY-11:30 O'CLOCK A.M.

---

---

ORDER OF BUSINESS

Approval of the Journal

Introductions

- Floor Presentations:

HONORING AND COMMENDING PATRICK GARTSIDE. (Senator Gabbard)

HONORING THE TELEVISION SERIES HAWAII FIVE-0. (Senator Kidani)

1. Messages from the Governor: Nos. 648-650

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 648</a>	Informing the Senate that on March 28, 2011, the Governor has withdrawn RUSSELL CASTAGNARO, Gubernatorial Nominee to the High Technology Development Corporation Board of Directors, from consideration by the Senate (GM542).	FILE
<a href="#">G.M. No. 649</a>	Submitting for consideration and confirmation as the Director of the State Health Planning and Development Agency, Gubernatorial Nominee, ROMALA RADCLIFFE, for a term to expire 6-30-2011.	HTH

[G.M. No. 650](#) Submitting for consideration and confirmation as the Director of the State Health Planning and Development Agency, Gubernatorial Nominee, ROMALA RADCLIFFE, for a term to expire 6-30-2015. HTH

2. Departmental Communication Nos. 81-82

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">D.C. No. 81</a>	From the State Auditor dated March 11, 2011, transmitting the Report on Internal Control over Financial Reporting and on Compliance and Other Matters.	FILE
<a href="#">D.C. No. 82</a>	From the Department of Budget and Finance dated March 16, 2011, transmitting a Report on Transfers from Non-General Funds to General Fund FY 11, February 17, 2011, pursuant to Section 37-46, HRS.	FILE

3. House Communication Nos. 363-365

	Informing the Senate that on March 29, 2011, the following House Concurrent Resolutions were adopted in the House:	<u>REFERRAL</u>
363	<a href="#">H.C.R. No. 11, H.D. 1</a> "URGING THE GOVERNOR OF HAWAI'I TO INVITE ALL ASIA-PACIFIC ECONOMIC COOPERATION COUNTRIES TO ESTABLISH HONORARY CONSULS IN HAWAI'I BEFORE THE 2011 ASIA-PACIFIC ECONOMIC COOPERATION SUMMIT."(APEC countries; Honorary consuls)	EDT/TIA



- |  |       |  |
|--|-------|--|
| <a href="#"><u>992</u></a><br>(48 Hrs. Notice) | (EDU) | <a href="#"><u>H.B. No. 1326, H.D. 2, S.D. 1</u></a><br>"RELATING TO THE UNIVERSITY OF HAWAII."<br>(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)   |
| <a href="#"><u>993</u></a><br>(48 Hrs. Notice) | (WAM) | <a href="#"><u>H.B. No. 848, H.D. 2, S.D. 1</u></a><br>"RELATING TO THE GENERAL EXCISE TAX."<br>(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)  |
| <a href="#"><u>994</u></a><br>(48 Hrs. Notice) | (WLH) | <a href="#"><u>H.B. No. 931, S.D. 1</u></a><br>"RELATING TO SMALL BOAT HARBORS."<br>(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)  |
| <a href="#"><u>995</u></a>                     | (CPN) | <a href="#"><u>S.C.R. No. 8, S.D. 1</u></a><br>"REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR NATUROPATHIC MEDICINE."<br>(Recommends referral to WAM)   |
| <a href="#"><u>996</u></a>                     | (CPN) | <a href="#"><u>S.C.R. No. 23, S.D. 1</u></a><br>"REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR PHYSICAL THERAPY THAT IS PRESCRIBED BY A BOARD-CERTIFIED SURGEON FOR CHRONIC PAIN."<br>(AMENDED TITLE)<br>(Recommends referral to WAM) |

- |                     |       |  |
|---------------------|-------|--|
| <a href="#">997</a> | (CPN) | <a href="#">S.C.R. No. 24, S.D. 1</a><br>"REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR CERTAIN TOBACCO USE CESSATION METHODS." (AMENDED TITLE)<br>(Recommends referral to WAM) |
| <a href="#">998</a> | (EDU) | <a href="#">S.C.R. No. 130, S.D. 1</a><br>"REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER USING THE PROPERTY LOCATED ON YOUNG STREET, ADJACENT TO THE ACADEMY ART CENTER, AS AN ART RESOURCE CENTER FOR TEACHERS."<br>(Recommends referral to WAM)   |
| <a href="#">999</a> | (EDU) | <a href="#">S.C.R. No. 158</a><br>"REQUESTING A FISCAL AND COMPLIANCE AUDIT OF THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."<br>(Recommends referral to WAM)   |

[1000](#)

(PGM/HTH)

[S.C.R. No. 53, S.D. 1](#)

"STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS."

(Recommends referral to WAM)

[1001](#)

(PGM/HTH)

[S.R. No. 27, S.D. 1](#)

"STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS."

