

THE SENATE
OF THE
TWENTY-SIXTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2012

THIRTY-EIGHTH DAY

MARCH 23, 2012-FRIDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Roll Call

Approval of the Journal

Introductions

- Floor Presentation:

HONORING AND RECOGNIZING THE ADOPT-A-BEEHIVE WITH ALAN WONG PROGRAM AT THE UNIVERSITY OF HAWAI'I AT HILO. (Senator Kahele)

1. Messages from the Governor: None
2. Departmental Communications: None
3. House Communication No. 329

Returning the following Senate Bill which passed
Third Reading in the House on March 22, 2012,
in an amended form:

REFERRAL

329

[S.B. No. 2648, H.D. 1](#)
"RELATING TO CAMPAIGN
FINANCE."(Campaign Funds; Uses;
Scholarships)

AGREE/DISAGREE

4. Senate Communications: None

5. Judiciary Communications: None

6. Standing Committee Report Nos. 2925-3012

2925	(HMS)	H.B. No. 1724, H.D. 1, S.D. 1 "RELATING TO HEALTH AND HUMAN SERVICES." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2926	(AGL)	H.B. No. 1942, H.D. 2, S.D. 1 "RELATING TO AGRICULTURE." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2927	(AGL/TIA)	H.B. No. 1941, H.D. 2, S.D. 1 "MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2928	(AGL)	H.B. No. 1943, H.D. 2, S.D. 1 "RELATING TO INVASIVE SPECIES." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2929	(AGL)	H.B. No. 283, H.D. 1, S.D. 1 "RELATING TO STATE FUNDS." (Recommends passage on <u>SECOND READING</u> and referral to WAM)
2930	(AGL)	H.B. No. 2150, H.D. 2 "RELATING TO AGRICULTURAL LANDS." (Recommends passage on <u>SECOND READING</u> and referral to ENE/WLH)

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| <u>2931</u>
(48 Hrs. Notice) | (AGL) | <u>H.B. No. 2429, H.D. 1, S.D. 1</u>
"RELATING TO THE BOARD OF AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |
| <u>2932</u> | (TIA) | <u>H.B. No. 1791</u>
"RELATING TO HOMICIDE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>2933</u> | (TIA) | <u>H.B. No. 1928</u>
"RELATING TO TESTING FOR INTOXICANTS."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>2934</u> | (HMS) | <u>H.B. No. 755, H.D. 3, S.D. 1</u>
"RELATING TO PUBLIC HOUSING."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| <u>2935</u> | (JDL) | <u>H.B. No. 2099, H.D. 1, S.D. 1</u>
"RELATING TO WORKERS' COMPENSATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2936</u> | (JDL) | <u>H.B. No. 2773, H.D. 3</u>
"RELATING TO THE WEED AND SEED PROGRAM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2937 | (JDL) | H.B. No. 2495, H.D. 1
"RELATING TO COLLECTIVE BARGAINING COST ITEMS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2938 | (JDL) | H.B. No. 2494, H.D. 1
"RELATING TO COLLECTIVE BARGAINING COST ITEMS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2939 | (JDL) | H.B. No. 2251
"RELATING TO ELECTIONS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2940 | (EDT) | H.B. No. 1551, H.D. 2, S.D. 1
"RELATING TO TAX CREDITS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2941 | (EDT) | H.B. No. 2295, H.D. 1, S.D. 1
"RELATING TO CYBERBULLYING."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2942 | (EDT) | H.B. No. 2013, H.D. 2
"RELATED TO MIXED MARTIAL ARTS."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| 2943 | (EDT/CPN) | H.B. No. 2524, H.D. 2, S.D. 1
"RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2944 | (EDT/CPN) | H.B. No. 2526, H.D. 2, S.D. 1
"RELATING TO REPORTING
REQUIREMENTS FOR
TELECOMMUNICATIONS AND CABLE
TELEVISION PROVIDERS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2945 | (CPN) | H.B. No. 1875, H.D. 2, S.D. 1
"RELATING TO FORECLOSURES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| 2946 | (WLH/JDL) | H.B. No. 2591, H.D. 2
"RELATING TO ACCRETED LANDS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2947 | (WLH/JDL) | H.B. No. 2589, H.D. 2, S.D. 1
"RELATING TO VESSELS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2948 | (ENE/WLH) | H.B. No. 2593, H.D. 2, S.D. 1
"RELATING TO EMERGENCY RULES
FOR THREATS TO NATURAL
RESOURCES OR THE HEALTH OF THE
ENVIRONMENT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| 2949 | (ENE) | H.B. No. 425, H.D. 3, S.D. 1
"RELATING TO PUBLIC UTILITIES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to CPN) |

