

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

FORTY-FOURTH DAY

APRIL 6, 2011-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

RECOGNIZES AND CONGRATULATES ALVIN KUO WONG AS THE HAPPIEST PERSON IN AMERICA. (Senator Taniguchi)

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communication Nos. 377-385

Returning the following Senate Bills which passed Third Reading in the House on April 5, 2011:

REFERRAL

377	S.B. No. 124, S.D. 1 "RELATING TO INSURANCE."(Motor Vehicle Insurance; Cancellation)	FILE
378	S.B. No. 704, S.D. 2 "RELATING TO RENEWABLE ENERGY."(Renewable Energy; Public Utilities Commission)	FILE

- 379 [S.B. No. 1346, S.D. 2](#) FILE
"RELATING TO RENEWABLE PORTFOLIO
STANDARDS."(Renewable Portfolio Standards)
- Informing the Senate that on April 5, 2011, the
following House Concurrent Resolutions were
adopted in the House:
- 380 [H.C.R. No. 147](#)
"URGING THE UNITED STATES CONGRESS
TO APPROVE THE UNITED STATES-KOREA
TRADE AGREEMENT."(U.S.-Korea Trade
Agreement)
- 381 [H.C.R. No. 234](#)
"ADOPTING THE UNITED NATIONS
EDUCATIONAL, SCIENTIFIC AND
CULTURAL ORGANIZATION'S
DECLARATION ON A CULTURE OF
PEACE."(UNESCO; Declaration on a Culture of
Peace)
- 382 [H.C.R. No. 266, H.D. 1](#)
"RECOGNIZING OCTOBER OF EACH YEAR
AS "DOWN SYNDROME AWARENESS
MONTH" IN HAWAII."(Down Syndrome
Awareness Month; Lifelong Learning Guidelines)
- 383 [H.C.R. No. 273](#)
"REQUESTING THE SCHOOL OF TRAVEL
INDUSTRY MANAGEMENT AT THE
UNIVERSITY OF HAWAII AT MANOA TO
DEVELOP ENHANCEMENTS FOR THE
TOURISM-RELATED CAPABILITIES OF THE
UNIVERSITY OF HAWAII ECONOMIC
RESEARCH ORGANIZATION DATA
PORTAL."(UH School of Travel Industry
Management)

- 384 [H.C.R. No. 309, H.D. 1](#)
"REQUESTING THE GOVERNOR TO
PROCLAIM THE SECOND WEEK OF
AUGUST AS "NATIONAL ASSISTANCE
DOG WEEK". "(RELATING TO SERVICE
DOGS)

Informing the Senate that on April 5, 2011, the House disagreed to the amendments proposed by the Senate to the following House bill:

- 385 [H.B. No. 79, H.D. 1, S.D. 1](#) FILE
"RELATING TO STATE FUNDS." (Revolving
and Trust Funds)

[H.B. No. 338, H.D. 2, S.D. 1](#)
"RELATING TO EDUCATION." (Board of
Education; Appointment; Student Member)

[H.B. No. 848, H.D. 2, S.D. 1](#)
"RELATING TO THE GENERAL EXCISE
TAX." (Related Management Entities; GET
Exemption)

[H.B. No. 931, S.D. 1](#)
"RELATING TO SMALL BOAT
HARBORS." (Small Boat Harbors; Regularly
Navigated)

[H.B. No. 1326, H.D. 2, S.D. 1](#)
"RELATING TO THE UNIVERSITY OF
HAWAII." (University of Hawaii; System
Benchmarks)

4. Senate Communications: None

5. Judiciary Communication No. 1

<u>J.C. NO.</u>	<u>TITLE</u>	<u>REFERRAL</u>
1	Submitting for consideration and confirmation to the District Court of the Fifth Circuit, State of Hawaii, Gubernatorial Nominee, EDMUND D. ACOBA, for a term of six years.	JDL

6. Standing Committee Report Nos. 1057-1062

1057 (48 Hrs. Notice)	(CPN/HTH)	H.B. No. 1053, H.D. 1, S.D. 1 "RELATING TO NATIONAL DENTAL HYGIENE EXAMINATIONS." (Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading)
1058 (48 Hrs. Notice)	(CPN)	H.B. No. 235, H.D. 2, S.D. 2 "RELATING TO LIMITED LIABILITY COMPANIES." (Recommends passage on <u>THIRD READING</u>)
1059 (One Day Notice)	(CPN)	G.M. No. 537 "Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, ROWENA COBB, for a term to expire 6-30-2015." (Recommends Senate Consent to Nomination)

[1059](#) (CPN)
(One Day Notice)

[G.M. No. 538](#)
"Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, NIKKI SENTER, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM575)"

(Recommends Senate Consent to Nomination)

[1059](#) (CPN)
(One Day Notice)

[G.M. No. 539](#)
"Submitting for consideration and confirmation to the Real Estate Commission, Gubernatorial Nominee, AILEEN WADA, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1060](#) (CPN)
(One Day Notice)

[G.M. No. 528](#)
"Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, ROBERT KLEIN, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1060](#) (CPN)
(One Day Notice)

[G.M. No. 529](#)
"Submitting for consideration and confirmation to the State Board of Chiropractic Examiners, Gubernatorial Nominee, JAMES PLEISS, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM575)"

(Recommends Senate Consent to Nomination)

[1061](#) (CPN)
(One Day Notice)

[G.M. No. 533](#)
"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, PETER L. AKAMU, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1061](#) (CPN)
(One Day Notice)

[G.M. No. 534](#)
"Submitting for consideration and confirmation to the Board of Electricians and Plumbers, Gubernatorial Nominee, MATT BRADY, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

[1062](#) (CPN)
(One Day Notice)

[G.M. No. 536](#)
"Submitting for consideration and confirmation to the Pest Control Board, Gubernatorial Nominee, RONALD S. WEINBERG, for a term to expire 6-30-2015."

