

**JOURNAL**  
**of the**  
**SENATE OF THE**  
**TWENTY - FIFTH LEGISLATURE**  
**of the**  
**STATE OF HAWAII**

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**Regular Session of 2010**

**Convened Wednesday, January 20, 2010**  
**Adjourned Thursday, April 29, 2010**

**OFFICERS OF THE SENATE**

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of the  
**SENATE OF THE TWENTY-FIFTH LEGISLATURE**  
of the  
**STATE OF HAWAII**

<b>DISTRICT</b>	<b>NAME</b>	<b>ADDRESS</b>
<b>First</b>	<b>TAKAMINE, DWIGHT Y. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Second</b>	<b>KOKUBUN, RUSSELL S. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Third</b>	<b>GREEN, JOSH, M.D. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Fourth</b>	<b>TSUTSUI, SHAN S. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
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<b>Sixth</b>	<b>ENGLISH, J. KALANI (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Seventh</b>	<b>HOOSER, GARY L. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Eighth</b>	<b>SLOM, SAM (R)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
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<b>Tenth</b>	<b>TANIGUCHI, BRIAN T. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Eleventh</b>	<b>FUKUNAGA, CAROL (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>

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<b>Thirteenth</b>	<b>CHUN OAKLAND, SUZANNE (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Fourteenth</b>	<b>KIM, DONNA MERCADO (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Fifteenth</b>	<b>SAKAMOTO, NORMAN (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Sixteenth</b>	<b>IGE, DAVID Y. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Seventeenth</b>	<b>KIDANI, MICHELLE (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Eighteenth</b>	<b>NISHIHARA, CLARENCE K. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Nineteenth</b>	<b>GABBARD, MIKE (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
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<b>Twenty-Second</b>	<b>BUNDA, ROBERT (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Twenty-Third</b>	<b>HEE, CLAYTON (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
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<b>Twenty-Fifth</b>	<b>HEMMINGS, FRED (R)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>

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TWENTY - FIFTH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2010**



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Vice President



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**FRED HEMMINGS**  
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**SAM SLOM**  
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Chair: Transportation, International and  
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**CLAYTON HEE**  
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Chair: Water, Land, Agriculture and  
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**DONNA MERCADO KIM**  
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Chair: Ways and Means



**BRICKWOOD GALUTERIA**  
12th Senatorial District



**JOSH GREEN, M.D.**  
3rd Senatorial District



**MICHELLE N. KIDANI**  
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**LAURA FIGUEIRA\***  
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**RONALD D. KOUCHI\***  
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Clerk



**LAUREL A. JOHNSTON**  
Assistant Clerk



**BIENVENIDO C. VILLAFLO**  
Sergeant at Arms



**JAYSON M. WATTS**  
Assistant Sergeant at Arms

\* The Governor appointed Laura Figueira to the Twenty-Second Senatorial District and Ronald D. Kouchi to the Seventh Senatorial District on September 7, 2010, to fill the vacancies created by the resignations of Gary Hooser and Robert Bunda from the State Senate on July 16, 2010.

## TABLE OF CONTENTS

	PAGE
First Day, Wednesday, January 20, 2010 .....	1
Second Day, Thursday, January 21, 2010 .....	23
Third Day, Friday, January 22, 2010 .....	37
Fourth Day, Monday, January 25, 2010 .....	58
Fifth Day, Wednesday, January 27, 2010 .....	81
Sixth Day, Thursday, January 28, 2010 .....	104
Seventh Day, Friday, January 29, 2010 .....	109
Eighth Day, Monday, February 1, 2010 .....	116
Ninth Day, Tuesday, February 2, 2010 .....	119
Tenth Day, Wednesday, February 3, 2010 .....	121
Eleventh Day, Thursday, February 4, 2010 .....	131
Twelfth Day, Friday, February 5, 2010 .....	134
Thirteenth Day, Monday, February 8, 2010 .....	137
Fourteenth Day, Tuesday, February 9, 2010 .....	144
Fifteenth Day, Wednesday, February 10, 2010 .....	151
Sixteenth Day, Thursday, February 11, 2010 .....	158
Seventeenth Day, Friday, February 12, 2010 .....	164
Eighteenth Day, Tuesday, February 16, 2010 .....	178
Nineteenth Day, Wednesday, February 17, 2010 .....	183
Twentieth Day, Thursday, February 18, 2010 .....	184
Twenty-First Day, Friday, February 26, 2010 .....	187
Twenty-Second Day, Tuesday, March 2, 2010 .....	214
Twenty-Third Day, Wednesday, March 3, 2010 .....	263
Twenty-Fourth Day, Thursday, March 4, 2010 .....	283
Twenty-Fifth Day, Friday, March 5, 2010 .....	290
Twenty-Sixth Day, Monday, March 8, 2010 .....	294
Twenty-Seventh Day, Tuesday, March 9, 2010 .....	298
Twenty-Eighth Day, Wednesday, March 10, 2010 .....	301
Twenty-Ninth Day, Thursday, March 11, 2010 .....	314
Thirtieth Day, Friday, March 12, 2010 .....	317
Thirty-First Day, Monday, March 15, 2010 .....	320
Thirty-Second Day, Tuesday, March 16, 2010 .....	327
Thirty-Third Day, Wednesday, March 17, 2010 .....	329
Thirty-Fourth Day, Thursday, March 18, 2010 .....	332
Thirty-Fifth Day, Friday, March 19, 2010 .....	336
Thirty-Sixth Day, Monday, March 22, 2010 .....	342
Thirty-Seventh Day, Thursday, March 23, 2010 .....	345
Thirty-Eighth Day, Wednesday, March 24, 2010 .....	351
Thirty-Ninth Day, Monday, March 29, 2010 .....	356
Fortieth Day, Tuesday, March 30, 2010 .....	362
Forty-First Day, Wednesday, March 31, 2010 .....	370
Forty-Second Day, Thursday, April 1, 2010 .....	377
Forty-Third Day, Tuesday, April 6, 2010 .....	393
Forty-Fourth Day, Wednesday, April 7, 2010 .....	412
Forty-Fifth Day, Thursday, April 8, 2010 .....	429
Forty-Sixth Day, Tuesday, April 9, 2010 .....	457
Forty-Seventh Day, Monday, April 12, 2010 .....	474
Forty-Eighth Day, Tuesday, April 13, 2010 .....	491
Forty-Ninth Day, Wednesday, April 14, 2010 .....	496
Fiftieth Day, Thursday, April 15, 2010 .....	504
Fifty-First Day, Friday, April 16, 2010 .....	509
Fifty-Second Day, Monday, April 19, 2010 .....	514
Fifty-Third Day, Tuesday, April 20, 2010 .....	520
Fifty-Fourth Day, Wednesday, April 21, 2010 .....	524
Fifty-Fifth Day, Thursday, April 22, 2010 .....	531
Fifty-Sixth Day, Friday, April 23, 2010 .....	540
Fifty-Seventh Day, Monday, April 26, 2010 .....	557
Fifty-Eighth Day, Tuesday, April 27, 2010 .....	573
Fifty-Ninth Day, Wednesday, April 28, 2010 .....	609
Sixtieth Day, Thursday, April 29, 2010 .....	624

Note: In accordance with Article III, Section 10, of the Constitution of the State of Hawaii, the mandatory (five days) recess was held on February 19, 22, 23, 24 and 25; other recesses were held on January 26, March 1 and 25, and April 5.

	PAGE
<b>Communications received after adjournment:</b>	
Governor’s Messages.....	641
House Communications .....	678
<b>Appendix:</b>	
Rules of the Senate.....	679
Special Committee Reports .....	698
Conference Committee Reports .....	710
Standing Committee Reports .....	802
<b>History:</b>	
Senate Bills.....	1350
Senate Concurrent Resolutions.....	1443
Senate Resolutions .....	1471
House Bills .....	1485
House Concurrent Resolutions.....	1509

THE  
 TWENTY-FIFTH LEGISLATURE  
 STATE OF HAWAII  
 REGULAR SESSION OF 2010  
 JOURNAL OF THE SENATE  
 FIRST DAY

Wednesday, January 20, 2010

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawai'i, the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, was called to order at 10:05 a.m., by the Honorable Colleen Hanabusa, President of the Senate.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Pacific Buddhist Academy, after which the Roll was called showing all Senators present.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawai'i Pono'i," led by the Honorable Mike Gabbard, Hawai'i State Senate, and the Honorable Brickwood Galuteria, Hawai'i State Senate.

Senator Kokubun introduced Governor Lingle and her staff who were seated in the gallery.

At this time, the President addressed the members of the Senate as follows:

"Members of the Senate: The Capitol is quiet today. The crowd and celebrations that typically accompany the Opening Day of the Hawai'i State Legislature are absent. Because we will always welcome with open arms anyone who asks for our help or the State's point of view, we know that this session will be different. That is why now is not the time to celebrate, and now is the time to work.

"We face unprecedented challenges in our homes, in our communities, and in this Capitol, for our neighbors, our friends, our families, for those who have supported us, who have elected us, and entrusted their future with us, the question is often one of survival. How will they cope with an economic outlook that has continued to worsen, and the recovery that seems to sit forever on that farthest horizon? For us in this chamber, colleagues, the question is how we will make a difference in this—the most difficult session we will experience in our legislative careers. How will we lay the foundation for our State's success while confronting the inescapable reality that we must trim expenses, we must balance that budget again... That budget, with that insurmountable deficit; how are we going to do that? Yet, we must continue to serve those in our community who truly rely on our assistance. And perhaps, more importantly, colleagues, how will we in state government regain the confidence of our community? How will we demonstrate that we are up to the task, that we can make the difference, and we have the vision and the leadership to take us to that promising tomorrow that everyone wants and everyone has a right to expect of us?"

"Members of the Senate, if there was a moment that we must rise to meet the challenge, now is the time. Now is the time to work collaboratively within this chamber, across the rotunda with the House of Representatives, and to the fifth floor to engage the Governor, so we can make a united effort to seek real solutions. Now is the time to put aside differences in party and personal agendas, and instead focus on what is in the best interest of the State and those we represent.

"Now is the time, colleagues, to prove that one, we have our priorities in order, and that we reflect the values—the values—that make Hawai'i the special place that it is; and that we possess the political will and leadership skills to work past—to work past—these bad set of facts that we have to a good solution. Now is the time that we stand up and show that we will earn—we will *earn*—the confidence of Hawaii's people again.

"The Capitol is quiet today because we have work to do and no time to spare. Colleagues, we will find time to celebrate when our job is done and the people say we can. Remember, there will come a moment in the future when others will look back at this session—the most difficult session—and they will ask if we found it within ourselves to answer the difficult questions. Did we have the courage—the courage—to make hard choices, and did we do the hard work to accomplish what they trusted us to do? Colleagues, how will we be judged? How will they rate us? How will they answer those questions? My fellow Senators, my colleagues, my friends, we have it in our power—but more importantly, in our hearts—to ensure that when those questions are asked about how we did, it will be answered that we did it all, and there was a positive, resounding 'yes' to each and every one of those questions because we know that we must do it, and we also know that our time is now. Thank you."

At this time, the Chair called on Senate Minority Floor Leader Sam Slom.

Senator Slom rose and stated:

"Thank you, Madam President; thank you for your positive words. Governor Lingle, overburdened, overtaxed taxpayers in our gallery, fellow Senators, colleagues—Aloha!

"While I understand the Majority Party's unilateral decision to end our tradition of making Hawaii's Opening Day colorful, special, and unique, I disagree with it. We are all aware of our State's severe economic challenges, many of which have been created by this State legislature.

"I concur that expenses should be cut back in the legislature, just as individuals, families and small businesses have been doing for years—not just for Opening Day, but rather for all the financial choices this legislature will be called upon to make.

"Hawai'i still enjoys two competitive philosophies within our government, and this is not dependent on the number of Senators. But I do want you to take notice of my colleague here because in recent days, people have forgotten that he's still here. As a champion waterman, as the best ambassador that the Portuguese nation has ever had, he and I will stand very tall for our philosophy during this session—Senator Fred Hemmings.

"Our philosophy emphasizes individual risk and accomplishment, lower taxes on families and small businesses, real transparency in government, and more economic choices for everyone and a strong belief in the people of Hawai'i.

“We offer not just opposition to ill-conceived bills, but innovative alternatives and real solutions.

“If the Majority party’s goal today was to show the public that we understand your pain and tough financial straits, rather than cancel our celebration, we should pledge right now that we will not increase your taxes. We should immediately reduce the spectre of the up to 1,000 percent unemployment compensation tax hike, pass overdue tort reform, and reduce state spending, waste, and debt to a rational level. We should work to get our students back in school without any more furlough days.

“As Senator Hemmings so correctly points out, the overwhelmingly three big issues during this session will be *the budget, the budget, and the budget*.

“We both see the adversity of the current economic slowdown as a real opportunity to ‘right-size’ government in Hawai‘i. For too long, our state government has been growing exponentially faster than the private sector and the wealth of the taxpayers who have been called upon to support it. Through public workforce attrition and smart deployment of our limited resources, we can nonetheless ‘right-size’ government while simultaneously protecting our core services.

“Public education *must* be restructured. The furloughs and loss of instructional days are a black eye and national embarrassment for Hawai‘i. We *must* downsize this huge, costly, and inefficient DOE bureaucracy while taking more budgeted money and resources, making them available for teachers and students in the classroom. Throwing more money at education— now a whopping \$2.7 billion dollars—while enrollment, classroom teachers, instructional days, and test scores decline is not good business, not good education, and this *must* change.

“Charter schools, which have proven to be most cost effective and efficient at educating our kids, *must* be fully supported and their numbers uncapped. We *must* seriously re-evaluate and re-visit decentralization. But in the meantime, place the Superintendent of Education within the Governor’s cabinet and end the finger pointing, which drives the public, especially parents, understandably insane.

“Hawai‘i needs an economic jumpstart, but not from more government stimulus debt—which we have to pay back—but from the ideas and the experience of those who actually create real jobs: the business people in our community. They have offered to help us. Now we need to listen to them and to act accordingly.

“We talk of sustainability, but it should not be just related to energy. We should encourage families and small business to sustain their standard of living. How? By not overburdening them with even more taxes and fees during this session. We should not enact costly energy mandates while abandoning American energy drilling, consideration of new micro-nuclear facilities for Hawai‘i, and other positive and promising energy alternatives.

“We understand we can’t have a viable community without a protected environment. It’s not mutually exclusive. However, unrealistic taxes, mandates, regulations, and prohibitions must be debated objectively to determine the full costs and unintended consequences of these laws.

“Now it’s no surprise to you but there is widespread public discontent with our State Legislature. Many believe we spend too much time on increasing our own salaries and our own benefits, exempting ourselves from our own laws that we pass for others, and even covering up questionable ethics. The good news is that we have the tools and the resources, despite slowing revenue estimates, if we have the political will to make these changes.

“This session, we pledge to you—to the people of Hawai‘i—to work together, to listen, and to continue to speak out against bad laws, poor economics, and a loss of freedom and choice.

“We will continue to favor the individual over government control.

“We celebrate and we honor all of our men and women in uniform from Hawai‘i, and are grateful for the military’s many contributions—not just financial—to our entire community.