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| 2950 | (ENE) | H.B. No. 1726, H.D. 1, S.D. 1
"RELATING TO ENERGY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2951 | (ENE) | H.B. No. 2740, H.D. 1
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2952 | (HWN/WLH) | H.B. No. 2806, H.D. 2, S.D. 1
"RELATING TO NATIVE HAWAIIANS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2953 | (HWN/PGM) | H.B. No. 2529, H.D. 1, S.D. 1
"RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2954 | (HWN/WLH/PGM) | H.B. No. 2848, H.D. 3, S.D. 1
"RELATING TO PUBLIC SAFETY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2955 | (HWN/PGM) | H.B. No. 2181
"RELATING TO VACANCIES."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2956 | (HMS) | H.B. No. 1905, H.D. 2, S.D. 1
"RELATING TO HUMAN SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2957 | (HMS) | H.B. No. 46, H.D. 2, S.D. 1
"RELATING TO PUBLIC HOUSING."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |
| 2958 | (HMS/HTH) | H.B. No. 2274, H.D. 2, S.D. 1
"RELATING TO LONG-TERM CARE FACILITIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2959 | (HMS) | H.B. No. 2415, H.D. 2, S.D. 1
"RELATING TO MEDICAID."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2960 | (HMS) | H.B. No. 1689, H.D. 1, S.D. 1
"RELATING TO LONG-TERM CARE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2961 | (PGM/HTH) | H.B. No. 1874
"RELATING TO VOG."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 2962 | (PGM) | H.B. No. 2122, H.D. 2, S.D. 1
"RELATING TO THE PROCUREMENT CODE."
(Recommends passage on <u>SECOND READING</u> and referral to JDL/WAM) |
| 2963 | (PGM) | H.B. No. 2265, H.D. 2, S.D. 1
"RELATING TO THE STATE PROCUREMENT CODE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2964 | (PGM) | H.B. No. 2358, H.D. 3, S.D. 1
"RELATING TO THE BUILDING CODE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2965 | (PGM) | H.B. No. 1671, H.D. 2, S.D. 1
"RELATING TO PROCUREMENT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL/WAM) |
| 2966 | (HTH/HMS) | H.B. No. 2275, H.D. 2, S.D. 1
"RELATING TO HOSPITALS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2967 | (HTH) | H.B. No. 2232, H.D. 2, S.D. 1
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JDL) |
| 2968 | (HTH/HMS) | H.B. No. 2776, H.D. 2, S.D. 1
"RELATING TO LIABILITY
INSURANCE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2969 | (HTH/ENE) | H.B. No. 2656, H.D. 2, S.D. 1
"RELATING TO AIR POLLUTION
CONTROL."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2970 | (PGM/JDL) | H.B. No. 1181, H.D. 1
"RELATING TO GOVERNMENT."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

- [2971](#) (PGM/JDL) [H.B. No. 2113, H.D. 1, S.D. 1](#)
"RELATING TO FIRE PROTECTION."
(Recommends passage on SECOND
READING and referral to WAM)
- [2972](#) (PGM/JDL) [H.B. No. 2514, H.D. 3, S.D. 1](#)
"RELATING TO PUBLIC SAFETY."
(Recommends passage on SECOND
READING and referral to WAM)
- [2973](#) (PGM/JDL) [H.B. No. 2515, H.D. 3, S.D. 1](#)
"RELATING TO CRIME."
(Recommends passage on SECOND
READING and referral to WAM)
- [2974](#) (PGM/JDL/HTH) [H.B. No. 2798, H.D. 3, S.D. 1](#)
"RELATING TO A VETERANS
TREATMENT COURT."
(Recommends passage on SECOND
READING and referral to WAM)
- [2975](#) (CPN) [H.B. No. 1840, H.D. 3, S.D. 1](#)
"RELATING TO STATE-OWNED BANK."
(Recommends passage on SECOND
READING and referral to WAM)
- [2976](#) (HTH/JDL) [H.B. No. 2374](#)
"RELATING TO THE OFFICE OF
LANGUAGE ACCESS."
(Recommends passage on SECOND
READING and referral to WAM)
- [2977](#) (HTH/JDL) [H.B. No. 2152, H.D. 2, S.D. 1](#)
"RELATING TO WORKERS'
COMPENSATION."
(Recommends passage on SECOND
READING and referral to WAM)

