

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

NINETEENTH DAY

FEBRUARY 16, 2011-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 137-140

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 137	Dated January 7, 2011, transmitting a Report Relating to a Clean Energy Bond/Property Assessed Clean Energy Program, prepared by the Department of Business, Economic Development and Tourism pursuant to H.R. No. 47, H.D. 1 (2010).	FILE
G.M. No. 138	Dated January 18, 2011, transmitting the Renewable Portfolio Standards Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 95, SLH 2004.	FILE
G.M. No. 139	Dated January 20, 2011, transmitting the Hawaii Economic Development Task Force Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 73, SLH 2010.	FILE

[G.M. No. 140](#)

Dated January 28, 2011, transmitting the Energy Resources Coordinator's Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Sections 196-4(11) and 48J-5(d), HRS.

FILE

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Introduction of Measures: Senate Concurrent Resolution No. 31
7. Standing Committee Report Nos. 235-281

[235](#)

(HTH/PGM)

[S.B. No. 1298, S.D. 1](#)

"RELATING TO MENTAL HEALTH RELEASE ON CONDITIONS OF A PERSON FOUND UNFIT TO STAND TRIAL."

(Recommends passage on SECOND READING and referral to JDL)

[236](#)

(HTH/PGM)

[S.B. No. 1237, S.D. 1](#)

"RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS."

(Recommends passage on SECOND READING and referral to JDL)

[237](#)

(TIA)

[S.B. No. 98, S.D. 1](#)

"RELATING TO WATER CARRIERS."

(Recommends passage on SECOND READING and referral to CPN)

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| <u>238</u> | (CPN) | <u>S.B. No. 1454, S.D. 1</u>
"RELATING TO FORECLOSURES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>239</u> | (CPN) | <u>S.B. No. 1302, S.D. 1</u>
"RELATING TO FAIR HOUSING REASONABLE ACCOMMODATIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>240</u> | (AGL/WLH) | <u>S.B. No. 145, S.D. 1</u>
"RELATING TO IRRIGATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>241</u> | (JDL) | <u>S.B. No. 1081, S.D. 1</u>
"MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>242</u> | (EDT) | <u>S.B. No. 831, S.D. 1</u>
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>243</u> | (CPN) | <u>S.B. No. 1270, S.D. 1</u>
"RELATING TO THE HAWAII HURRICANE RELIEF FUND."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

- [244](#) (CPN) [S.B. No. 583](#)
"RELATING TO CABLE TELEVISION SYSTEMS."
(Recommends passage on SECOND READING and referral to WAM)
- [245](#) (CPN) [S.B. No. 1176, S.D. 1](#)
"RELATING TO MANDATORY HEALTH COVERAGE FOR USE OF THE LIFE BED INTELLIGENT MEDICAL VIGILANCE SYSTEM."
(Recommends passage on SECOND READING and referral to WAM)
- [246](#) (CPN) [S.B. No. 648, S.D. 1](#)
"RELATING TO SPECIAL FUNDS."
(Recommends passage on SECOND READING and referral to WAM)
- [247](#) (CPN) [S.B. No. 644, S.D. 1](#)
"RELATING TO LIQUOR TAX LAW."
(Recommends passage on SECOND READING and referral to WAM)
- [248](#) (CPN) [S.B. No. 1125, S.D. 1](#)
"RELATING TO CONDOMINIUMS."
(Recommends passage on SECOND READING and referral to WAM)
- [249](#) (CPN) [S.B. No. 155, S.D. 1](#)
"RELATING TO ATHLETIC TRAINERS."
(Recommends passage on SECOND READING and referral to WAM)
- [250](#) (CPN/EDT) [S.B. No. 775, S.D. 1](#)
"RELATING TO CONSTRUCTION SITES."
(Recommends passage on SECOND READING and referral to WAM)