“We also are compassionate, but not at the expense of complacency of our fiscal responsibilities. Further, we stand for the enforcement of existing laws rather than even more duplicative legislation.

“Now, many people and some in the media approach this 25<sup>th</sup> State legislative session with an outlook of gloom, doom, grim times, and negative choices. They look to government for the answers.

“Your Minority approaches this Legislative Session not with fear, but with enthusiasm for the opportunities that these tough times present to all of us. We look to the private competitive sector for real solutions.

“Finally, what is it that we have to celebrate? We celebrate our individual God-given liberty and our ability to change things for the better. We celebrate being part of an America that provides for open debate in an elected legislative body. We celebrate the human achievements within our beloved Hawai‘i.

“We can turn the pessimism around with genuine positive efforts backed by political courage and long denied change in Hawai‘i. We can navigate a different course.

“President Ronald Reagan, facing enormous economic challenges when he first took office, gave his vision for the nation at the time. It was a positive vision, and attainable as he later proved. His vision, as is ours, was of the ‘Shining City on the Hill.’

“We can make that happen by focusing on what Hawai‘i can be, and we can begin today.

“Aloha, mahalo, and God bless Hawai‘i!”

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 144) were read by the Clerk and disposed of as follows:

Gov. Msg. No. 1, dated July 17, 2009, transmitting the Hawaii Health Systems Corporation’s Annual Audit and Report for FY 2008 pursuant to Section 323F-22, HRS, was placed on file.

Gov. Msg. No. 2, dated August 28, 2009, transmitting the Department of Agriculture’s Annual Report for Fiscal Year 2008 and the Statistics of Hawaii Agriculture 2007 Report, prepared pursuant to Section 141-1, HRS, was placed on file.

Gov. Msg. No. 3, dated September 8, 2009, transmitting the Hawaii Strategic Development Corporation’s 2008 Annual Report, pursuant to Section 211F-15, HRS, was placed on file.

Gov. Msg. No. 4, dated September 30, 2009, transmitting a statement on a recording error affecting the general fund balance for fiscal year 2008-2009, was placed on file.

Gov. Msg. No. 5, dated October 6, 2009, transmitting a report prepared by the Department of Public Safety pursuant to Section 487N-4, HRS, on unauthorized access to personal information records, was placed on file.

Gov. Msg. No. 6, dated October 8, 2009, transmitting the Project-Funded Staff Services Budget Report, prepared by the Department of Land and Natural Resources pursuant to Act 162, Section 67, SLH 2009, was placed on file.

Gov. Msg. No. 7, dated October 8, 2009, transmitting a Report on Geothermal Royalties Dispositions and Status of Geothermal and Cable System Development, prepared by the Department of Land and Natural Resources pursuant to Sections 182-18 and 196D-11, HRS, was placed on file.

Gov. Msg. No. 8, dated October 14, 2009, transmitting a Report on the Status of the Kaho'olawe Rehabilitation Trust Fund, prepared by the Department of Land and Natural Resources, Kaho'olawe Island Reserve Commission, pursuant to Section 6K-9.5, HRS, was placed on file.

Gov. Msg. No. 9, dated October 14, 2009, transmitting a Report on the Identification of Rivers and Streams Worthy of Protection, prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS, was placed on file.

Gov. Msg. No. 10, dated October 14, 2009, transmitting a Report on Revenues Generated from General Administrative Penalties Imposed Under Chapter 183, Hawaii Revised Statutes, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183-5, HRS, was placed on file.

Gov. Msg. No. 11, dated October 14, 2009, transmitting a Report on Administratively Established Accounts and Funds of the Department of Land and Natural Resources, prepared by the Department of Land and Natural Resources pursuant to Section 37-52.5, HRS, was placed on file.

Gov. Msg. No. 12, dated October 14, 2009, transmitting a Report on the Operations of the Filing Office for Financing Statements Under the Uniform Commercial Code, Secured Transactions (Revised Article 9), prepared by the Department of Land and Natural Resources pursuant to Section 490:9-527, HRS, was placed on file.

Gov. Msg. No. 13, dated October 20, 2009, transmitting the Disability and Communication Access Board Annual Report for Fiscal Year 2008-2009, prepared by the Department of Health pursuant to Section 348F-4, HRS, was placed on file.

Gov. Msg. No. 14, dated October 21, 2009, transmitting the Annual Report of the Tobacco Enforcement Unit for Fiscal Year 2008-2009, prepared by the Department of the Attorney General pursuant to Section 28-15, HRS, was placed on file.

Gov. Msg. No. 15, dated October 21, 2009, transmitting the Report on the Number of Pen Register Orders and Orders for Trap and Trace Devices Applied for by Law Enforcement Agencies of the State, prepared by the Department of the Attorney General pursuant to Section 803-47, HRS, was placed on file.

Gov. Msg. No. 16, dated October 21, 2009, transmitting the Report on Receipts and Expenditures of the Antitrust Trust Fund for Fiscal Year 2008-2009, prepared by the Department of the Attorney General pursuant to Section 28-13, HRS, was placed on file.

Gov. Msg. No. 17, dated October 21, 2009, transmitting the Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies for Fiscal Year 2008-2009, prepared by the Department of the Attorney General pursuant to Section 28-16, HRS, was placed on file.

Gov. Msg. No. 18, dated October 26, 2009, transmitting the Report on the Hawaii Dam and Reservoir Safety Program,

prepared by the Department of Land and Natural Resources pursuant to Section 179D-29, HRS, was placed on file.

Gov. Msg. No. 19, dated November 12, 2009, transmitting the Hawaii State Public Library System's Annual Report for Fiscal Year Ending June 30, 2009, prepared by the Department of Education, Hawaii State Public Library System, pursuant to Act 129, SLH 1989, and Act 327, SLH 1993 as amended by Act 45, SLH 1999, was placed on file.

Gov. Msg. No. 20, dated November 13, 2009, transmitting a Report on the Hawaii Statewide Trail And Access System "Na Ala Hele", prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9, HRS, was placed on file.

Gov. Msg. No. 21, dated November 13, 2009, transmitting a Report on Budgetary and Other Issues Regarding Invasive Species, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 194-2, HRS, and Act 162, Section 19, SLH 2009, was placed on file.

Gov. Msg. No. 22, dated November 13, 2009, transmitting a Report on the Status of the Program for Environmentally-Themed Products to Support the Environment, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-5.5, HRS, was placed on file.

Gov. Msg. No. 23, dated November 13, 2009, transmitting a Report Relating to the Natural Area Reserves System, Natural Area Partnership Program, and the Financial Condition of the Natural Area Reserve Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS, was placed on file.

Gov. Msg. No. 24, dated November 13, 2009, transmitting a Report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund for the Period July 1, 2008-June 30, 2009, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS, was placed on file.

Gov. Msg. No. 25, dated November 13, 2009, transmitting a Report Relating to the Wildlife Revolving Fund for Fiscal Year 2008-2009, prepared by the Department of Land and Natural Resources pursuant to Section 183D-10.5, HRS, was placed on file.

Gov. Msg. No. 26, dated November 13, 2009, transmitting the Report Relating to the Forest Stewardship Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195F-6, HRS, was placed on file.

Gov. Msg. No. 27, dated November 13, 2009, transmitting a Report on the Accomplishments, Recommendations for Changes in State Plan or Future Programs and Account of All Income, Expenditures and Fund Balance of the Hawaii Historic Preservation Fund for Fiscal Year 2008-2009, prepared by the Department of Land and Natural Resources pursuant to Section 6E-3, HRS, was placed on file.

Gov. Msg. No. 28, dated November 13, 2009, transmitting the Progress Report on the Implementation of Act 15, First Special Session Laws of Hawaii, 2009, to Develop a Master Plan for Ahupuaa O Kahana State Park, prepared by the Department of Land and Natural Resources, Division of State Parks, pursuant to Act 15, Section 8, First Special Session of 2009, was placed on file.

Gov. Msg. No. 29, dated November 13, 2009, transmitting a Report Relating to Public Land Liability and Recommendations of the Task Force on Beach and Water Safety, prepared by the Department of Land and Natural Resources pursuant to Act 82, Section 4, SLH 2003, was placed on file.

Gov. Msg. No. 30, dated November 16, 2009, transmitting the Department of Taxation's Report on its Goals and Objectives, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 31, dated November 16, 2009, transmitting the Department of Taxation's Electronic Funds Transfer Report, pursuant to Section 231-9.9, HRS, was placed on file.

Gov. Msg. No. 32, dated November 18, 2009, transmitting a Report Relating to the Land Conservation Fund and the Legacy Land Conservation Program, prepared by the Department of Land and Natural Resources pursuant to Section 173A-5, HRS, was placed on file.

Gov. Msg. No. 33, dated November 19, 2009, transmitting the 2009 Annual Report on Recommendations for Denial of Claims for Legislative Relief, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS, was placed on file.

Gov. Msg. No. 34, dated November 30, 2009, transmitting a Report Relating to Claims Against the State, prepared by the Office of the Governor pursuant to Act 162, Section 130, SLH 2009, was placed on file.

Gov. Msg. No. 35, dated November 30, 2009, transmitting a Report on the Impact of the High Technology Business Investment Tax Credit on Hawaii's Economy for Calendar Year 2008, prepared by the Department of Taxation pursuant to Act 206, SLH 2007, was placed on file.

Gov. Msg. No. 36, dated November 30, 2009, transmitting the Annual Report of Proceedings under the Hawaii Omnibus Criminal Forfeiture Act for Fiscal Year 2008-2009, prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS, was placed on file.

Gov. Msg. No. 37, dated November 18, 2009, transmitting the Annual Report for Fiscal Year 2008-2009, prepared by the Department of Health, Alcohol and Drug Abuse Division, pursuant to Section 321-195, HRS, was placed on file.

Gov. Msg. No. 38, dated December 4, 2009, transmitting a Report on the Disaster Relief Expenditures Resulting from the October 15, 2006 Kiholo Bay Earthquake, prepared by the Department of Land and Natural Resources pursuant to Act 78, Section 5, SLH 2007, was placed on file.

Gov. Msg. No. 39, dated December 4, 2009, transmitting the Annual Report of the Stadium Authority - Stadium Special Fund Statement of Receipts, Expenditures, and Transfers for Fiscal Year Ended June 30, 2009, prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS, was placed on file.

Gov. Msg. No. 40, dated December 10, 2009, transmitting a Report on the Establishment of a Federally Funded Civil Service Position, prepared by the Department of Agriculture pursuant to Act 162, Section 134, SLH 2009, was placed on file.

Gov. Msg. No. 41, letter dated December 11, 2009, from the Office of the Governor fulfilling the reporting requirements of Act 213, SLH 2008, regarding expenditures of qualified rehabilitation programs and related activities, was placed on file.

Gov. Msg. No. 42, dated December 15, 2009, transmitting the 2009 Annual Compliance Resolution Fund Report, prepared

by the Department of Commerce and Consumer Affairs pursuant to Section 26-9, HRS, was placed on file.

Gov. Msg. No. 43, dated December 15, 2009, transmitting a Report Relating to Mortgage Loan Originators, prepared by the Department of Commerce and Consumer Affairs pursuant to Act 32, First Special Session of 2009, was placed on file.

Gov. Msg. No. 44, dated December 15, 2009, transmitting the Report of the Hawaii Anti-Trafficking Task Force, prepared by the Department of the Attorney General pursuant to Act 260, SLH 2006, was placed on file.

Gov. Msg. No. 45, dated December 15, 2009, transmitting the Annual Reports of the Medical Claims Conciliation Panel and the Design Claims Conciliation Panel, prepared by the Department of Commerce and Consumer Affairs pursuant to Sections 671-20 and 672B-17, HRS, was placed on file.

Gov. Msg. No. 46, dated December 15, 2009, transmitting a Report on the Use of Remote Dispensing Machines, prepared by the Department of Commerce and Consumer Affairs, Board of Pharmacy, pursuant to Act 212, SLH 2008, was placed on file.

Gov. Msg. No. 47, dated December 15, 2009, transmitting a Report Relating to Public Accountancy, prepared by the Department of Commerce and Consumer Affairs, Board of Public Accountancy, pursuant to Act 172, SLH 2009, was placed on file.

Gov. Msg. No. 48, dated December 15, 2009, transmitting the Real Estate Commission's 2009 Annual Report, prepared by the Department of Commerce and Consumer Affairs, Real Estate Branch, pursuant to Section 467-4, HRS, was placed on file.

Gov. Msg. No. 49, dated December 15, 2009, transmitting the Energy Feedstock Program Report, prepared by the Department of Agriculture pursuant to Act 159, SLH 2007, was placed on file.

Gov. Msg. No. 50, dated December 15, 2009, transmitting the Life Settlements Act Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Act 177, SLH 2008, was placed on file.

Gov. Msg. No. 51, dated December 15, 2009, transmitting the Annual External Review Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 432E-13, HRS, was placed on file.

Gov. Msg. No. 52, dated December 15, 2009, transmitting the Loss Mitigation Grant Program Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 431:22-102, HRS, was placed on file.

Gov. Msg. No. 53, dated December 15, 2009, transmitting the 2009 Report of the Insurance Commissioner, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 431:2-211, HRS, was placed on file.

Gov. Msg. No. 54, dated December 16, 2009, transmitting the Annual Report Outlining the Status of the Office of Health Care Assurance Special Fund, prepared by the Department of Health pursuant to Section 321-1.4, HRS, was placed on file.

Gov. Msg. No. 55, dated December 16, 2009, transmitting a Report on the Cleanup and Investigation of Illegal Dumping and Illegal Structures at Laumaile Street in Kalihi, prepared by the Department of Health, Solid and Hazardous Waste Branch, and the Department of Planning and Permitting and Police Department's District 5 Crime Reduction Unit of the City and

County of Honolulu, pursuant to S.C.R. No. 89 (2009), was placed on file.

Gov. Msg. No. 56, dated December 16, 2009, transmitting the Annual Report on the Activities under the Neurotrauma Special Fund, prepared by the Department of Health pursuant to Section 321H-4, HRS, was placed on file.

Gov. Msg. No. 57, dated December 16, 2009, transmitting the Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund, prepared by the Department of Health, pursuant to Section 321-234, HRS, was placed on file.

Gov. Msg. No. 58, dated December 16, 2009, transmitting a Report on Expenditures for the Partnerships in Community Living (PICL) Program for Fiscal Year 2009-2010, prepared by the Department of Health pursuant to Act 162, Section 21, SLH 2009, was placed on file.

Gov. Msg. No. 59, dated December 16, 2009, transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund, prepared by the Department of Health pursuant to Section 321-22.5, HRS, was placed on file.

Gov. Msg. No. 60, dated December 16, 2009, transmitting the Annual Report that Identifies the Status of the Home Care Agency Licensing Program, prepared by the Department of Health pursuant to Act 21, First Special Session of 2009, was placed on file.

Gov. Msg. No. 61, dated December 16, 2009, transmitting a Report on Services for Persons with Developmental Disabilities or Mental Retardation, prepared by the Department of Health pursuant to Section 333F-6, HRS, was placed on file.

Gov. Msg. No. 62, dated December 18, 2009, transmitting the Annual Financial Report for the Newborn Metabolic Screening Special Fund, prepared by the Department of Health pursuant to Section 321-291, HRS, was placed on file.