(Recommends referral to WAM)

[1002](#)

(AGL/WLH)

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

"URGING THE CITY AND COUNTY OF HONOLULU TO EXPEND MONIES ALREADY DEDICATED IN ITS 2010-2011 EXECUTIVE OPERATING BUDGET TO CONDUCT A STUDY TO MAP AND DETERMINE IMPORTANT AGRICULTURAL LANDS ON OAHU, FOR THAT PURPOSE."

(Recommends referral to PGM)

[1003](#)

(One Day Notice)

(EDU)

[S.C.R. No. 79, S.D. 1](#)

"REQUESTING THE BOARD OF EDUCATION TO REVIEW ITS BY-LAWS AND POLICIES AND APPLICABLE ADMINISTRATIVE RULES AND STATUTES TO IMPROVE THE EFFECTIVENESS OF THE EDUCATIONAL DELIVERY SYSTEM."

(Recommends Adoption)

[1004](#)

(One Day Notice)

(ENE/EDU)

[S.C.R. No. 68, S.D. 1](#)

"URGING THE DEPARTMENT OF EDUCATION TO INSTALL RENEWABLE ENERGY FACILITIES ON THE PREMISES OF AS MANY PUBLIC SCHOOLS AS IS FEASIBLE AND CONSIDER LEASING SCHOOL PREMISES TO A POWER PRODUCER AND ENTER INTO POWER PURCHASE AGREEMENTS TO PURCHASE ELECTRICITY FROM THE PRODUCER." (AMENDED TITLE)

(Recommends Adoption)

[1005](#) (HMS)  
(One Day Notice)

[G.M. No. 551](#)  
"Submitting for consideration and confirmation to the Hawai'i Public Housing Authority Board of Directors, Gubernatorial Nominee, JASON T. ESPERO, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1006](#) (TIA)  
(One Day Notice)

[G.M. No. 592](#)  
"Submitting for consideration and confirmation to the Commission on Transportation, Gubernatorial Nominee, JOHN A. ERVIN, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1006](#) (TIA)  
(One Day Notice)

[G.M. No. 593](#)  
"Submitting for consideration and confirmation to the Commission on Transportation, Gubernatorial Nominee, SHAWN SMITH, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)



ORDER OF THE DAY

7. Deferred Matters – Agree / Disagree

<u>HSE. COM. NO.</u>		<u>REFERRAL</u>
361	<a href="#">S.B. No. 1069, S.D. 1, H.D. 1</a> "RELATING TO CRUELTY TO ANIMALS."(Crimes; Dog Fighting; Animal Cruelty)	AGREE/DISAGREE
362	<a href="#">S.B. No. 1489, S.D. 1, H.D. 1</a> "RELATING TO ATTORNEY'S LIENS."(Attorney's Lien)	AGREE/DISAGREE

8. Miscellaneous Communications: None

9. Miscellaneous Business

10. Referrals and Re-Referrals

RE-REFERRALS FOR THURSDAY, MARCH 31, 2011

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
<a href="#">S.R. 64</a>	REQUESTING THE ATTORNEY GENERAL TO ASSESS THE IMPACT OF DIVERTING DRUG POSSESSION OFFENDERS FROM THE CRIMINAL JUSTICE SYSTEM TO DRUG TREATMENT PROGRAMS. (Attorney General; Diversion from Criminal Justice System to Drug Treatment for Drug Possession Offenders) (PGM/JDL, WAM)	PGM/JDL

11. Announcements

- Floor Presentation for Friday, April 1, 2011:

RECOGNIZING AND CONGRATULATING FIRST INSURANCE COMPANY OF HAWAII ON ITS 100TH ANNIVERSARY. (Senator Wakai)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
WLH	3/31/2011 1:15 PM	225
WLH/WAM	3/31/2011 1:15 PM	225
WLH/WAM	3/31/2011 1:30 PM	225
HTH/WLH/AGL	3/31/2011 2:45 PM	229
PGM/HWN	3/31/2011 2:45 PM	224
PGM	3/31/2011 2:50 PM	224
PGM/JDL	3/31/2011 2:50 PM	224
AGL/EDT	3/31/2011 2:55 PM	229
ENE	3/31/2011 3:00 PM	225
CPN	4/1/2011 9:00 AM	229
WAM	4/1/2011 9:00 AM	211
WLH/JDL	4/1/2011 9:00 AM	016
JDL	4/1/2011 9:15 AM	016
CPN/HTH	4/1/2011 9:45 AM	229
CPN	4/1/2011 10:00 AM	229
EDU	4/1/2011 1:15 PM	225
PGM/AGL	4/1/2011 1:45 PM	229
HWN	4/1/2011 2:45 PM	224
CPN	4/5/2011 9:00 AM	229
JDL	4/5/2011 9:00 AM	016
HMS	4/5/2011 1:15 PM	016
TIA	4/6/2011 1:15 PM	224
ENE/PGM	4/7/2011 2:45 PM	225
HWN	4/13/2011 2:45 PM	224

- Senate Session will convene at 11:30 a.m. on Friday, April 1, 2011.

12. Adjournment