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| <u>2978</u> | (TIA/JDL/PGM) | <u>H.B. No. 2320, H.D. 2, S.D. 1</u>
"RELATING TO HIGHWAY SAFETY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2979</u> | (AGL) | <u>H.B. No. 280, H.D. 1, S.D. 1</u>
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2980</u> | (AGL) | <u>H.B. No. 2703, H.D. 2, S.D. 1</u>
"RELATING TO FOOD SELF-SUFFICIENCY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2981</u> | (AGL) | <u>H.B. No. 2668, H.D. 2, S.D. 1</u>
"RELATING TO AGRICULTURE."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| <u>2982</u> | (TSM) | <u>H.B. No. 2078, H.D. 2, S.D. 1</u>
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| <u>2983</u> | (TSM) | <u>H.B. No. 2314, H.D. 1, S.D. 1</u>
"RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 2984 | (JDL) | H.B. No. 994, H.D. 1
"RELATING TO MOTOR VEHICLE
INSURANCE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to CPN) |
| 2985 | (JDL) | H.B. No. 2492, H.D. 1
"RELATING TO THE HAWAII
EMPLOYER-UNION HEALTH BENEFITS
TRUST FUND."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2986 | (JDL) | H.B. No. 1848, H.D. 2, S.D. 1
"RELATING TO COLLECTIVE
BARGAINING."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2987 | (JDL) | H.B. No. 2228, H.D. 2, S.D. 1
"RELATING TO BREASTFEEDING IN
THE WORKPLACE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| 2988 | (ENE) | H.B. No. 1033, H.D. 1, S.D. 1
"RELATING TO PUBLIC FINANCE."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to CPN/WAM) |
| 2989 | (ENE) | H.B. No. 2417, H.D. 2, S.D. 1
"RELATING TO RENEWABLE ENERGY."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

- [2990](#) (HMS/WLH/PGM) [H.B. No. 1398, H.D. 1](#)
"RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY."
(Recommends passage on SECOND READING and referral to WAM)
- [2991](#) (EDU) [H.B. No. 1457, H.D. 1, S.D. 1](#)
"RELATING TO HIGHER EDUCATION."
(Recommends passage on SECOND READING and referral to WAM)
- [2992](#) (EDT/WLH) [H.B. No. 2682, H.D. 1](#)
"RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS."
(Recommends passage on SECOND READING and referral to WAM)
- [2993](#) (WLH) [H.B. No. 2595, H.D. 2, S.D. 1](#)
"RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS."
(Recommends passage on SECOND READING and referral to WAM)
- [2994](#) (ENE/EDT) [H.B. No. 2262, H.D. 2, S.D. 1](#)
"RELATING TO ENERGY."
(Recommends passage on SECOND READING and referral to WAM)
- [2995](#) (WLH) [H.B. No. 1306, H.D. 2, S.D. 1](#)
"RELATING TO HOUSING."
(Recommends passage on SECOND READING and referral to WAM)
- [2996](#) (WLH) [H.B. No. 2883, H.D. 2, S.D. 1](#)
"RELATING TO MAKAHA VALLEY."
(Recommends passage on SECOND READING and referral to WAM)

- [2997](#) (PGM/EDT/WLH) [H.B. No. 2872, H.D. 3, S.D. 1](#)
"RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS."
(Recommends passage on SECOND READING and referral to WAM)
- [2998](#) (PGM) [H.B. No. 2751, H.D. 2, S.D. 1](#)
"RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
(Recommends passage on SECOND READING and referral to JDL)
- [2999](#) (AGL/PGM) [H.B. No. 2244, H.D. 1, S.D. 1](#)
"RELATING TO AGRICULTURE INSPECTORS."
(Recommends passage on SECOND READING and referral to WAM)
- [3000](#) (AGL) [H.B. No. 1947, H.D. 2, S.D. 1](#)
"RELATING TO AGRICULTURE."
(Recommends passage on SECOND READING and referral to WAM)
- [3001](#) (HMS/JDL) [H.B. No. 2448, H.D. 2, S.D. 1](#)
"RELATING TO MEDICAID."
(Recommends passage on SECOND READING and referral to WAM)
- [3002](#) (HMS/JDL) [H.B. No. 2302, H.D. 2, S.D. 1](#)
"RELATING TO CAPITAL IMPROVEMENT PROJECTS."
(Recommends passage on SECOND READING and referral to WAM)