Gov. Msg. No. 63, dated December 18, 2009, transmitting a Report on the Expenditures of the Special Fund to Support the Provision of the Early Intervention Program, prepared by the Department of Health, Early Intervention Section, pursuant to Act 162, SLH 2009, was placed on file.

Gov. Msg. No. 64, dated December 18, 2009, transmitting the Annual Report on the Primary Care Incentive Program, prepared by the Department of Health pursuant to Section 321-1.5, HRS, was placed on file.

Gov. Msg. No. 65, dated December 18, 2009, transmitting the Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, prepared by the Department of Health pursuant to Section 340B-12, HRS, was placed on file.

Gov. Msg. No. 66, dated December 18, 2009, transmitting the Annual Report for the Domestic Violence and Sexual Assault Special Fund, prepared by the Department of Health, Maternal and Child Health Branch, pursuant to Section 321-1.3, HRS, was placed on file.

Gov. Msg. No. 67, dated December 21, 2009, transmitting the Annual Report on the Cash Economy Enforcement Act, prepared by the Department of Taxation pursuant to Act 134, Section 9, SLH 2009, was placed on file.

Gov. Msg. No. 68, dated December 21, 2009, transmitting the Executive Budget Supplemental for the Budget Period 2009-11 and the Budget in Brief-FY 2011 Executive Supplemental Budget, prepared by the Department of Budget and Finance pursuant to Section 37-72, HRS, was placed on file.

Gov. Msg. No. 69, dated December 16, 2009, transmitting the High Technology Innovation Corporation's 2009 Annual Report, pursuant to Section 206M-56, HRS, was placed on file.

Gov. Msg. No. 70, dated December 16, 2009, transmitting a Report on "High Technology; Incubation Center; Kakaako," prepared by the High Technology Development Corporation pursuant to Act 150, SLH 2007, was placed on file.

Gov. Msg. No. 71, dated December 18, 2009, transmitting the Annual Report of Administratively Established Appropriations, prepared by the Department of Agriculture pursuant to Act 178, SLH 2002, was placed on file.

Gov. Msg. No. 72, dated December 18, 2009, transmitting a Report on the Development of a Plan to Optimize the Use of the Kamuela Vacuum Cooling Plant, prepared by the Department of Agriculture pursuant to H.C.R. No. 113 (2009), was placed on file.

Gov. Msg. No. 73, dated December 22, 2009, transmitting the Report on the Impact of the Important Agricultural Land Qualified Agricultural Cost Tax Credit and a Quantitative and Qualitative Assessment of the Impact of the Loan Guaranty Program, prepared by the Department of Agriculture and the Department of Taxation pursuant to Act 233, SLH 2008, was placed on file.

Gov. Msg. No. 74, dated December 14, 2009, transmitting a report on the nine positions established on December 7, 2009 to carry out energy activities and projects included in the State Energy Program using funding provided by the American Recovery and Reinvestment Act (ARRA), prepared by the Department of Business, Economic Development and Tourism pursuant to Act 162, Section 134, SLH 2009, was placed on file.

Gov. Msg. No. 75, dated December 16, 2009, transmitting the 2009 Report on the Hawaii Petroleum Market under the Petroleum Industry Monitoring, Analysis and Reporting (PIMAR) Program, prepared by the Public Utilities Commission pursuant to Section 486J-5, HRS, was placed on file.

Gov. Msg. No. 76, dated December 18, 2009, transmitting the report, "Benchmarking Hawaii's Emerging Industries," prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201-19, HRS, was placed on file.

Gov. Msg. No. 77, dated December 28, 2009, transmitting the Report of Agencies that Delegated the Audit Responsibility and Transfer Funds to Internal Post Audit, prepared by the Department of Accounting and General Services pursuant to Act 162, Section 116, SLH 2009, was placed on file.

Gov. Msg. No. 78, dated December 29, 2009, transmitting the Annual Report on the Building Code Council, prepared by the Department of Accounting and General Services pursuant to Act 82, SLH 2007, was placed on file.

Gov. Msg. No. 79, dated December 29, 2009, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for the Period July 1, 2008 through June 30, 2009, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 80, dated December 29, 2009, transmitting the Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or less for Fiscal Year 2008-2009, prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS, was placed on file.

Gov. Msg. No. 81, dated December 29, 2009, transmitting the Annual Report on the Wireless Enhanced 911 Board for the Period July 1, 2008, through June 30, 2009, prepared by the Department of Accounting and General Services pursuant to Section 138-6, HRS, was placed on file.

Gov. Msg. No. 82, dated December 30, 2009, transmitting the Office of Information Practices' 2009 Annual Report, pursuant to Section 92F-42, HRS, was placed on file.

Gov. Msg. No. 83, dated December 31, 2009, transmitting the Teacher Education Coordinating Committee 2008-2009 Annual Report, prepared by the Department of Education pursuant to Section 304-20, HRS, was placed on file.

Gov. Msg. No. 84, dated December 31, 2009, transmitting the School-Level Minor Repairs and Maintenance Account Report, prepared by the Department of Education pursuant to Section 302A-1504, HRS, was placed on file.

Gov. Msg. No. 85, dated December 31, 2009, transmitting the School Impact Fees Report, prepared by the Department of Education pursuant to Act 245, SLH 2007, was placed on file.

Gov. Msg. No. 86, dated December 31, 2009, transmitting the Annual Report (CY 2009) on the Medicaid School-Based Claiming Program, prepared by the Department of Education pursuant to Act 141, SLH 2005, was placed on file.

Gov. Msg. No. 87, dated December 31, 2009, transmitting the Annual Report Relating to Early Learning, prepared by the Department of Education pursuant to Act 14, First Special Session of 2008, was placed on file.

Gov. Msg. No. 88, dated December 31, 2009, transmitting a Report Relating to the State Budget on the Progress of Restructuring Under NCLB, prepared by the Department of Education pursuant to Act 162, SLH 2009, was placed on file.

Gov. Msg. No. 89, dated December 31, 2009, transmitting a Report Relating to Services for Children of Incarcerated Parents, prepared by the Department of Education pursuant to Act 240, SLH 2008, was placed on file.

Gov. Msg. No. 90, dated December 31, 2009, transmitting a Report on the Number of Due Process Hearings Relating to Reimbursement of Private School Tuition, prepared by the Department of Education pursuant to Act 179, SLH 2008, was placed on file.

Gov. Msg. No. 91, dated December 31, 2009, transmitting the September 2009 Report on the Medicaid School-Based Claiming Program, prepared by the Department of Education pursuant to Act 141, SLH 2005, was placed on file.

Gov. Msg. No. 92, dated December 31, 2009, transmitting the Secondary School Student Conference Report, prepared by the Department of Education pursuant to Section 317-6, HRS, was placed on file.

Gov. Msg. No. 93, dated December 31, 2009, transmitting the Report on Guidelines to Reduce the Truancy Rate in the Public School System, prepared by the Department of Education pursuant to S.C.R. No. 74 (2008), was placed on file.

Gov. Msg. No. 94, dated December 31, 2009, transmitting a Report on Periodic Repricing Reviews, prepared by the Department of Education pursuant to S.C.R. No. 64 and S.R. No. 38 (2009), was placed on file.

Gov. Msg. No. 95, dated December 31, 2009, transmitting a Report on Converting Hard Cover Text Books to E-books for Use in Public Schools, prepared by the Department of Education pursuant to S.C.R. No. 30 (2009), was placed on file.

Gov. Msg. No. 96, dated December 31, 2009, transmitting a Report on Project Funded Staff, prepared by the Department of Education pursuant to Act 162, Section 68, SLH 2009, was placed on file.

Gov. Msg. No. 97, dated December 31, 2009, transmitting a Report on Services Provided to Address the Needs of Homeless Students, prepared by the Department of Education pursuant to Act 162, Section 38, SLH 2009, was placed on file.

Gov. Msg. No. 98, dated December 31, 2009, transmitting a Report on the Mandatory Expulsion Policy for Possession of a Firearm, prepared by the Department of Education pursuant to Section 302A-1134, HRS, was placed on file.

Gov. Msg. No. 99, dated December 31, 2009, transmitting the Incentive and Innovation Grant Trust Fund Report, prepared by the Department of Education pursuant to Section 302A-301, HRS, was placed on file.

Gov. Msg. No. 100, dated December 31, 2009, transmitting the Education Assessment and Accountability Annual Reports, prepared by the Department of Education pursuant to Section 302A-1004, HRS, was placed on file.

Gov. Msg. No. 101, dated December 31, 2009, transmitting the Federal Grants Search, Development, and Application Revolving Fund Report, prepared by the Department of Education pursuant to Section 302A-1405, HRS, was placed on file.

Gov. Msg. No. 102, dated December 31, 2009, transmitting the Annual Report of the State Education Facilities Improvement Special Fund, prepared by the Department of Education pursuant to Section 36-32, HRS, was placed on file.

Gov. Msg. No. 103, dated December 31, 2009, transmitting the Annual Report for Repair and Maintenance, prepared by the Department of Education pursuant to Sections 36-35, 36-36, and 302A-1312, HRS, was placed on file.

Gov. Msg. No. 104, dated December 31, 2009, transmitting the Federal and Trust Funds Report, prepared by the Department of Education pursuant to Section 29-25, HRS, was placed on file.

Gov. Msg. No. 105, dated December 31, 2009, transmitting a Report on the Transfers of Appropriated Funds and Positions, prepared by the Department of Education pursuant to Section 37-74, HRS, was placed on file.

Gov. Msg. No. 106, dated December 31, 2009, transmitting the Comprehensive Accountability System Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS, was placed on file.

Gov. Msg. No. 107, dated December 31, 2009, transmitting the School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS, was placed on file.

Gov. Msg. No. 108, dated December 31, 2009, transmitting the Carryover of Funds Report, prepared by the Department of Education pursuant to Section 37-41.5, HRS, was placed on file.

Gov. Msg. No. 109, submitting for consideration and confirmation, the nomination of EDWARD H. KUBO, JR. to the office of Judge, Circuit Court of First Circuit, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 110, dated December 16, 2009, transmitting the Special Fund Report, prepared by the Public Utilities Commission pursuant to Section 269-33, HRS, was placed on file.

Gov. Msg. No. 111, dated December 16, 2009, transmitting the Annual Report, prepared by the Public Utilities Commission pursuant to Section 269-5, HRS, was placed on file.

Gov. Msg. No. 112, dated December 29, 2009, transmitting a Report to Expedite the Production and Delivery of Hawaii Cacao to the Marketplace, prepared by the Department of Agriculture pursuant to H.C.R. No. 326 (2008), was placed on file.

Gov. Msg. No. 113, dated December 17, 2009, transmitting the 2009 Energy Resources Coordinator Annual Report, prepared by the Department of Business Economic Development and Tourism pursuant to Section 196-4, HRS, was placed on file.

Gov. Msg. No. 114, dated December 18, 2009, transmitting a Report on the Automation of the Marriage Registration System, prepared by the Department of Health pursuant to Act 162, SLH 2009, was placed on file.

Gov. Msg. No. 115, dated December 18, 2009, transmitting a Report on the Policies and Procedures Implemented by Hospitals to Reduce Elective Cesarean Sections and Induction of Labor, prepared by the Department of Health pursuant to H.C.R. No. 215 (2009), was placed on file.

Gov. Msg. No. 116, dated December 18, 2009, transmitting an Annual Evaluation Report on Elder Programs, prepared by the Department of Health, Executive Office on Aging, pursuant to Section 349-5, HRS, was placed on file.

Gov. Msg. No. 117, dated December 18, 2009, transmitting a Report on the Expenditure of All Funds for the Comprehensive Breast and Cervical Cancer Control Program, prepared by the Department of Human Services and the Department of Health pursuant to Act 52, Section 4, SLH 2008, was placed on file.

Gov. Msg. No. 118, dated December 30, 2009, transmitting a Report on Positions Exempted from the Civil Service, prepared by the Department of Human Resources Development, pursuant to Act 300, SLH 2006, was placed on file.

Gov. Msg. No. 119, submitting for consideration and confirmation, the nomination of LAWRENCE M. REIFURTH to the office of Associate Judge, Intermediate Court of Appeals, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 120, dated December 30, 2009, transmitting the 2009 Annual Report of the Hawaii Strategic Development Corporation, prepared by the Department of Business, Economic Development, and Tourism pursuant to Act 211, Section 15, was placed on file.

Gov. Msg. No. 121, dated January 8, 2010, transmitting a Report on Home Property Liens, prepared by the Department of Human Services pursuant to Section 346-29.5, HRS, was placed on file.

Gov. Msg. No. 122, dated January 8, 2010, transmitting the Annual Report on the State Pharmacy Assistance Program, prepared by the Department of Human Services pursuant to Section 346-347, HRS, was placed on file.

Gov. Msg. No. 123, dated January 7, 2010, transmitting a Report Relating to Global Warming, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 20, Special Session of 2009, was placed on file.

Gov. Msg. No. 124, dated December 30, 2009, transmitting the Employees' Retirement System's Report on its Hawaii Venture Capital Investment Program, pursuant to Act 260, SLH 2007, was placed on file.

Gov. Msg. No. 125, dated December 30, 2009, transmitting the Employees' Retirement System's Annual Report Regarding its Direct Holdings in Sudan Scrutinized Companies, pursuant to Act 192, SLH 2007, was placed on file.

Gov. Msg. No. 126, letter dated January 7, 2010, informing the Senate of a scanning error on the compact discs of the Executive Budget Supplemental transmitted on December 21, 2009, and sending the link for the download of the corrected file, was placed on file.

Gov. Msg. No. 127, dated January 8, 2010, transmitting a Report on the Results of the State's Periodic Repricing Review, prepared by the Department of Human Resources and Development pursuant to S.C.R. No. 64 (2009), was placed on file.

Gov. Msg. No. 128, dated January 7, 2010, transmitting the 2009 Annual Report of the Narcotics Enforcement Division, prepared by the Department of Public Safety pursuant to Section 329-11, HRS, was placed on file.

Gov. Msg. No. 129, dated January 7, 2010, transmitting a Report on the Electronic Monitoring Pilot Program for Eligible Committed Persons, a Report on Three Additional Warrant Teams for FY 2010 and 2011, and a Report on Public Safety Employees Sick Leave Abuse and Overtime Costs - Reducing Costs, prepared by the Department of Public Safety pursuant to Act 162, Sections 44, 45 and 47, SLH 2009, was placed on file.

Gov. Msg. No. 130, dated January 7, 2010, transmitting a Report on Gender Responsive Community Based Programs for Women, prepared by the Department of Public Safety pursuant to Section 329-11, HRS, was placed on file.

Gov. Msg. No. 131, dated January 7, 2010, transmitting the Annual Report on the Status of the Federal Reimbursement Maximization Special Fund, prepared by the Department of Public Safety pursuant to Section 353C-7, HRS, was placed on file.

Gov. Msg. No. 132, dated January 7, 2010, transmitting a Report on the Criminal Offender Treatment Act, prepared by the Department of Public Safety pursuant to Chapter 353G, HRS, was placed on file.