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| <u>251</u> | (EDT/PGM/WLH) | <u>S.B. No. 762, S.D. 1</u>
"RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>252</u> | (TIA) | <u>S.B. No. 698, S.D. 1</u>
"RELATING TO ROADWAY MATERIALS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>253</u> | (HTH/EDU) | <u>S.B. No. 596, S.D. 1</u>
"RELATING TO HAWAII HEALTH CORPS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>254</u> | (HTH/EDT) | <u>S.B. No. 22, S.D. 1</u>
"RELATING TO HAWAII HEALTH CORPS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>255</u> | (HTH/EDT) | <u>S.B. No. 800, S.D. 1</u>
"RELATING TO TAX CREDITS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>256</u> | (HMS) | <u>S.B. No. 288, S.D. 1</u>
"RELATING TO FAMILY COURTS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |

- [257](#) (HMS) [S.B. No. 962](#)
"RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM "MENTAL RETARDATION" TO "INTELLECTUAL DISABILITY"."
(Recommends passage on SECOND READING and referral to JDL)
- [258](#) (HMS) [S.B. No. 1510](#)
"RELATING TO ADOPTION RECORDS."
(Recommends passage on SECOND READING and referral to JDL)
- [259](#) (HMS) [S.B. No. 944, S.D. 1](#)
"RELATING TO CHILDREN."
(Recommends passage on SECOND READING and referral to JDL)
- [260](#) (HMS) [S.B. No. 954, S.D. 1](#)
"RELATING TO FOSTER CHILDREN."
(Recommends passage on SECOND READING and referral to JDL)
- [261](#) (HMS) [S.B. No. 785, S.D. 1](#)
"RELATING TO HEALTH."
(Recommends passage on SECOND READING and referral to WAM)
- [262](#) (HMS) [S.B. No. 940, S.D. 1](#)
"RELATING TO KUPUNA CARE."
(Recommends passage on SECOND READING and referral to WAM)
- [263](#) (HMS) [S.B. No. 1110, S.D. 1](#)
"RELATING TO FOSTER YOUTH."
(Recommends passage on SECOND READING and referral to WAM)

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| <u>264</u> | (HMS) | <u>S.B. No. 127</u>
"MAKING A GRANT FOR THE
ESTABLISHMENT AND OPERATION OF
A COMPREHENSIVE DEAF CENTER."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>265</u> | (CPN) | <u>S.B. No. 1414, S.D. 1</u>
"RELATING TO REPACKAGED DRUGS
AND COMPOUND MEDICATIONS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| <u>266</u> | (CPN) | <u>S.B. No. 652, S.D. 1</u>
"RELATING TO MORTGAGE
FORECLOSURES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>267</u> | (EDT) | <u>S.B. No. 1285, S.D. 1</u>
"RELATING TO CAPITAL
INVESTMENTS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>268</u> | (WLH/PGM) | <u>S.B. No. 638, S.D. 1</u>
"RELATING TO ZONING."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to CPN) |
| <u>269</u> | (WLH) | <u>S.B. No. 717, S.D. 1</u>
"RELATING TO ABANDONED
VESSELS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |

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| 270 | (WLH) | S.B. No. 580, S.D. 1
"RELATING TO AQUATIC LIFE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 271 | (WLH/PGM) | S.B. No. 1556, S.D. 1
"RELATING TO RAIL TRANSIT STATION DEVELOPMENT."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 272 | (WLH/PGM) | S.B. No. 248, S.D. 1
"RELATING TO FEES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 273 | (WLH) | S.B. No. 1219, S.D. 1
"RELATING TO THE LANAI WATERSHED."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 274 | (WLH) | S.B. No. 734, S.D. 1
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 275 | (WLH) | S.B. No. 1220, S.D. 1
"RELATING TO FISHING."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 276 | (WLH) | S.B. No. 42, S.D. 1
"RELATING TO OCEAN SAFETY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| <u>277</u> | (PGM/HTH) | <u>S.B. No. 175, S.D. 1</u>
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>278</u> | (PGM/EDU) | <u>S.B. No. 1173, S.D. 1</u>
"MAKING AN APPROPRIATION FOR MATCHING GRANTS FOR SPACE EDUCATION PROGRAMMING SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>279</u> | (PGM/HTH) | <u>S.B. No. 1308, S.D. 1</u>
"RELATING TO CORRECTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>280</u>
(48 Hrs. Notice) | (HTH/PGM) | <u>S.B. No. 219, S.D. 1</u>
"RELATING TO CORRECTIONS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| <u>281</u>
(48 Hrs. Notice) | (JDL) | <u>S.B. No. 1089, S.D. 1</u>
"RELATING TO DISLOCATED WORKERS."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |

ORDER OF THE DAY

8. Deferred Matters - Final Reading

[S.B. No. 232, S.D. 1, H.D. 1](#)

"RELATING TO CIVIL UNIONS."

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

(Civil Unions)

9. Advise and Consent

[162](#)

JDL

[G.M. No. 521](#)

[Testimony](#) [Status](#)

"Submitting for consideration and confirmation to the Supreme Court as Associate Justice, Gubernatorial Nominee, SABRINA SHIZUE MCKENNA, for a term of ten years."

10. Third Reading

[\(See Stand. Com. Rep. No. 153\)](#)

[S.B. No. 729, S.D. 1](#)

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

"RELATING TO ENVIRONMENTAL PROTECTION." - (ENE)

(Environmental Protection; Office of Environmental Quality Control)

[\(See Stand. Com. Rep. No. 154\)](#)

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

[S.B. No. 36, S.D. 1](#)

"RELATING TO HEALTH." - (HTH)

(Mental Health and Substance Abuse Parity;
Working Group)

[\(See Stand. Com. Rep. No. 155\)](#)

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

[S.B. No. 170, S.D. 1](#)

"RELATING TO SHIPPING CONTAINER
INSPECTIONS." - (PGM/TIA)

(Harbors; Inspection of Shipping Containers)

[\(See Stand. Com. Rep. No. 156\)](#)

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

[S.B. No. 1213, S.D. 1](#)

"RELATING TO PERMITTING." -
(PGM/WLH)

(Streamlined Permitting; Task Force)

[\(See Stand. Com. Rep. No. 157\)](#)

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

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

"RELATING TO THE ESTABLISHMENT
OF THE LIEUTENANT GOVERNOR
SPECIAL FUND." - (WAM)

(Lieutenant Governor; Secretary of State
Functions; Fees; Special Fund)

[\(See Stand. Com. Rep. No. 158\)](#)

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

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

"RELATING TO THE COMMISSION ON
SALARIES." - (WAM)

(Commission on Salaries; Public Hearing)

11. Referrals and Re-Referrals

RE-REFERRALS FOR WEDNESDAY, FEBRUARY 16, 2011

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
S.B. 1498	RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD. (Administrative Rules; Small Business Regulatory Review Board) (EDT)	EDT, CPN/WAM

12. Miscellaneous Communications: None

13. Miscellaneous Business

14. Announcements

- Floor Presentation for Thursday, February 17, 2011:

COMMENDING AIKIDO CELEBRATION 2011 IN COMMEMORATING THE 50TH ANNIVERSARY OF UESHIBA MORIHEI'S VISIT TO HAWAII. (Senator Ihara)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDT	2/16/2011 1:15 PM	016
EDT/TSM	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 8:30 AM	229
CPN	2/17/2011 9:00 AM	229
WAM	2/17/2011 9:00 AM	211
WAM	2/17/2011 10:15 AM	211
WAM	2/17/2011 10:20 AM	211
WLH	2/17/2011 1:15 PM	225
PGM	2/17/2011 2:45 PM	224
JDL/WAM	2/18/2011 9:00 AM	016
WAM	2/18/2011 9:30 AM	211

CPN	2/22/2011 8:30 AM	229
EDT/TSM	2/22/2011 1:15 PM	224
CPN	2/23/2011 8:30 AM	229
CPN	2/24/2011 9:00 AM	229
HMS	2/24/2011 1:15 PM	016
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 Thursday, February 17, 2011.

15. Adjournment