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| 3003 | (EDT) | H.B. No. 2869, H.D. 2, S.D. 1
"RELATING TO THE ECONOMY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3004 | (EDT/WLH) | H.B. No. 1972, H.D. 2, S.D. 1
"RELATING TO HISTORIC PRESERVATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3005 | (JDL) | H.B. No. 2264, H.D. 2, S.D. 1
"RELATING TO EMPLOYMENT SECURITY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3006 | (JDL/CPN) | H.B. No. 1295, H.D. 3, S.D. 1
"RELATING TO BUSINESS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3007 | (JDL) | H.B. No. 1800, H.D. 2, S.D. 1
"RELATING TO THE JUDICIARY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3008 | (JDL) | H.B. No. 2487, H.D. 1, S.D. 1
"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3009 | (WLH) | H.B. No. 1730, H.D. 2, S.D. 1
"RELATING TO THE LAND USE COMMISSION."
(Recommends passage on <u>SECOND READING</u> and referral to JDL) |

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| 3010 | (WLH/JDL) | H.B. No. 2246, H.D. 2, S.D. 1
"RELATING TO HAIKU VALLEY."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3011 | (WLH/JDL) | H.B. No. 1617, H.D. 2, S.D. 1
"RELATING TO PUBLIC LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 3012 | (HWN/EDU) | H.B. No. 2875, S.D. 1
"RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

ORDER OF THE DAY

7. Third Reading

[\(See Stand. Com. Rep. No. 2886\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 1754, H.D. 1, S.D. 1](#)

"RELATING TO ELECTIONS." - (JDL)

(Elections; Absentee Ballots; Unique Ballots; Office of Elections Package)

[\(See Stand. Com. Rep. No. 2893\)](#)

[Prior Versions/Status & Testimony](#)

[H.B. No. 2639, H.D. 2](#)

"RELATING TO HIGHER EDUCATION." - (EDU/PGM)

(Higher Education; College-Credit Equivalency Program)

8. Re-Referrals

RE-REFERRAL FOR FRIDAY, MARCH 23, 2012

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
H.B. 2121, H.D. 2	RELATING TO RENEWABLE ENERGY. (Renewable Energy Systems; Tax Credits; GO Bonds) (ENE, WAM)	ENE/CPN

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

- Floor Presentation for Tuesday, March 27, 2012:

RECOGNIZING AND CONGRATULATING AIEA HIGH SCHOOL ON THE OCCASION OF ITS 50TH ANNIVERSARY. (Senator Ige)

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
EDU	3/23/2012 1:15 PM	225
HWN/EDT	3/23/2012 2:45 PM	224
HWN/WLH	3/23/2012 2:55 PM	224
WLH/HWN	3/23/2012 2:55 PM	224
HMS	3/27/2012 10:00 AM	224
HMS	3/27/2012 1:15 PM	016
WLH/HWN	3/27/2012 1:15 PM	225
WLH	3/27/2012 1:20 PM	225
HTH	3/27/2012 1:30 PM	229
HTH/AGL	3/27/2012 1:45 PM	229
HTH/JDL	3/27/2012 1:46 PM	229
HTH/CPN	3/27/2012 1:47 PM	229

HMS/HTH	3/27/2012 2:00 PM	016
AGL	3/27/2012 2:45 PM	229
AGL/WLH	3/27/2012 2:50 PM	229
ENE	3/27/2012 2:50 PM	225
WLH/AGL	3/27/2012 2:50 PM	229
CPN	3/28/2012 9:15 AM	229
CPN	3/28/2012 9:30 AM	229
WAM	3/28/2012 9:30 AM	211
JDL	3/28/2012 10:00 AM	016
EDU	3/28/2012 1:15 PM	225
TIA/PGM	3/28/2012 1:15 PM	224
TIA/PGM	3/28/2012 1:16 PM	224
TIA	3/28/2012 1:17 PM	224
CPN/EDT	3/29/2012 8:45 AM	229
CPN	3/29/2012 9:00 AM	229
EDT	3/30/2012 1:15 PM	016
EDT/EDU	3/30/2012 1:15 PM	016
EDT/EDU	3/30/2012 1:15 PM	225
EDT/WLH	3/30/2012 1:15 PM	016
EDU	3/30/2012 1:15 PM	225
EDT/ENE	3/30/2012 1:30 PM	016
ENE/EDT	3/30/2012 1:30 PM	016
WAM	4/2/2012 9:30 AM	211
EDT	4/2/2012 1:15 PM	016
CPN	4/3/2012 9:30 AM	229
INFO-HMS-HUS	4/3/2012 1:15 PM	016
CPN	4/4/2012 9:30 AM	229
TIA/EDU	4/4/2012 1:15 PM	224
TIA	4/4/2012 1:16 PM	224
EDU	4/13/2012 1:15 PM	225

- Senate Session will convene at 11:30 a.m. on Tuesday, March 27, 2012.

12. Adjournment