Gov. Msg. No. 133, dated January 7, 2010, transmitting the Annual Report on Goals and Objectives, prepared by the Department of Public Safety pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 134, dated January 4, 2010, transmitting the 2009 Hawaii Small Business Regulatory Review Board Annual Report Summary, prepared by the Department of Business, Economic Development and Tourism pursuant to Chapter 201M, HRS, was placed on file.

Gov. Msg. No. 135, dated January 8, 2010, transmitting the 2009 Annual Report on Psychotropic Medication, prepared by the Department of Human Services pursuant to Section 346-59.9, HRS, was placed on file.

Gov. Msg. No. 136, dated January 14, 2010, transmitting the Annual Report on Solid Waste Management, prepared by the Department of Health, Office of Solid Waste Management, pursuant to Section 342G-15, HRS, was placed on file.

Gov. Msg. No. 137, dated January 14, 2010, transmitting the Annual Audit Report of the Sanitation Branch, prepared by the Department of Health pursuant to Section 321-27.5, HRS, was placed on file.

Gov. Msg. No. 138, dated January 14, 2010, transmitting the Annual Report on the Mental Health and Substance Abuse Special Fund, prepared by the Department of Health pursuant to Section 334-15, HRS, was placed on file.

Gov. Msg. No. 139, dated January 14, 2010, transmitting the Annual Report on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-Patient Costs Separately, Whenever Appropriate and Possible, prepared by the Department of Health pursuant to Section 326-25.5, HRS, was placed on file.

Gov. Msg. No. 140, dated January 14, 2010, transmitting a Report on the Status of the Environmental Health Education Fund, prepared by the Department of Health pursuant to Section 321-27, HRS, was placed on file.

Gov. Msg. No. 141, dated January 14, 2010, transmitting a Report on the Environmental Response Revolving Fund for Fiscal Year 2009, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS, was placed on file.

Gov. Msg. No. 142, dated January 14, 2010, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health, prepared by the Department of Health, Wastewater Branch, pursuant to Section 340E-33, HRS, was placed on file.

Gov. Msg. No. 143, dated January 14, 2010, transmitting a Report Relating to the State Water Pollution Control Revolving Fund of the Department of Health, prepared by the Department of Health, Wastewater Branch, pursuant to Section 342D-82, HRS, was placed on file.

Gov. Msg. No. 144, dated January 8, 2010, transmitting the Project-funded Staff Services Budget Report, prepared by the Hawaii Community Development Authority pursuant to Act 162, Section 63, SLH 2009, was placed on file.

#### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 61) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the State Auditor dated July 23, 2009, transmitting a report, "Study of the Social and Financial Impacts of Mandatory Health Insurance Coverage for the Diagnosis and Treatment of Autism Spectrum Disorders" (Report No. 09-09).

Dept. Com. No. 2, from the Department of Health dated August 7, 2009, transmitting the Indicators of Environmental Health report.

Dept. Com. No. 3, from the Department of Business, Economic Development and Tourism dated September 15, 2009, transmitting the 2009 Hawaii Data Disc containing the 2004-2008 State of Hawaii Data Books.

Dept. Com. No. 4, from the County of Hawai'i Police Department dated December 3, 2009, transmitting the 2009 Annual Misconduct Report pursuant to Section 52D-3.5, HRS.

Dept. Com. No. 5, from the Department of Education, Office of Human Resources, dated September 25, 2009, transmitting the Annual Employment Report 2008-2009.

Dept. Com. No. 6, from the State Auditor dated September 29, 2009, transmitting a report, "Investment Portfolio Review of the Office of Hawaiian Affairs" (Report No. 09-10).

Dept. Com. No. 7, from the Hawai'i Tourism Authority dated September 30, 2009, transmitting a fact sheet on the 150<sup>th</sup> Annual Session of the American Dental Association held at the Hawai'i Convention Center.

Dept. Com. No. 8, from the County Clerk, County of Hawai'i, dated October 15, 2009, transmitting Resolution No. 220-09 (Draft 3) which was adopted by the Hawai'i County Council on October 7, 2009.

Dept. Com. No. 9, from the University of Hawai'i dated November 12, 2009, transmitting the Report on the University of Hawai'i Project Adjustment Fund pursuant to Act 162, Section 95, SLH 2009.

Dept. Com. No. 10, from the University of Hawai'i dated November 20, 2009, transmitting the Report on Amounts Budgeted for Personnel Costs FY2009 pursuant to Act 162, Section 160, SLH 2009.

Dept. Com. No. 11, from the University of Hawai'i dated November 20, 2009, transmitting the Annual Report on Transfer of Appropriated Funds and Positions FY2009 pursuant to Section 37-74, HRS.

Dept. Com. No. 12, from the Department of Budget and Finance dated November 18, 2009, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2009 pursuant to Sections 39-92 and 39-93, HRS.

Dept. Com. No. 13, from the State Auditor dated December 2, 2009, transmitting a letter that summarizes the effects of the Hawai'i State Teacher's Association (HSTA) voluntary employees' beneficiary association (VEBA) trust pilot program on the Hawai'i Employer-Union Health Benefits Trust Fund (EUTF), pursuant to Act 5, Special Session of 2008.

Dept. Com. No. 14, from the County of Hawai'i Police Department dated December 4, 2009, transmitting a report concerning electric guns and their use during calendar year 2009, pursuant to Section 134-16, HRS.

Dept. Com. No. 15, from the University of Hawai'i dated December 4, 2009, transmitting the Annual Report on the Research and Training Revolving Fund 2008-2009 pursuant to Section 304A-2253, HRS.

Dept. Com. No. 16, from the University of Hawai'i dated December 4, 2009, transmitting the Annual Report on Government Operations pursuant to Act 100, SLH 1999.

Dept. Com. No. 17, from the University of Hawai'i dated December 7, 2009, transmitting the Report on University of Hawai'i at Hilo Agriculture Programs Developed by Kulani Correctional Facility for 2010 pursuant to H.C.R. No. 260, (2008).

Dept. Com. No. 18, from the University of Hawai'i dated December 7, 2009, transmitting the Annual Report on Hawai'i P-20 Partnerships for Education and Plans for Education in the Twenty-First Century pursuant to Act 281, SLH 2007.

Dept. Com. No. 19, from the University of Hawai'i dated December 7, 2009, transmitting the Annual Report on University of Hawai'i Uncollectible Accounts FY2009 pursuant to Section 40-82, HRS.

Dept. Com. No. 20, from the City and County of Honolulu Police Department dated December 10, 2009, transmitting the 2009 Annual Misconduct Report pursuant to Section 52D-3.5, HRS.

Dept. Com. No. 21, from the City and County of Honolulu Police Department dated December 14, 2009, transmitting a report concerning electric guns and their use during calendar year 2009 pursuant to Section 134-16, HRS.

Dept. Com. No. 22, from the University of Hawai'i dated December 14, 2009, transmitting the Annual Report on the Mauna Kea Lands pursuant to Act 132, SLH 2009.

Dept. Com. No. 23, from the University of Hawai'i dated December 15, 2009, transmitting the Annual Report on the

Construction Academy Curriculum pursuant to Section 304A-1144, HRS.

Dept. Com. No. 24, from the University of Hawai'i dated December 15, 2009, transmitting the Annual Report on University of Hawai'i Tuition & Fees Special Fund Expenditures for the Purpose of Generating Private Donations pursuant to Section 304A-2153, HRS.

Dept. Com. No. 25, from the University of Hawai'i dated December 15, 2009, transmitting the Annual Report on the Community College Conference Center Revolving Fund pursuant to Section 304A-2273, HRS.

Dept. Com. No. 26, from the University of Hawai'i dated December 15, 2009, transmitting the Report on the Skilled Worker and Business Development Center pursuant to Act 34, Section 2, SLH 2009.

Dept. Com. No. 27, from the University of Hawai'i dated December 15, 2009, transmitting the Report on Hawaii Excellence through Science and Technology Academy Pilot Program pursuant to Act 111, Section 8, SLH 2007.

Dept. Com. No. 28, from the University of Hawai'i dated December 15, 2009, transmitting the Annual Report on Salary pursuant to Section 304A-1004, HRS.

Dept. Com. No. 29, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report on University of Hawai'i Special, Revolving, and Trust Funds FY2009 pursuant to Sections 304A-106 and 304A-2007, HRS.

Dept. Com. No. 30, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report on Teacher Education Coordination Committee pursuant to Section 304A-1202, HRS.

Dept. Com. No. 31, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report from the Hawai'i Natural Energy Institute pursuant to Section 304A-1891, HRS.

Dept. Com. No. 32, from the University of Hawai'i, dated December 17, 2009, transmitting the Annual Report on University of Hawai'i Risk Management Special Fund pursuant to Section 304A-2151, HRS.

Dept. Com. No. 33, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report on University Revenue Bonds Issued FY2009 pursuant to Section 304A-2689, HRS.

Dept. Com. No. 34, from the University of Hawai'i, dated December 17, 2009, transmitting the Report from the Public Policy Center, University of Hawai'i at Manoa on Hawai'i 2050 Sustainability Plan for 2010 pursuant to Act 225, SLH 2008.

Dept. Com. No. 35, from the University of Hawai'i dated December 17, 2009, transmitting the Final Report by the University of Hawai'i at Manoa John A. Burns School of Medicine on the Current Practices of Hawai'i Telemedicine System for 2010 pursuant to H.C.R. No. 138 (2008).

Dept. Com. No. 36, from the University of Hawai'i dated December 17, 2009, transmitting the Report on Uses of University of Hawai'i Special Funds to Finance Projects Where the Method of Financing is Designated to be by University of Hawai'i Revenue Bonds pursuant to Act 162, Section 84, SLH 2009.

Dept. Com. No. 37, from the Hawai'i Teacher Standards Board dated December 17, 2009, transmitting a report reviewing the findings of the Auditor's Report No. 09-05 pursuant to Act 2, Special Session of 2009.

Dept. Com. No. 38, from the University of Hawai'i dated December 17, 2009, transmitting the Report on a University of Hawai'i Plan to Develop a Scholarship Program for Hawai'i Residents to Study Abroad pursuant to H.C.R. No. 217, (2009).

Dept. Com. No. 39, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report on Operations of the Hawai'i Research Center for Future Studies pursuant to Section 304A-3253, HRS.

Dept. Com. No. 40, from the University of Hawai'i dated December 17, 2009, transmitting the Annual Report on the Hawai'i Institute for Education Partnership pursuant to Section 304A-1203, HRS.

Dept. Com. No. 41, from the University of Hawai'i dated December 17, 2009, transmitting the Report on Hawai'i Teacher Standards Board pursuant to Act 2, Section 9, SLH 2009.

Dept. Com. No. 42, from the University of Hawai'i dated December 18, 2009, transmitting the Report on a Comprehensive Approach to the Teaching and Training of Engineering at University of Hawai'i Campuses Statewide pursuant to S.R. No. 105 (2009).

Dept. Com. No. 43, from the State Auditor dated December 22, 2009, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts for the Departments of the Attorney General and Business, Economic Development & Tourism, and the University of Hawai'i," (Report No. 09-11).

Dept. Com. No. 44, from the State Ombudsman dated December 22, 2009, transmitting the Annual Report for Fiscal Year 2008-2009 (Report No. 40).

Dept. Com. No. 45, from the Hawai'i Tourism Authority dated December 22, 2009, transmitting its 2009 Annual Report.

Dept. Com. No. 46, from the Hawai'i Teacher Standards Board dated December 17, 2009, transmitting the 2010 Annual Report pursuant to Section 302A-803(4), HRS.

Dept. Com. No. 47, from the Family Celebration Commission, dated December 29, 2009, transmitting its Annual Report pursuant to H.C.R. No. 269 (2006).

Dept. Com. No. 48, from the Hawai'i Community Foundation, dated December 30, 2009, transmitting a Report on the Financial Condition, Use of Funds, and Performance Outcomes for the Trust Fund, pursuant to Act 162, SLH 2009.

Dept. Com. No. 49, from the Ho'okako'o Corporation dated December 30, 2009, transmitting the Report on National and State Research, Policies, and Models for Expanded Learning Time and Status Report on Current Efforts in Hawaii to Rethink and Redesign the Use of Learning Time for Student Success, pursuant to S.C.R. No. 52 (2009).

Dept. Com. No. 50, from the Department of Business, Economic Development, and Tourism dated December 30, 2009, transmitting the Greenhouse Gas Emissions Reduction Task Force's Work Plan and Proposed Regulatory Scheme, Along with any Proposed Legislation, pursuant to Act 234, Section 7, SLH 2007.

Dept. Com. No. 51, from the University of Hawaii at Manoa dated January 6, 2010, transmitting the Report on Hawaii's Environmental Review System pursuant to Act 1, SLH 2008.

Dept. Com. No. 52, from the Office of Hawaiian Affairs dated January 6, 2010, transmitting its 2009 Annual Report pursuant to Section 10-15, HRS.

Dept. Com. No. 53, from the Maui Police Department dated January 5, 2010, transmitting the 2009 Standard of Conduct Annual Report pursuant to Act 242, SLH 2009.

Dept. Com. No. 54, from the Maui Police Department dated January 6, 2010, transmitting the 2009 Annual Discipline Report on Suspensions and Terminations pursuant to Act 242, SLH 2009.

Dept. Com. No. 55, from the State Auditor dated January 5, 2010, transmitting a letter pursuant to S.C.R. No. 84 (2009) which requests the auditor to conduct an immediate financial statement audit of the Waters of Life Public Charter School for fiscal years 2006-2008.

Dept. Com. No. 56, from the Hawaii Health Systems Corporation dated January 6, 2010, transmitting the Comprehensive, Independent Review and Evaluation of Hawaii Health Systems Corporation, prepared by Stroudwater Associates pursuant to Act 162, Section 31, SLH 2009.

Dept. Com. No. 57, from the Kauai Police Department dated January 9, 2010, transmitting the 2009 Annual Report on Misconduct pursuant to 52D-3.5, HRS.

Dept. Com. No. 58, from the University of Hawai'i dated January 9, 2010, transmitting the Annual Report on the Nursing Scholars Program pursuant to Section 304A-3305, HRS.

Dept. Com. No. 59, from the University of Hawai'i dated January 9, 2010, transmitting a Report on the Student Scholarship and Assistance Special Fund 2008-2009 pursuant to Section 304A-2159, HRS.

Dept. Com. No. 60, from the University of Hawai'i dated January 12, 2010, transmitting the Annual Report of the Research Corporation of the University of Hawai'i for the fiscal year ending June 30, 2009.

Dept. Com. No. 61, from the University of Hawai'i dated January 12, 2010, transmitting the Annual Report from the Medical Education Council, pursuant to Section 304A-1704, HRS.

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committee or deferred.

Referred:

S.B. No. 2001 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Nishihara.

Referred to: Committee on Ways and Means

S.B. No. 2002 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senator Nishihara.

Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means

S.B. No. 2003 "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION."

Introduced by: Senator Nishihara.

Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2004 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Nishihara.

Referred to: Committee on Judiciary and Government Operations

S.B. No. 2005 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Senator Nishihara.

Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations

S.B. No. 2006 "A BILL FOR AN ACT RELATING TO JURORS."

Introduced by: Senator Nishihara.

Referred to: Committee on Judiciary and Government Operations

S.B. No. 2007 "A BILL FOR AN ACT RELATING TO BUDGETARY POWERS."

Introduced by: Senator Hanabusa.