(Recommends Senate Consent to Nomination)

ORDER OF THE DAY

7. Deferred Matter – Agree/Disagree

<u>HSE. COM. NO.</u>		<u>REFERRAL</u>
370	S.B. No. 105, S.D. 2, H.D. 1 "RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH."(Real Property; Probate)	AGREE/DISAGREE
371	S.B. No. 1067, S.D. 1, H.D. 2 "RELATING TO PROBATION."(Adult Probation; Records Confidentiality)	AGREE/DISAGREE
372	S.B. No. 1533, S.D. 1, H.D. 1 "RELATING TO CRUELTY TO ANIMALS."(Cruelty to Animals; Exception for Insects, Vermin, and Other Pests)	AGREE/DISAGREE

8. Advise and Consent

1056	CPN	G.M. No. 535 "Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, CARL D. JOHNSEN, for a term to expire 6- 30-2015."
Testimony Status		

9. Adopt Resolutions

1052	CPN	S.C.R. No. 134, S.D. 1 "REQUESTING THE CONVENING OF A WORKING GROUP TO INVESTIGATE THE CREATION OF A LOCALLY-FOCUSED, HAWAII-BASED STOCK EXCHANGE."
Testimony Prior Versions Status		
1053	CPN	S.C.R. No. 48 "URGING CONGRESS TO SUPPORT FEDERAL LEGISLATION PROHIBITING HEALTH INSURERS FROM DENYING COVERAGE TO VICTIMS OF DOMESTIC VIOLENCE ON THE GROUNDS THAT IT IS A PRE-EXISTING CONDITION."
Testimony Prior Versions Status		
1054	PGM	S.C.R. No. 167, S.D. 1 "REQUESTING THAT THE CIVIL DEFENSE DIVISION OF THE HAWAII DEPARTMENT OF DEFENSE IS REQUESTED WORK WITH THE COUNTY CIVIL DEFENSE OR EMERGENCY MANAGEMENT AGENCIES TO EVALUATE THE APPROPRIATENESS OF TSUNAMI EVACUATION SITES IN THE STATE." (AMENDED TITLE)
Testimony Prior Versions Status		
1055	PGM	S.R. No. 103, S.D. 1 "REQUESTING THAT THE CIVIL DEFENSE DIVISION OF THE HAWAII DEPARTMENT OF DEFENSE IS REQUESTED WORK WITH THE COUNTY CIVIL DEFENSE OR EMERGENCY MANAGEMENT AGENCIES TO EVALUATE THE APPROPRIATENESS OF TSUNAMI EVACUATION SITES IN THE STATE." (AMENDED TITLE)
Testimony Prior Versions Status		

10. Third Reading

[\(See Stand. Com. Rep. No. 1041\)](#)

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

[H.B. No. 1089, H.D. 1, S.D. 1](#)

"RELATING TO CONFORMITY OF THE
HAWAII INCOME TAX LAW TO THE
INTERNAL REVENUE CODE." - (WAM)

(Income Tax; Conformity to the Internal
Revenue Code for 2010)

11. Miscellaneous Communications: None

12. Miscellaneous Business

13. Announcements

- Floor Presentation for Thursday, April 7, 2011:

HONORING NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF
ECOSYSTEM RESERVE UPON THE 10TH ANNIVERSARY. (Senator Gabbard)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HTH/HMS/WAM	4/6/2011 2:45 PM	229
HTH	4/6/2011 3:00 PM	229
HTH	4/6/2011 3:45 PM	229
CPN	4/7/2011 9:00 AM	229
JDL/WAM	4/7/2011 9:00 AM	016
JDL	4/7/2011 9:30 AM	016
WAM	4/7/2011 9:30 AM	211
WAM	4/7/2011 9:35 AM	211
WAM	4/7/2011 9:45 AM	211
JDL	4/7/2011 10:00 AM	016
PGM/WLH	4/7/2011 1:15 PM	225

WLH	4/7/2011 1:15 PM	225
WLH/PGM	4/7/2011 1:15 PM	225
WLH/WAM	4/7/2011 1:15 PM	225
HMS	4/7/2011 2:00 PM	016
WLH/ENE	4/7/2011 2:30 PM	225
ENE/PGM	4/7/2011 2:45 PM	225
ENE	4/7/2011 3:00 PM	225
EDU	4/8/2011 1:15 PM	225
EDT	4/13/2011 1:15 PM	016
EDU	4/13/2011 1:15 PM	225
TIA	4/13/2011 1:15 PM	224
HWN	4/13/2011 2:45 PM	224
WLH	4/14/2011 1:15 PM	225
AGL	4/14/2011 2:45 PM	229
EDT	4/18/2011 1:15 PM	016

- Senate Session will convene at 11:30 a.m. on Thursday, April 7, 2011.

14. Adjournment