

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

THIRTY-NINTH DAY

MARCH 29, 2011-TUESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 628-647

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 628	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, PAUL MURRAY, for a term to expire 6-30-2015.	CPN
G.M. No. 629	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, DENISE L. COHEN, for a term to expire 6-30-2014.	CPN
G.M. No. 630	Submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, Gubernatorial Nominee, STANLEY T. MASAMITSU, for a term to expire 6-30-2015.	CPN
G.M. No. 631	Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, Gubernatorial Nominee, JOHN GARIBALDI, for a term to expire 6-30-2015.	CPN

<u>G.M. No. 632</u>	Submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, Gubernatorial Nominee, ROBERT K. YANABU, for a term to expire 6-30-2014.	CPN
<u>G.M. No. 633</u>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, CRAIG K. HIRAI, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 634</u>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, NELSON LAU, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 635</u>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, KEITH REGAN, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 636</u>	Submitting for consideration and confirmation to the State Board of Public Accountancy, Gubernatorial Nominee, WENDY MIKI GLAUS, for a term to expire 6-30-2015.	CPN
<u>G.M. No. 637</u>	Submitting for consideration and confirmation to the State Board of Nursing, Gubernatorial Nominee, AMY S. MURAI, for a term to expire 6-30-2014.	CPN
<u>G.M. No. 638</u>	Submitting for consideration and confirmation to the Environmental Council, Gubernatorial Nominee, IRIS TERASHIMA, for a term to expire 6-30-2014.	ENE
<u>G.M. No. 639</u>	Submitting for consideration and confirmation to the Statewide Council on Independent Living, Gubernatorial Nominee, MARC ANTOINE MORTIMER, for a term to expire 6-30-2012.	HMS

<u>G.M. No. 640</u>	Submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, Gubernatorial Nominee, ANTHONY LENZER, for a term to expire 6-30-2015.	HMS
<u>G.M. No. 641</u>	Submitting for consideration and confirmation to the Statewide Council on Independent Living, Gubernatorial Nominee, YVONNE L. FOSTER, for a term to expire 6-30-2014.	HMS
<u>G.M. No. 642</u>	Submitting for consideration and confirmation to the Statewide Council on Independent Living, Gubernatorial Nominee, ANN ELIZABETH LEMKE, for a term to expire 6-30-2014.	HMS
<u>G.M. No. 643</u>	Submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, Gubernatorial Nominee, AMY DOFF, for a term to expire 6-30-2015.	HTH
<u>G.M. No. 644</u>	Submitting for consideration and confirmation to the Board of Certification of Operation Personnel in Wastewater Treatment Plants, Gubernatorial Nominee, KEVIN NAKAMURA, for a term to expire 6-30-2015.	HTH
<u>G.M. No. 645</u>	Submitting for consideration and confirmation to the Civil Defense Advisory Council, Gubernatorial Nominee, RAYMOND JARDINE JR., for a term to expire 6-30-2014.	PGM
<u>G.M. No. 646</u>	Submitting for consideration and confirmation to the State Highway Safety Council, Gubernatorial Nominee, CHAD K. TANIGUCHI, for a term to expire 6-30-2015.	TIA
<u>G.M. No. 647</u>	Submitting for consideration and confirmation to the Legacy Land Conservation Commission, Gubernatorial Nominee, MYRONE MURAKAMI, for a term to expire 6-30-2015.	WLH

2. Departmental Communication Nos. 74-80

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
D.C. No. 74	From the Hawaii Labor Relations Board dated March 23, 2011, transmitting a letter notifying the Legislature that the fiftieth day of impasse in the negotiations between the public employers and the United Public Workers, AFSCME, Local 646, AFL-CIO for Unit 01 has been reached and the mandatory mediation period is over pursuant to Section 89-11(d), HRS.	FILE
D.C. No. 75	From the Hawaii Labor Relations Board dated March 23, 2011, transmitting a letter notifying the Legislature that the fiftieth day of impasse in the negotiations between the public employers and the Hawaii State Teachers Association for Unit 05 has been reached and the mandatory mediation period is over pursuant to Section 89-11(d), HRS.	FILE
D.C. No. 76	From the Department of Transportation dated March 23, 2011, letter informing the Senate that unappropriated federal grant funds for Honolulu International Airport (TRN 102) in the amount of \$18,821,000 were not appropriated because a new grant will be available by the Federal Aviation Administration.	FILE
D.C. No. 77	From the Department of Transportation dated March 23, 2011, letter informing the Senate that unappropriated federal grant funds for Honolulu International Airport (TRN 102) in the amount of \$3,422,200 were not appropriated because a new grant will be available by the Federal Aviation Administration.	FILE
D.C. No. 78	From the Department of Transportation dated March 23, 2011, letter informing the Senate that unappropriated federal grant funds for Lanai Airport (TRN 151) in the amount of \$1,201,750 were not appropriated because a new grant will be available by the Federal Aviation Administration.	FILE

[D.C. No. 79](#) From the Department of Transportation dated March 23, 2011, letter informing the Senate that unappropriated federal grant funds for Molokai Airport (TRN 141) in the amount of \$5,805,000 were not appropriated because a new grant will be available by the Federal Aviation Administration. FILE

[D.C. No. 80](#) From the Department of Transportation dated March 23, 2011, letter informing the Senate that unappropriated federal grant funds for Hilo International Airport (TRN 111) in the amount of \$3,168,250 were not appropriated because a new grant will be available by the Federal Aviation Administration. FILE

3. House Communication Nos. 361-362

Returning the following Senate Bills which passed Third Reading in the House on March 28, 2011, in an amended form:

REFERRAL

361 [S.B. No. 1069, S.D. 1, H.D. 1](#) AGREE/DISAGREE
"RELATING TO CRUELTY TO ANIMALS."(Crimes; Dog Fighting; Animal Cruelty)

362 [S.B. No. 1489, S.D. 1, H.D. 1](#) AGREE/DISAGREE
"RELATING TO ATTORNEY'S LIENS."(Attorney's Lien)

4. Senate Communications: None

5. Judiciary Communications: None

ORDER OF THE DAY

6. Deferred Matter – Agree/Disagree

HSE. COM. NO.

REFERRAL

360

[S.B. No. 34, S.D. 1, H.D. 1](#)
"RELATING TO TAX APPEALS."(Tax
Appeals; Small Claims)

AGREE/DISAGREE

7. Miscellaneous Communications: None

8. Miscellaneous Business

9. Announcements

- Floor Presentation for Thursday, March 31, 2011:

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

HONORING AND COMMENDING PATRICK GARTSIDE. (Senator Gabbard)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
HMS	3/29/2011 3:30 PM	016
CPN	3/30/2011 9:00 AM	229
WAM	3/30/2011 9:30 AM	211
EDU/TSM/HTH	3/30/2011 1:15 PM	225
HTH/EDU	3/30/2011 1:20 PM	225
HTH/HMS	3/30/2011 2:45 PM	229
HWN	3/30/2011 2:45 PM	224
HTH	3/30/2011 3:00 PM	229
HTH/PGM	3/30/2011 3:45 PM	229
WLH	3/31/2011 1:15 PM	225
WLH/WAM	3/31/2011 1:15 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
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
CPN	4/5/2011 9:00 AM	229

- The Hawaii Medal of Honor Joint Session will commence at 2:00 p.m. this afternoon in the Senate Chamber.
- Senate Session will convene at 11:30 a.m. on Thursday, March 31, 2011.

10. Adjournment