Referred to: Committee on Ways and Means

S.B. No. 2008 "A BILL FOR AN ACT RELATING TO THE FAIR ACCESS TO MEDICAL CARE ACT."

Introduced by: Senator Hanabusa.

Referred to: Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.B. No. 2009 "A BILL FOR AN ACT RELATING TO JURY SELECTION."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Judiciary and Government Operations

S.B. No. 2010 "A BILL FOR AN ACT RELATING TO NEWBORN SCREENING."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Health, then to the Committee on Ways and Means

S.B. No. 2011 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS."

Introduced by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor

S.B. No. 2012 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Hanabusa, by request.

<p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs</p> <p>S.B. No. 2013 “A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2014 “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Transportation, International and Intergovernmental Affairs</p> <p>S.B. No. 2015 “A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES.”</p> <p>Introduced by: Senators Baker, Espero, Fukunaga, Green, Ige, Ihara, Sakamoto.</p> <p>Referred to: Committee on Economic Development and Technology, then to the Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2016 “A BILL FOR AN ACT RELATING TO LIFE SETTLEMENTS.”</p> <p>Introduced by: Senators Baker, Espero, Fukunaga, Ige, Ihara, Sakamoto.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2017 “A BILL FOR AN ACT RELATING TO INSURANCE CLAIMS ADJUSTERS.”</p> <p>Introduced by: Senators Baker, Espero, Green, Hee, Ige, Ihara, Tokuda.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2018 “A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS.”</p> <p>Introduced by: Senators Baker, Espero, Green, Ige, Ihara, Sakamoto.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2019 “A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING.”</p> <p>Introduced by: Senators Baker, English, Espero, Fukunaga, Galuteria, Ige, Ihara, Nishihara, Sakamoto, Tsutsui.</p> <p>Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs</p> <p>S.B. No. 2020 “A BILL FOR AN ACT RELATING TO REAL PROPERTY.”</p>	<p>Introduced by: Senators Baker, Chun Oakland, Fukunaga.</p> <p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2021 “A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES.”</p> <p>Introduced by: Senator Baker, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2022 “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES.”</p> <p>Introduced by: Senator Baker, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2023 “A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY.”</p> <p>Introduced by: Senator Baker, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2024 “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”</p> <p>Introduced by: Senators Espero, Fukunaga, Gabbard, Ige, Kidani.</p> <p>Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2025 “A BILL FOR AN ACT RELATING TO PAROLE.”</p> <p>Introduced by: Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani.</p> <p>Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2026 “A BILL FOR AN ACT RELATING TO PAROLE.”</p> <p>Introduced by: Senators Espero, Bunda, English, Gabbard, Galuteria, Kidani.</p> <p>Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means</p> <p>S.B. No. 2027 “A BILL FOR AN ACT RELATING TO EDUCATION.”</p> <p>Introduced by: Senators Espero, Kidani, Baker, Fukunaga, Tokuda.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2028 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”</p> <p>Introduced by: Senator Chun Oakland.</p>
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	Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations	S.B. No. 2037	“A BILL FOR AN ACT RELATING TO VESSELS.”
S.B. No. 2029	“A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS.”	Introduced by: Senators Chun Oakland, English, Galuteria, Hee.	
	Introduced by: Senators Chun Oakland, Fukunaga.	Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs	
	Referred to: Committee on Judiciary and Government Operations	S.B. No. 2038	“A BILL FOR AN ACT RELATING TO PARKING.”
S.B. No. 2030	“A BILL FOR AN ACT RELATING TO HEALTH.”	Introduced by: Senators Chun Oakland, Hee, Galuteria.	
	Introduced by: Senator Chun Oakland.	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2039	“A BILL FOR AN ACT RELATING TO HOUSING.”
S.B. No. 2031	“A BILL FOR AN ACT RELATING TO CASE MANAGERS.”	Introduced by: Senators Chun Oakland, Baker, Bunda, Fukunaga, Ige, Sakamoto, Tokuda.	
	Introduced by: Senator Chun Oakland.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce and Consumer Protection	S.B. No. 2040	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES.”
S.B. No. 2032	“A BILL FOR AN ACT RELATING TO ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE.”	Introduced by: Senator Chun Oakland.	
	Introduced by: Senator Chun Oakland.	Referred to: Committee on Labor, then to the Committee on Ways and Means	
	Referred to: Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2041	“A BILL FOR AN ACT RELATING TO A TAX ON WHOLESALERS.”
S.B. No. 2033	“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GENERAL ASSISTANCE.”	Introduced by: Senator Chun Oakland.	
	Introduced by: Senators Chun Oakland, Hooser, Ihara.	Referred to: Committee on Ways and Means	
	Referred to: Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2042	“A BILL FOR AN ACT RELATING TO ELECTRONIC TRAFFIC CITATIONS.”
S.B. No. 2034	“A BILL FOR AN ACT RELATING TO 333FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING.”	Introduced by: Senator Chun Oakland.	
	Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Ihara.	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	
	Referred to: Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2043	“A BILL FOR AN ACT RELATING TO FUNDING FOR DOMESTIC VIOLENCE AND SEX ASSAULT SERVICES.”
S.B. No. 2035	“A BILL FOR AN ACT RELATING TO VIOLENT CRIME.”	Introduced by: Senators Chun Oakland, Baker, Fukunaga, Kidani.	
	Introduced by: Senator Chun Oakland.	Referred to: Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	
	Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations	S.B. No. 2044	“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF DOMESTIC VIOLENCE SHELTERS.”
S.B. No. 2036	“A BILL FOR AN ACT RELATING TO TOXIC SUBSTANCES.”	Introduced by: Senators Chun Oakland, Baker, Fukunaga, Kidani.	
	Introduced by: Senators Chun Oakland, Ige.	Referred to: Committee on Human Services, then to the Committee on Ways and Means	
	Referred to: Committee on Health		

S.B. No. 2045	“A BILL FOR AN ACT RELATING TO CRIME.”		Intergovernmental Affairs, then to the Committee on Ways and Means
Introduced by:	Senators Chun Oakland, Baker, Kidani, Tokuda, Bunda.	S.B. No. 2053	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
Referred to:	Committee on Judiciary and Government Operations	Introduced by:	Senators Espero, Fukunaga, Kidani, Baker, Hemmings, Taniguchi.
S.B. No. 2046	“A BILL FOR AN ACT RELATING TO CRIME.”	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
Introduced by:	Senators Chun Oakland, Baker, Kidani, Tokuda.	S.B. No. 2054	“A BILL FOR AN ACT RELATING TO CIVIL DEFENSE.”
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Introduced by:	Senators Espero, Chun Oakland, Baker, Bunda, Fukunaga, Hemmings, Kidani, Takamine.
S.B. No. 2047	“A BILL FOR AN ACT RELATING TO CRIME.”	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
Introduced by:	Senators Chun Oakland, Baker, Fukunaga, Kidani, Tokuda.	S.B. No. 2055	“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TEN CLASSROOM BUILDING FOR JAMES CAMPBELL HIGH SCHOOL.”
Referred to:	Committee on Judiciary and Government Operations	Introduced by:	Senator Espero.
S.B. No. 2048	“A BILL FOR AN ACT RELATING TO SUPPORT FOR INDIVIDUALS WHO ARE VISUALLY OR HEARING IMPAIRED.”	Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means
Introduced by:	Senators Chun Oakland, Baker, Ige, Tsutsui, Fukunaga.	S.B. No. 2056	“A BILL FOR AN ACT RELATING TO VITAL STATISTICS.”
Referred to:	Jointly to the Committee on Human Services and the Committee on Higher Education, then to the Committee on Ways and Means	Introduced by:	Senator Espero.
S.B. No. 2049	“A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION.”	Referred to:	Committee on Health, then to the Committee on Judiciary and Government Operations
Introduced by:	Senator Chun Oakland.	S.B. No. 2057	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE.”
Referred to:	Committee on Human Services, then to the Committee on Ways and Means	Introduced by:	Senators Kokubun, Baker, Chun Oakland, English, Galuteria, Hooser, Tsutsui, Takamine.
S.B. No. 2050	“A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION IN WORKERS’ COMPENSATION LAW.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Introduced by:	Senators Takamine, Chun Oakland, Baker, Fukunaga, Ihara, Kokubun, Nishihara, Taniguchi, Tokuda.	S.B. No. 2058	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE.”
Referred to:	Committee on Labor	Introduced by:	Senators Kokubun, Baker, Chun Oakland, English, Galuteria, Hooser, Tsutsui, Takamine.
S.B. No. 2051	“A BILL FOR AN ACT RELATING TO USED MOTOR VEHICLE SALES.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Introduced by:	Senators Takamine, Baker, Chun Oakland, Espero, Fukunaga, Hooser, Ige, Ihara, Kidani, Kokubun, Nishihara, Sakamoto, Taniguchi, Tsutsui.	S.B. No. 2059	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND BOARD OF TRUSTEES.”
Referred to:	Committee on Commerce and Consumer Protection	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2052	“A BILL FOR AN ACT RELATING TO FIREWORKS.”		
Introduced by:	Senators Espero, Baker, Bunda, Fukunaga, Kidani.		
Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and		

<p>Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Labor</p>	<p>S.B. No. 2066</p>	<p>“A BILL FOR AN ACT RELATING TO TREES.”</p>
<p>S.B. No. 2060</p>	<p>“A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR ‘ALIOMANU ROAD RECONSTRUCTION AND PROTECTION, KAPA‘A NEW PARK (STADIUM) IMPROVEMENTS, OPEN SPACE/PARK LAND ACQUISITION, AND KILAUEA AGRICULTURAL PARK DEVELOPMENT FOR THE COUNTY OF KAUA‘I.”</p>	<p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Kidani.</p>
<p>Introduced by: Senator Hanabusa, by request.</p>	<p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p>	<p>S.B. No. 2067</p>
<p>Referred to: Committee on Ways and Means</p>	<p>S.B. No. 2067</p>	<p>“A BILL FOR AN ACT RELATING TO MEDICAID ELIGIBILITY.”</p>
<p>S.B. No. 2061</p>	<p>“A BILL FOR AN ACT RELATING TO PROCUREMENT.”</p>	<p>Introduced by: Senators Ige, Chun Oakland, Baker, English, Kokubun.</p>
<p>Introduced by: Senators Takamine, Baker, Chun Oakland, Fukunaga, Galuteria, Hooser, Ige, Ihara, Kokubun, Nishihara, Taniguchi, Tokuda.</p>	<p>Referred to: Committee on Human Services, then to the Committee on Ways and Means</p>	<p>S.B. No. 2068</p>
<p>Referred to: Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>S.B. No. 2068</p>	<p>“A BILL FOR AN ACT RELATING TO EARLY EDUCATION.”</p>
<p>S.B. No. 2062</p>	<p>“A BILL FOR AN ACT RELATING TO PROCUREMENT.”</p>	<p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.</p>
<p>Introduced by: Senators Takamine, Baker, Chun Oakland, English, Fukunaga, Galuteria, Ige, Ihara, Kokubun, Nishihara, Taniguchi, Tokuda.</p>	<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>S.B. No. 2069</p>
<p>Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>S.B. No. 2069</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>
<p>S.B. No. 2062</p>	<p>“A BILL FOR AN ACT RELATING TO PROCUREMENT.”</p>	<p>Introduced by: Senators Chun Oakland, Fukunaga, Kidani, Ihara.</p>
<p>Introduced by: Senators Takamine, Baker, Chun Oakland, English, Fukunaga, Galuteria, Ige, Ihara, Kokubun, Nishihara, Taniguchi, Tokuda.</p>	<p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>S.B. No. 2070</p>
<p>Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>S.B. No. 2070</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>
<p>S.B. No. 2063</p>	<p>“A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES.”</p>	<p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.</p>
<p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ihara.</p>	<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>S.B. No. 2071</p>
<p>Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2071</p>	<p>“A BILL FOR AN ACT RELATING TO SMOKING.”</p>
<p>S.B. No. 2064</p>	<p>“A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH.”</p>	<p>Introduced by: Senator Chun Oakland.</p>
<p>Introduced by: Senators Chun Oakland, Ige.</p>	<p>Referred to: Committee on Health, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2072</p>
<p>Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2072</p>	<p>“A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS.”</p>
<p>S.B. No. 2065</p>	<p>“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”</p>	<p>Introduced by: Senator Chun Oakland.</p>
<p>Introduced by: Senators Chun Oakland, Ige.</p>	<p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>S.B. No. 2073</p>
<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>S.B. No. 2073</p>	<p>“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES.”</p>
<p>Introduced by: Senators Chun Oakland, Ige.</p>	<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>Introduced by: Senators Chun Oakland, Kidani.</p>
<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Ways and Means</p>	<p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Ways and Means</p>

<p>S.B. No. 2074</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani.</p> <p>Referred to: Committee on Education and Housing</p>	<p>S.B. No. 2082</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Ihara, Kidani.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>
<p>S.B. No. 2075</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige.</p> <p>Referred to: Committee on Human Services, then to the Committee on Ways and Means</p>	<p>S.B. No. 2083</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Ihara, Kidani.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs</p>
<p>S.B. No. 2076</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani.</p> <p>Referred to: Committee on Human Services</p>	<p>S.B. No. 2084</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Ihara, Kidani.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations</p>
<p>S.B. No. 2077</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p>	<p>S.B. No. 2085</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Kidani.</p> <p>Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>
<p>S.B. No. 2078</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani.</p> <p>Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2086</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Kidani.</p> <p>Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs</p>
<p>S.B. No. 2079</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Kidani.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>S.B. No. 2087</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ige, Kidani.</p> <p>Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means</p>
<p>S.B. No. 2080</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>S.B. No. 2088</p> <p>Introduced by: Senators Chun Oakland, Fukunaga, Kidani.</p>
<p>S.B. No. 2081</p> <p>Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ige, Kidani.</p> <p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means</p>	

	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	S.B. No. 2096	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2089	“A BILL FOR AN ACT RELATING TO HEALTHY START.”	Introduced by: Senators Chun Oakland, Fukunaga, Galuteria, Ihara.	
	Introduced by: Senators Chun Oakland, Fukunaga, Ige.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	S.B. No. 2097	“A BILL FOR AN ACT RELATING TO A SILVER ALERT PROGRAM FOR MISSING SENIOR CITIZENS.”
S.B. No. 2090	“A BILL FOR AN ACT RELATING TO RECYCLING IN SCHOOLS.”	Introduced by: Senators Chun Oakland, Fukunaga, Galuteria, Ihara.	
	Introduced by: Senators Chun Oakland, Fukunaga, Ige.	Referred to: Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means		
S.B. No. 2091	“A BILL FOR AN ACT RELATING TO VESSELS.”	S.B. No. 2098	“A BILL FOR AN ACT RELATING TO LEGISLATIVE CAUCUSES.”
	Introduced by: Senators Chun Oakland, Galuteria, Hee, Ige, Nishihara, English.	Introduced by: Senators Chun Oakland, Fukunaga, Galuteria.	
	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations	
S.B. No. 2092	“A BILL FOR AN ACT RELATING TO RECYCLING.”	S.B. No. 2099	“A BILL FOR AN ACT RELATING TO HEALTH.”
	Introduced by: Senators Chun Oakland, Ige.	Introduced by: Senators Ige, Baker, Chun Oakland.	
	Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Government Operations	
S.B. No. 2093	“A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.”	S.B. No. 2100	“A BILL FOR AN ACT RELATING TO HEALTH CARE DATA.”
	Introduced by: Senators Chun Oakland, Ige.	Introduced by: Senators Ige, Baker, Chun Oakland.	
	Referred to: Jointly to the Committee on Human Services and the Committee on Health and the Committee on Education and Housing, then to the Committee on Ways and Means	Referred to: Committee on Health, then to the Committee on Judiciary and Government Operations	
S.B. No. 2094	“A BILL FOR AN ACT RELATING TO SCHOOLS.”	S.B. No. 2101	“A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS.”
	Introduced by: Senators Kidani, Baker, Chun Oakland, Ihara, Fukunaga.	Introduced by: Senators Ige, Baker, Kokubun.	
	Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	
S.B. No. 2095	“A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS.”	S.B. No. 2102	“A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS.”
	Introduced by: Senators Kidani, Baker, Chun Oakland, Fukunaga, Ige, Ihara.	Introduced by: Senators Ige, Baker, Nishihara.	
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means	Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection	
		S.B. No. 2103	“A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS.”

Introduced by:	Senators Ige, Baker, Chun Oakland, English, Kokubun.	S.B. No. 2111	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”
Referred to:	Committee on Health, then to the Committee on Ways and Means	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Tsutsui.
S.B. No. 2104	“A BILL FOR AN ACT RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs
Introduced by:	Senators Ige, Baker, Chun Oakland, English, Kokubun.	S.B. No. 2112	“A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE SENIOR RESIDENCE AT IWILEI, OAHU.”
Referred to:	Committee on Ways and Means	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Kim.
S.B. No. 2105	“A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Ways and Means
Introduced by:	Senators Ige, Baker, Chun Oakland, English, Kokubun, Tsutsui.	S.B. No. 2113	“A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR INFUSION INTO THE RENTAL HOUSING TRUST FUND.”
Referred to:	Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Kidani, Kim.
S.B. No. 2106	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”	Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means
Introduced by:	Senator Ige.	S.B. No. 2114	“A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS.”
Referred to:	Committee on Labor, then to the Committee on Ways and Means	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Kidani, Kim.
S.B. No. 2107	“A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”	Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means
Introduced by:	Senator Ige.	S.B. No. 2115	“A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS.”
Referred to:	Committee on Labor, then to the Committee on Ways and Means	Introduced by:	Senators Sakamoto, Kidani.
S.B. No. 2108	“A BILL FOR AN ACT RELATING TO HOUSING.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Higher Education, then to the Committee on Ways and Means
Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Kim.	S.B. No. 2116	“A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES.”
Referred to:	Committee on Education and Housing	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Tsutsui.
S.B. No. 2109	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs
Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani.	S.B. No. 2110	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Tsutsui.
S.B. No. 2110	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs
Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Tsutsui.	S.B. No. 2111	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”
Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs	Introduced by:	Senators Sakamoto, Chun Oakland, Galuteria, Hemmings, Kidani, Tsutsui.
		Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs

<p>S.B. No. 2117</p> <p>Introduced by: Senators Sakamoto, Kidani.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>	<p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>
<p>S.B. No. 2118</p> <p>Introduced by: Senators Sakamoto, Kidani, Hemmings.</p> <p>Referred to: Committee on Education and Housing</p>	<p>“A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS.”</p>	<p>Introduced by: Senator Taniguchi.</p> <p>Referred to: Committee on Tourism, then to the Committee on Ways and Means</p>
<p>S.B. No. 2119</p> <p>Introduced by: Senators Sakamoto, Kidani, Hemmings.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>	<p>S.B. No. 2125</p> <p>Introduced by: Senator Taniguchi.</p> <p>Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection</p>
<p>S.B. No. 2120</p> <p>Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani, Tsutsui.</p> <p>Referred to: Committee on Education and Housing</p>	<p>“A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS.”</p>	<p>S.B. No. 2126</p> <p>Introduced by: Senator Taniguchi.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>
<p>S.B. No. 2121</p> <p>Introduced by: Senators Sakamoto, Chun Oakland, Kidani, Galuteria, Tsutsui.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO THE EARLY LEARNING COUNCIL.”</p>	<p>S.B. No. 2127</p> <p>Introduced by: Senator Taniguchi.</p> <p>Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection</p>
<p>S.B. No. 2122</p> <p>Introduced by: Senators Sakamoto, Chun Oakland, Kidani, Galuteria, Tsutsui.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Higher Education and the Committee on Labor</p>	<p>“A BILL FOR AN ACT RELATING TO RESEARCH.”</p>	<p>S.B. No. 2128</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>
<p>S.B. No. 2123</p> <p>Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.</p> <p>Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO CONVEYANCE TAX.”</p>	<p>S.B. No. 2129</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>
<p>S.B. No. 2124</p> <p>Introduced by: Senators Tokuda, Baker, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Hooser, Ige, Ihara, Kidani, Nishihara, Sakamoto, Tsutsui, Bunda, Hee, Kokubun, Taniguchi.</p>	<p>“A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND.”</p>	<p>S.B. No. 2130</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>
		<p>S.B. No. 2131</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Jointly to the Committee on Judiciary and Government Operations and the Committee on Transportation, International and Intergovernmental Affairs</p>
		<p>S.B. No. 2132</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>

<p>S.B. No. 2133</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO BAIL BONDS.”</p>	<p>Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection</p>	
<p>S.B. No. 2134</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO DESECRATION.”</p>	<p>S.B. No. 2141</p> <p>Introduced by: Senators Espero, Bunda, Fukunaga, Galuteria, Ihara, Kidani, Takamine.</p> <p>Referred to: Jointly to the Committee on Health and the Committee on Public Safety and Military Affairs</p>	<p>“A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS.”</p>
<p>S.B. No. 2135</p> <p>Introduced by: Senators Espero, Bunda, Gabbard, Galuteria, Kidani.</p> <p>Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD.”</p>	<p>S.B. No. 2142</p> <p>Introduced by: Senator Espero, by request.</p> <p>Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION.”</p>
<p>S.B. No. 2136</p> <p>Introduced by: Senators Espero, Bunda, Gabbard, Galuteria, Kidani.</p> <p>Referred to: Jointly to the Committee on Judiciary and Government Operations and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO VETERANS COURT.”</p>	<p>S.B. No. 2143</p> <p>Introduced by: Senators Fukunaga, Baker, Ige, Taniguchi, Hee.</p> <p>Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.”</p>
<p>S.B. No. 2137</p> <p>Introduced by: Senators Espero, Kidani, Bunda, Gabbard, Galuteria.</p> <p>Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO HEALTH CLUBS.”</p>	<p>S.B. No. 2144</p> <p>Introduced by: Senators Fukunaga, Ige, Hee.</p> <p>Referred to: Committee on Economic Development and Technology, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT.”</p>
<p>S.B. No. 2138</p> <p>Introduced by: Senators Espero, Kidani, Bunda, Gabbard, Galuteria, Hemmings.</p> <p>Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs</p>	<p>“A BILL FOR AN ACT RELATING TO LICENSE PLATES.”</p>	<p>S.B. No. 2145</p> <p>Introduced by: Senators Fukunaga, Ige, Hee.</p> <p>Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.”</p>
<p>S.B. No. 2139</p> <p>Introduced by: Senators Espero, Kidani, Bunda, Gabbard, Galuteria, Hemmings.</p> <p>Referred to: Committee on Public Safety and Military Affairs</p>	<p>“A BILL FOR AN ACT RELATING TO VETERANS.”</p>	<p>S.B. No. 2146</p> <p>Introduced by: Senators Fukunaga, Hee, Ige.</p> <p>Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING.”</p>
<p>S.B. No. 2140</p> <p>Introduced by: Senators Espero, Bunda, Fukunaga, Galuteria, Ihara, Kidani, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO TRANS FATS.”</p>	<p>S.B. No. 2147</p> <p>Introduced by: Senator Ihara, by request.</p> <p>Referred to: Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection</p>	<p>“A BILL FOR AN ACT RELATING TO THE USE OF AIR CONDITIONERS.”</p>

Deferred:		Introduced by:	Senator Hanabusa, by request.
S.B. No. 2148	“A BILL FOR AN ACT RELATING TO THE JUDICIARY.”	S.B. No. 2163	“A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Baker, Chun Oakland, Espero, Ige, Nishihara, Sakamoto.
S.B. No. 2149	“A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT.”	S.B. No. 2164	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Baker, Chun Oakland, Fukunaga, Galuteria, Green, Ige, Ihara.
S.B. No. 2150	“A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION.”	S.B. No. 2165	“A BILL FOR AN ACT RELATING TO PRIVATE GUARDS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Baker, Espero, Green, Ige, Ihara, Taniguchi.
S.B. No. 2151	“A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION.”	S.B. No. 2166	“A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Espero, Baker, Gabbard, Galuteria, Ihara, Kidani, Takamine, Taniguchi.
S.B. No. 2152	“A BILL FOR AN ACT RELATING TO DISTRICT COURT.”	S.B. No. 2167	“A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Takamine, by request.
S.B. No. 2153	“A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE.”	S.B. No. 2168	“A BILL FOR AN ACT RELATING TO USE OF DEADLY FORCE.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Kokubun, by request.
S.B. No. 2154	“A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS.”	S.B. No. 2169	“A BILL FOR AN ACT RELATING TO SHARK FINS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Hee, Bunda, Fukunaga, Ihara, Kokubun.
S.B. No. 2155	“A BILL FOR AN ACT RELATING TO JUDICIARY FEES.”	S.B. No. 2170	“A BILL FOR AN ACT RELATING TO FORCE FEEDING.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Hee, Bunda, Kokubun.
S.B. No. 2156	“A BILL FOR AN ACT RELATING TO THE JUDICIARY.”	S.B. No. 2171	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 2 OF THE HAWAII CONSTITUTION TO ALLOW FOR CONVICTED FELONS TO VOTE.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Ihara, by request.
S.B. No. 2157	“A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION.”	S.B. No. 2172	“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Ihara.
S.B. No. 2158	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 2, OF THE HAWAII CONSTITUTION TO AUTHORIZE THE TEMPORARY ASSIGNMENT OF CIRCUIT COURT JUDGES TO THE DISTRICT COURT.”	S.B. No. 2173	“A BILL FOR AN ACT RELATING TO STATE BONDS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Kim.
S.B. No. 2159	“A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE.”	S.B. No. 2174	“A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2160	“A BILL FOR AN ACT RELATING TO BICYCLES AND MOPED FEES.”	S.B. No. 2175	“A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2161	“A BILL FOR AN ACT RELATING TO WITNESSES.”		
Introduced by:	Senator Hanabusa, by request.		
S.B. No. 2162	“A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS.”	Introduced by:	Senator Hanabusa, by request.

S.B. No. 2176 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2177 "A BILL FOR AN ACT RELATING TO COUNTIES."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2178 "A BILL FOR AN ACT RELATING TO COUNTIES."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2179 "A BILL FOR AN ACT RELATING TO COUNTIES."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2180 "A BILL FOR AN ACT RELATING TO SUBPOENAS."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2181 "A BILL FOR AN ACT RELATING TO DANGEROUS INSTRUMENTS."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2182 "A BILL FOR AN ACT RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2183 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2184 "A BILL FOR AN ACT RELATING TO HAWAIIAN ARTIFACTS."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2185 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."  
 Introduced by: Senator Hanabusa, by request.

S.B. No. 2186 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF TRAVEL INDUSTRY MANAGEMENT."  
 Introduced by: Senator Nishihara.

S.B. No. 2187 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."  
 Introduced by: Senator Nishihara.

S.B. No. 2188 "A BILL FOR AN ACT RELATING TO DENTISTRY."  
 Introduced by: Senator Taniguchi.

S.B. No. 2189 "A BILL FOR AN ACT RELATING TO GOVERNMENT."  
 Introduced by: Senator Taniguchi.

S.B. No. 2190 "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE."  
 Introduced by: Senator Taniguchi.

S.B. No. 2191 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senator Taniguchi.

S.B. No. 2192 "A BILL FOR AN ACT RELATING TO THE UNIFORM CHILD ABDUCTION PREVENTION ACT."  
 Introduced by: Senator Taniguchi.

S.B. No. 2193 "A BILL FOR AN ACT RELATING TO THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT."  
 Introduced by: Senator Taniguchi.

S.B. No. 2194 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."  
 Introduced by: Senator Taniguchi.

S.B. No. 2195 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."  
 Introduced by: Senator Taniguchi, by request.

S.B. No. 2196 "A BILL FOR AN ACT RELATING TO JUDGES."  
 Introduced by: Senator Taniguchi, by request.

S.B. No. 2197 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."  
 Introduced by: Senator Taniguchi, by request.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

S.C.R. No. 1 "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 1 was adopted.

S.C.R. No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE UNIVERSITY OF HAWAII SYSTEM ADDRESS," was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 2 was adopted.

At 10:32 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:33 a.m.

Senator Baker rose on a point of personal privilege and said:

"Madam President, I rise on a point of personal privilege.

"Colleagues, a short month and a half ago, our friend Chris Pablo lost his valiant struggle with cancer. His cancer journey was very public, inspirational and left a legacy of hope and promise for others, especially through the work he did to firmly establish the bone marrow registry and his leadership in the American Cancer Society.

"Chris had a smile that would light up the room and he befriended everyone he met. He was a devoted father and

husband, so proud of his sons and his heritage. He gave back so much to our community. He was a trusted resource on healthcare and health insurance—a tireless advocate for greater access to healthcare services, universal coverage and of course ensuring a community with no more cancer. He embodied compassion, courage and integrity. He treated everyone with dignity and respect. Chris made a lasting impact on our community through his life and his work.

“Today, Madam President, I request that the Senate adjourn on a rising vote and observe a moment of silence in honor and in memory of Chris Pablo. Mahalo.”

The Chair so ordered.

At this time, the Chair made the following announcement:

“Referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.”

#### **ADJOURNMENT**

At 10:37 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, January 21, 2010, on a rising vote, observing a moment of silence in memory of Chris Pablo.

## SECOND DAY

## Thursday, January 21, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:51 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn H. Baker, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Nishihara and Takamine who were excused.

The President announced that she had read and approved the Journal of the First Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 145 to 152) were read by the Clerk and were placed on file:

Gov. Msg. No. 145, dated December 29, 2009, transmitting the 2009 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201-84, HRS.

Gov. Msg. No. 146, dated January 4, 2010, transmitting the Annual Report of the Hawaii Employer-Union Health Benefits Trust Fund for Fiscal Year 2008-2009, pursuant to Chapter 87A, HRS.

Gov. Msg. No. 147, dated January 8, 2010, transmitting the Employment and Training Fund Program Report, prepared by the Department of Labor and Industrial Relations, Workforce Development Division, pursuant to Section 383-128, HRS.

Gov. Msg. No. 148, dated January 11, 2010, transmitting the Hawaii Occupational Safety and Health Report of Contested Cases, prepared by the Department of Labor and Industrial Relations pursuant to Section 396-11, HRS.

Gov. Msg. No. 149, dated January 13, 2010, transmitting the Final Report of the 50th Anniversary of Statehood Commission, pursuant to Act 140, SLH 2007.

Gov. Msg. No. 150, dated January 13, 2010, transmitting a Report on Capital Improvement Program Project Staff Costs, prepared by the Department of Transportation pursuant to Act 162, SLH 2009.

Gov. Msg. No. 151, dated January 13, 2010, transmitting a Report on Airport Revenue Bonds, prepared by the Department of Transportation pursuant to Act 162, Section 81, SLH 2009.

Gov. Msg. No. 152, dated January 13, 2010, transmitting a Report on Special Repair and Maintenance Appropriations, prepared by the Department of Transportation pursuant to Act 162, Sections 15 and 17, SLH 2009.

## HOUSE COMMUNICATIONS

The following communication from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 20, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2010," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 20, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committee or deferred:

Referred:

S.B. No. 2198 "A BILL FOR AN ACT RELATING TO PARKS."

Introduced by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means

S.B. No. 2199 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2200 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.B. No. 2201 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Transportation, International and Intergovernmental Affairs

S.B. No. 2202 "A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2203 "A BILL FOR AN ACT RELATING TO HEALTH CARE ENTERPRISE ZONES."

Introduced by: Senators Green, Baker, Chun Oakland, Espero, Ige, Hee.

Referred to:	Jointly to the Committee on Health and the Committee on Economic Development and Technology, then to the Committee on Ways and Means	Referred to:	Committee on Health, then to the Committee on Ways and Means
S.B. No. 2204	“A BILL FOR AN ACT RELATING TO PRESCRIPTIVE RIGHTS.”	S.B. No. 2212	“A BILL FOR AN ACT RELATING TO THE MEDICAL USE OF MARIJUANA.”
Introduced by:	Senators Green, Espero, Hee.	Introduced by:	Senators Espero, Bunda, English, Galuteria, Green.
Referred to:	Committee on Health, then to the Committee on Commerce and Consumer Protection	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Health, then to the Committee on Judiciary and Government Operations
S.B. No. 2205	“A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”	S.B. No. 2213	“A BILL FOR AN ACT RELATING TO COUNTIES.”
Introduced by:	Senators Green, Gabbard, Hee, Hemmings.	Introduced by:	Senators Espero, Bunda, English, Galuteria, Green.
Referred to:	Committee on Labor	Referred to:	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
S.B. No. 2206	“A BILL FOR AN ACT RELATING TO STATE INCOME TAX.”	S.B. No. 2214	“A BILL FOR AN ACT RELATING TO SHERIFFS.”
Introduced by:	Senator Green.	Introduced by:	Senator Espero, by request.
Referred to:	Committee on Ways and Means	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2207	“A BILL FOR AN ACT RELATING TO MEDICAL RESIDENCY.”	S.B. No. 2215	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES.”
Introduced by:	Senators Green, Bunda, Espero, Hee, Ige, Tsutsui.	Introduced by:	Senators Tsutsui, Baker, English, Tokuda.
Referred to:	Committee on Health, then to the Committee on Commerce and Consumer Protection	Referred to:	Committee on Higher Education, then to the Committee on Ways and Means
S.B. No. 2208	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”	S.B. No. 2216	“A BILL FOR AN ACT RELATING TO OBSCENITY.”
Introduced by:	Senators Green, Chun Oakland, English, Baker, Gabbard.	Introduced by:	Senators Espero, Baker, Bunda, Fukunaga, Galuteria, Hemmings, Takamine.
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2209	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2217	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Green, Espero, Hemmings.	Introduced by:	Senator Sakamoto.
Referred to:	Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means	Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2210	“A BILL FOR AN ACT RELATING TO POLLUTION.”	S.B. No. 2218	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Green, Baker.	Introduced by:	Senator Sakamoto.
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Education and Housing
S.B. No. 2211	“A BILL FOR AN ACT RELATING TO HEALTHCARE.”	S.B. No. 2219	“A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS.”
Introduced by:	Senators Green, Bunda, Chun Oakland, Espero, Gabbard, Hee, Nishihara.	Introduced by:	Senator Sakamoto.

	Referred to: Committee on Judiciary and Government Operations	S.B. No. 2228	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2220	“A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES.”	Introduced by:	Senators Gabbard, Hooser, Hemmings, Ige, Ihara, Kokubun, Nishihara, Takamine, Tsutsui.
	Introduced by: Senator Sakamoto.		
	Referred to: Committee on Commerce and Consumer Protection	Referred to:	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2221	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”		
	Introduced by: Senator Sakamoto.	S.B. No. 2229	“A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE.”
	Referred to: Committee on Commerce and Consumer Protection	Introduced by:	Senators Gabbard, Green, Bunda, Espero, Galuteria, Hemmings, Taniguchi.
S.B. No. 2222	“A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS.”	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
	Introduced by: Senator Sakamoto.		
	Referred to: Committee on Commerce and Consumer Protection	S.B. No. 2230	“A BILL FOR AN ACT RELATING TO PROPERLY INFLATED TIRES.”
S.B. No. 2223	“A BILL FOR AN ACT RELATING TO CONDOMINIUM BOARDS OF DIRECTORS.”	Introduced by:	Senators Gabbard, Baker, Bunda, Chun Oakland, Espero, Kokubun, Takamine.
	Introduced by: Senator Bunda.	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
	Referred to: Committee on Commerce and Consumer Protection	S.B. No. 2231	“A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES.”
S.B. No. 2224	“A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE.”	Introduced by:	Senators Gabbard, Espero, Hooser, Baker, Bunda, Kokubun, Takamine.
	Introduced by: Senator Gabbard.	Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
	Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2232	“A BILL FOR AN ACT RELATING TO RENEWABLE FUELS.”
S.B. No. 2225	“A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS.”	Introduced by:	Senators Gabbard, Hooser, Tsutsui, Baker, Ige, Ihara, Kokubun, Nishihara, Takamine, Taniguchi.
	Introduced by: Senator Gabbard.	Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means
	Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	S.B. No. 2233	“A BILL FOR AN ACT RELATING TO ENERGY.”
S.B. No. 2226	“A BILL FOR AN ACT RELATING TO SENIOR CITIZENS.”	Introduced by:	Senators Gabbard, Espero, Galuteria, Hemmings, Ige, Ihara, Kidani.
	Introduced by: Senators Gabbard, Green, Baker, Bunda, Espero, Hee, Hemmings, Hooser.	Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means
	Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations	S.B. No. 2234	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY SYSTEMS.”
S.B. No. 2227	“A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM.”	Introduced by:	Senators Gabbard, Green, Hooser, Hemmings, Ige, Ihara, Takamine.
	Introduced by: Senator Gabbard.	Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means
	Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means		

S.B. No. 2235	“A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL HOMES.”	Referred to:	Committee on Labor
Introduced by:	Senators Gabbard, Chun Oakland, English, Espero, Hooser, Kidani, Sakamoto, Tokuda, Baker, Bunda, Galuteria, Hee, Hemmings, Ihara, Takamine.	S.B. No. 2242	“A BILL FOR AN ACT A BILL PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION.”
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	Introduced by:	Senators Espero, Bunda, Galuteria, Hemmings, Takamine.
S.B. No. 2236	“A BILL FOR AN ACT RELATING TO INVASIVE SPECIES.”	Referred to:	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
Introduced by:	Senators Gabbard, Green, Baker, Bunda, Espero, Fukunaga, Galuteria, Hee, Taniguchi.	S.B. No. 2243	“A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.”
Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	Introduced by:	Senators Espero, Bunda, Galuteria, Kidani.
S.B. No. 2237	“A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING.”	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
Introduced by:	Senator Hooser, by request.	S.B. No. 2244	“A BILL FOR AN ACT RELATING TO MINIMUM HOURLY WAGE.”
Referred to:	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	Introduced by:	Senators Takamine, Chun Oakland, Baker, Bunda, English, Fukunaga, Gabbard, Galuteria, Hee, Ihara, Kidani, Sakamoto, Taniguchi, Tokuda.
S.B. No. 2238	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES ON SWEETENED BEVERAGES.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Introduced by:	Senator Hooser, by request.	S.B. No. 2245	“A BILL FOR AN ACT RELATING TO TAXATION.”
Referred to:	Committee on Health, then to the Committee on Ways and Means	Introduced by:	Senators Kokubun, by request, Takamine.
S.B. No. 2239	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES ON SNACK FOODS.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Introduced by:	Senator Hooser, by request.	S.B. No. 2246	“A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS.”
Referred to:	Committee on Health, then to the Committee on Ways and Means	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2240	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Referred to:	Committee on Judiciary and Government Operations
Introduced by:	Senator Hooser.	S.B. No. 2247	“A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.”
Referred to:	Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2241	“A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Introduced by:	Senators Takamine, Chun Oakland, Bunda, Fukunaga, Gabbard, Galuteria, Hee, Ihara, Nishihara, Taniguchi, Tokuda.	S.B. No. 2248	“A BILL FOR AN ACT RELATING TO TAXATION.”
		Introduced by:	Senator Hanabusa, by request.
		Referred to:	Committee on Labor, then to the Committee on Ways and Means

<p>S.B. No. 2249</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO THE PENAL CODE.”</p>	<p>S.B. No. 2258</p> <p>Introduced by: Senator Taniguchi.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE.”</p>
<p>S.B. No. 2250</p> <p>Introduced by: Senators Espero, Bunda, English.</p> <p>Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO CORRECTIONS.”</p>	<p>S.B. No. 2259</p> <p>Introduced by: Senator Taniguchi, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO ARBITRATION.”</p>
<p>S.B. No. 2251</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING.”</p>	<p>S.B. No. 2260</p> <p>Introduced by: Senators Chun Oakland, Baker, Ige.</p> <p>Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO HUMAN SERVICES AND HEALTH.”</p>
<p>S.B. No. 2252</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p>	<p>“A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING.”</p>	<p>S.B. No. 2261</p> <p>Introduced by: Senators Chun Oakland, Baker.</p> <p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Health</p>	<p>“A BILL FOR AN ACT RELATING TO COMPREHENSIVE STATEWIDE RECYCLING AND ENERGY RENEWAL POLICY.”</p>
<p>S.B. No. 2253</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL.”</p>	<p>S.B. No. 2262</p> <p>Introduced by: Senator Chun Oakland.</p> <p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE GENERAL FUND.”</p>
<p>S.B. No. 2254</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p>	<p>“A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS.”</p>	<p>S.B. No. 2263</p> <p>Introduced by: Senators Chun Oakland, Baker.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>
<p>S.B. No. 2255</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>	<p>S.B. No. 2264</p> <p>Introduced by: Senators Chun Oakland, Green, Ige.</p> <p>Referred to: Committee on Human Services, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO QUEST HEALTH CARE PAYMENTS.”</p>
<p>S.B. No. 2256</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”</p>	<p>S.B. No. 2265</p> <p>Introduced by: Senators Chun Oakland, Green.</p> <p>Referred to: Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES.”</p>
<p>S.B. No. 2257</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Higher Education, then to the Committee on Ways and Means</p>	<p>“A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS.”</p>	<p>S.B. No. 2266</p> <p>Introduced by: Senators Ige, Chun Oakland, English.</p>	<p>“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”</p>

	Referred to: Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2275	“A BILL FOR AN ACT RELATING TO ARCHITECTURAL PAINT.”
S.B. No. 2267	“A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.”	Introduced by: Senators Ihara, Chun Oakland, Bunda, Hooser, Takamine.	
	Introduced by: Senators Ige, Baker, Chun Oakland.	Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means	
	Referred to: Committee on Health, then to the Committee on Ways and Means	S.B. No. 2276	“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”
S.B. No. 2268	“A BILL FOR AN ACT RELATING TO SPECIAL FUNDS.”	Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	
	Introduced by: Senators Ige, Chun Oakland.	Referred to: Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	
	Referred to: Committee on Ways and Means	S.B. No. 2277	“A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.”
S.B. No. 2269	“A BILL FOR AN ACT RELATING TO TAXATION.”	Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	
	Introduced by: Senators Ige, Chun Oakland, Green, Baker, Hemmings.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means	S.B. No. 2278	“A BILL FOR AN ACT RELATING TO PUBLIC HOUSING.”
S.B. No. 2270	“A BILL FOR AN ACT RELATING TO MEDICAID REIMBURSEMENTS.”	Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	
	Introduced by: Senators Ige, Baker, Chun Oakland, English, Kokubun.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2279	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2271	“A BILL FOR AN ACT RELATING TO HEALTH INSURANCE PREMIUMS.”	Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	
	Introduced by: Senators Ige, Baker, Espero, Green, Nishihara.	Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations	
	Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection	S.B. No. 2272	“A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR NURSES.”
S.B. No. 2272	“A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR NURSES.”	Introduced by: Senators Ige, Chun Oakland, Tokuda, Hemmings.	
	Introduced by: Senators Ige, Chun Oakland, Tokuda, Hemmings.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection	S.B. No. 2280	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2273	“A BILL FOR AN ACT RELATING TO TAXES AND FEES.”	Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	
	Introduced by: Senators Ige, Baker, Nishihara.	Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means	
	Referred to: Committee on Ways and Means	S.B. No. 2281	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2274	“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH.”	Introduced by: Senators Sakamoto, Kidani, Galuteria.	
	Introduced by: Senators Ige, Baker, Chun Oakland, Espero, Nishihara.	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Committee on Health, then to the Committee on Ways and Means	S.B. No. 2282	“A BILL FOR AN ACT RELATING TO EDUCATION.”
		Introduced by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.	

<p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2283 “A BILL FOR AN ACT RELATING TO FINANCIAL INTERESTS DISCLOSURE STATEMENTS.”</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p> <p>S.B. No. 2284 “A BILL FOR AN ACT RELATING TO GIFTS DISCLOSURE.”</p> <p>Introduced by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Judiciary and Government Operations</p> <p>S.B. No. 2285 “A BILL FOR AN ACT RELATING TO PRE-NEED FUNERAL PLANS.”</p> <p>Introduced by: Senators Ihara, Chun Oakland, Baker, Bunda, Galuteria, Hemmings, Sakamoto, Takamine.</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2286 “A BILL FOR AN ACT RELATING TO LONG TERM CARE.”</p> <p>Introduced by: Senators Ihara, Baker, Chun Oakland, Espero, Hooser, Bunda, English, Galuteria, Hemmings, Sakamoto, Takamine, Tsutsui.</p> <p>Referred to: Committee on Human Services</p> <p>S.B. No. 2287 “A BILL FOR AN ACT RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES.”</p> <p>Introduced by: Senators Ihara, Chun Oakland, Baker, Bunda, Galuteria, Hemmings, Hooser.</p> <p>Referred to: Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Human Services</p> <p>S.B. No. 2288 “A BILL FOR AN ACT RELATING TO HUMAN SERVICES.”</p> <p>Introduced by: Senators Ihara, Chun Oakland, Baker, Bunda, Hooser, Kidani, Takamine, Tsutsui.</p> <p>Referred to: Committee on Human Services</p> <p>S.B. No. 2289 “A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION.”</p> <p>Introduced by: Senators Ihara, Chun Oakland, Baker, Bunda, Hemmings, Hooser, Kidani, Takamine.</p> <p>Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2290 “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT.”</p> <p>Introduced by: Senators Fukunaga, Baker, Ige, Hee, Slom, Takamine.</p>	<p>Referred to: Committee on Economic Development and Technology, then to the Committee on Ways and Means</p> <p>S.B. No. 2291 “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT.”</p> <p>Introduced by: Senators Fukunaga, Baker, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Committee on Economic Development and Technology, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2292 “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”</p> <p>Introduced by: Senators Fukunaga, Baker, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2293 “A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY.”</p> <p>Introduced by: Senators Fukunaga, Baker, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Committee on Economic Development and Technology, then to the Committee on Ways and Means</p> <p>S.B. No. 2294 “A BILL FOR AN ACT RELATING TO TAXATION.”</p> <p>Introduced by: Senators Fukunaga, Baker, Gabbard, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means</p> <p>S.B. No. 2295 “A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES.”</p> <p>Introduced by: Senators Fukunaga, Baker, English, Gabbard, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means</p> <p>S.B. No. 2296 “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”</p> <p>Introduced by: Senators Fukunaga, Baker, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment</p> <p>S.B. No. 2297 “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PROJECTS.”</p> <p>Introduced by: Senators Fukunaga, Baker, Gabbard, Hee, Ige, Slom, Takamine.</p> <p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs</p>
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S.B. No. 2298	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	S.B. No. 2308	“A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES.”
Introduced by:	Senators Fukunaga, Baker, Hee, Ige, Slom, Takamine.	Introduced by:	Senators Ihara, Chun Oakland, Bunda, Galuteria, Hooser, Kidani, Takamine.
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2309	“A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS.”
S.B. No. 2299	“A BILL FOR AN ACT RELATING TO CREATIVE MEDIA.”	Introduced by:	Senators Ihara, Chun Oakland, Galuteria, Hooser.
Introduced by:	Senators Fukunaga, Baker, English, Hee, Ige, Slom, Takamine.	S.B. No. 2310	“A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS.”
Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means	Introduced by:	Senators Ihara, Chun Oakland, Galuteria, Hooser.
S.B. No. 2300	“A BILL FOR AN ACT RELATING TO OPIHI.”	S.B. No. 2311	“A BILL FOR AN ACT RELATING TO LEGISLATIVE ACCESS.”
Introduced by:	Senators Hee, Galuteria.	Introduced by:	Senators Ihara, Chun Oakland, Espero, Kidani, Galuteria, Hooser.
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2312	“A BILL FOR AN ACT RELATING TO OPEN MEETINGS.”
<u>Deferred:</u>		Introduced by:	Senators Ihara, Kidani, Espero, Galuteria.
S.B. No. 2301	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	S.B. No. 2313	“A BILL FOR AN ACT RELATING TO THE PUBLIC AGENCY MEETINGS AND RECORDS.”
Introduced by:	Senators Hee, English, Galuteria, Kidani, Sakamoto.	Introduced by:	Senators Ihara, Kidani.
S.B. No. 2302	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	S.B. No. 2314	“A BILL FOR AN ACT RELATING TO THE RECORDING OF BOARD MEETINGS.”
Introduced by:	Senators Hee, Galuteria, Kidani, Sakamoto.	Introduced by:	Senators Ihara, Espero, Galuteria, Kidani.
S.B. No. 2303	“A BILL FOR AN ACT RELATING TO PUBLIC TRUST LANDS.”	S.B. No. 2315	“A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.”
Introduced by:	Senators English, Galuteria, Hee, Kidani, Sakamoto.	Introduced by:	Senators Ihara, Galuteria, Espero, Kidani.
S.B. No. 2304	“A BILL FOR AN ACT RELATING TO SURFACE WATER.”	S.B. No. 2316	“A BILL FOR AN ACT RELATING TO ELECTIONS.”
Introduced by:	Senators Galuteria, by request, Kidani.	Introduced by:	Senators Ihara, Espero, Galuteria, Kidani.
S.B. No. 2305	“A BILL FOR AN ACT RELATING TO EMERGENCY MEETINGS.”	S.B. No. 2317	“A BILL FOR AN ACT RELATING TO THE OPEN MEETINGS LAW.”
Introduced by:	Senators Ihara, Bunda, Chun Oakland, Espero, Galuteria, Hemmings, Hooser, Kidani, Sakamoto.	Introduced by:	Senators Ihara, Espero, Kidani, Galuteria.
S.B. No. 2306	“A BILL FOR AN ACT RELATING TO ELECTIONS.”	S.B. No. 2318	“A BILL FOR AN ACT RELATING TO THE ETHICS COMMISSION.”
Introduced by:	Senators Ihara, Chun Oakland, Bunda, Espero, Galuteria, Hemmings, Hooser, Takamine.	Introduced by:	Senators Ihara, Espero, Kidani.
S.B. No. 2307	“A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM.”	S.B. No. 2319	“A BILL FOR AN ACT RELATING TO ETHICS.”
Introduced by:	Senators Ihara, Bunda, Chun Oakland, Espero, Galuteria, Hemmings, Hooser, Kidani, Takamine.	Introduced by:	Senators Ihara, Espero, Galuteria, Kidani.
		S.B. No. 2320	“A BILL FOR AN ACT RELATING TO ABSENTEE VOTING.”
		Introduced by:	Senators Ihara, Espero, Galuteria, Kidani.
		S.B. No. 2321	“A BILL FOR AN ACT RELATING TO ELECTIONS.”
		Introduced by:	Senators Ihara, Galuteria, Kidani.
		S.B. No. 2322	“A BILL FOR AN ACT RELATING TO ELECTIONS.”
		Introduced by:	Senators Ihara, Kidani, Galuteria.

- S.B. No. 2323 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."  
 Introduced by: Senators Takamine, Gabbard, Hee, Nishihara, Taniguchi, Tokuda.
- S.B. No. 2324 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS."  
 Introduced by: Senators Takamine, Gabbard, Hee, Kidani, Nishihara, Taniguchi.
- S.B. No. 2325 "A BILL FOR AN ACT RELATING TO CONTRACTORS."  
 Introduced by: Senators Takamine, Baker, Espero, Gabbard, Hee, Nishihara, Sakamoto, Taniguchi.
- S.B. No. 2326 "A BILL FOR AN ACT RELATING TO WAGES, HOURS, AND WORKING CONDITIONS OF EMPLOYEES OF CONTRACTORS PERFORMING SERVICES."  
 Introduced by: Senators Takamine, Taniguchi.
- S.B. No. 2327 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."  
 Introduced by: Senators Takamine, Sakamoto.
- S.B. No. 2328 "A BILL FOR AN ACT RELATING TO HOLIDAYS."  
 Introduced by: Senators Gabbard, Bunda, Chun Oakland, Espero, Fukunaga, Galuteria, Nishihara.
- S.B. No. 2329 "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY."  
 Introduced by: Senators Gabbard, Chun Oakland, Galuteria, Hee, Hooser, Ige, Kidani, Sakamoto.
- S.B. No. 2330 "A BILL FOR AN ACT RELATING TO SHARK TOURS."  
 Introduced by: Senators Gabbard, Green, Baker, Bunda, Fukunaga, Hee, Kokubun, Nishihara, Takamine.
- S.B. No. 2331 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."  
 Introduced by: Senators Gabbard, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Galuteria, Nishihara, Sakamoto.
- S.B. No. 2332 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY AND RENEWABLE ENERGY."  
 Introduced by: Senators Gabbard, Chun Oakland, Sakamoto, Baker, Galuteria, Nishihara, Taniguchi.
- S.B. No. 2333 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."  
 Introduced by: Senators Gabbard, Chun Oakland, Hee, Hooser, Kidani, Sakamoto, English, Galuteria, Ige.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 3 to 38) were read by the Clerk and were deferred:

- S.C.R. No. 3 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE TECHNICAL FEASIBILITY AND LEGAL IMPLICATIONS OF REPLACING REFERENCES TO PROSTITUTION IN THE HAWAII REVISED STATUTES WITH THE TERM COMMERCIAL SEXUAL EXPLOITATION."  
 Offered by: Senators Chun Oakland, Baker, Fukunaga, Kidani, Tokuda.
- S.C.R. No. 4 "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE INCLUSION OF PROTECTIONS FOR WOMEN'S HEALTH CARE, INCLUDING WOMEN'S REPRODUCTIVE HEALTH SERVICES, IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT."  
 Offered by: Senators Chun Oakland, Baker, Fukunaga, Kidani, Tokuda.
- S.C.R. No. 5 "SENATE CONCURRENT RESOLUTION HONORING THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT PROGRAM OF ACTION ON THE OCCASION OF ITS FIFTEENTH ANNIVERSARY AND URGING THE UNITED STATES TO RE-COMMIT TO THE ERADICATION OF GLOBAL POVERTY AND GENDER INEQUALITY."  
 Offered by: Senators Chun Oakland, Baker, Fukunaga, Kidani, Tokuda.
- S.C.R. No. 6 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006."  
 Offered by: Senators Baker, English, Hee, Tsutsui.
- S.C.R. No. 7 "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND HOUSE OF REPRESENTATIVES TO CONVENE A WORKING GROUP TO FURTHER STUDY FAMILY COURT CUSTODY EVALUATOR STANDARDS, INCLUDING A MINIMUM CURRICULUM, PROCEDURES AND REQUIREMENTS FOR APPOINTMENT, AND OTHER RECOMMENDATIONS."  
 Offered by: Senators Chun Oakland, Fukunaga.
- S.C.R. No. 8 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER CASE MANAGERS SHOULD BE CERTIFIED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."  
 Offered by: Senator Chun Oakland.
- S.C.R. No. 9 "SENATE CONCURRENT RESOLUTION CONDEMNING AND URGING THE CESSATION OF THE PERSECUTION AND DISCRIMINATION OF FALUN GONG."

Offered by: Senator Chun Oakland.  
 S.C.R. No. 10 "SENATE CONCURRENT RESOLUTION URGING INSTRUCTION AND TESTING IN DRIVERS EDUCATION PROGRAMS AND DRIVERS LICENSING EXAMINATIONS TO PROMOTE THE SAFETY OF BLIND PEDESTRIANS."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Ige.

S.C.R. No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF AMERICAN SIGN LANGUAGE INTERPRETERS."

Offered by: Senator Chun Oakland.

S.C.R. No. 12 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS."

Offered by: Senator Chun Oakland.

S.C.R. No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PUBLIC SERVICE PROGRAM FOR VOLUNTEERS TO PICK UP LITTER FROM HAWAII'S BEACHES."

Offered by: Senators Chun Oakland, Ige, Kidani.

S.C.R. No. 14 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO SUSPEND THE PERSONAL TRANSITION PLAN GRADUATION REQUIREMENT UNTIL A CLEAR AND FIRM CURRICULUM IS ADOPTED."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.

S.C.R. No. 15 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO ESTABLISH AT LEAST ONE SERVICE LEARNING COORDINATOR IN EACH PUBLIC SCHOOL."

Offered by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.

S.C.R. No. 16 "SENATE CONCURRENT RESOLUTION ENCOURAGING PUBLIC SCHOOLS TO EMPHASIZE TEENAGE PREGNANCY PREVENTION AND SUPPORT PREVENTION STRATEGIES."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Ihara, Kidani.

S.C.R. No. 17 "SENATE CONCURRENT RESOLUTION RECOGNIZING AFTER-SCHOOL PROGRAMS AND PREVENTION PROGRAMS IN SCHOOLS AS EFFECTIVE STRATEGIES FOR COMBATING BULLYING AND DOMESTIC VIOLENCE AND PROMOTING SEXUAL HEALTH AWARENESS, EMOTIONAL LITERACY, CIVIC RESPONSIBILITY, AND HEALTHY RELATIONSHIPS."

Offered by: Senators Chun Oakland, Ige, Ihara, Kidani.

S.C.R. No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION."

Offered by: Senators Chun Oakland, Ige, Ihara, Kidani, Baker, Fukunaga.

S.C.R. No. 19 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE THAT SCHOOL RESTROOMS ARE SUPERVISED, CLEANED, AND RESTOCKED PERIODICALLY THROUGHOUT THE SCHOOL DAY."

Offered by: Senators Chun Oakland, Ihara, Kidani.

S.C.R. No. 20 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST PUBLIC SCHOOLS STATEWIDE IN ADOPTING AND IMPLEMENTING COMPREHENSIVE CAMPUS RECYCLING POLICIES."

Offered by: Senators Chun Oakland, Fukunaga, Ige.

S.C.R. No. 21 "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE SCHOOLS TO INCORPORATE MORE KINESTHETIC AND OTHER TYPES OF LEARNING INTO SCHOOL CURRICULA."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Ihara, Kidani.

S.C.R. No. 22 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SET MORE STANDARDIZED REQUIREMENTS FOR SENIOR PROJECTS."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.

S.C.R. No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE NO FURTHER BUDGET CUTS TO STUDENT ACTIVITIES PROGRAMS IN PUBLIC SCHOOLS."

Offered by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.

S.C.R. No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Ige.

S.C.R. No. 25 "SENATE CONCURRENT RESOLUTION RECOGNIZING SEPTEMBER 2010 AS EDUCATION AWARENESS AND APPRECIATION MONTH IN HAWAII."

Offered by: Senators Chun Oakland, Ige.

S.C.R. No. 26 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION TO CONSIDER THE ADDITION OF SURFING TO THE SPORTS RECOGNIZED BY THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION."

Offered by: Senators Chun Oakland, Fukunaga, Ige.

S.C.R. No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE PROGRAM TO PLANT ONE MILLION TREES BY OCTOBER 2010, AS PART OF THE CHILDREN AND YOUTH MONTH CELEBRATION."

Offered by: Senators Chun Oakland, Ige.  
 S.C.R. No. 28 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A STATEWIDE PLAN TO ELIMINATE THE WASTE OF MILK DISTRIBUTED WITH SCHOOL LUNCHES."

Offered by: Senators Kidani, Chun Oakland, Fukunaga, Ihara, Ige.

S.C.R. No. 29 "SENATE CONCURRENT RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH."

Offered by: Senators Baker, Chun Oakland, Fukunaga.

S.C.R. No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNMENT-FUNDED HOUSING AGENCIES TO AFFORD ELDERLY TENANTS IN PUBLIC AND SENIOR HOUSING WHO HAVE UNEXPECTEDLY BECOME THE PRIMARY CAREGIVERS OF THEIR GRANDCHILDREN-IN-CRISIS A REASONABLE TIME TO FIND APPROPRIATE HOUSING BEFORE THEY MAY BE EVICTED."

Offered by: Senators Chun Oakland, Fukunaga, Galuteria, Hooser, Ihara.

S.C.R. No. 31 "SENATE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING."

Offered by: Senators Ihara, Baker, Chun Oakland, Bunda, Espero, Galuteria, Hemmings, Hooser, Sakamoto, Takamine.

S.C.R. No. 32 "SENATE CONCURRENT RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS."

Offered by: Senators Ihara, Chun Oakland, Baker, Bunda, Espero, Galuteria, Hooser, Sakamoto, Takamine.

S.C.R. No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON ESTABLISHING VERTICAL FARMS IN THE STATE."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 34 "SENATE CONCURRENT RESOLUTION URGING THAT PORTRAITS OF OFFICIALS OF THE PROVISIONAL GOVERNMENT OF HAWAII BE REMOVED FROM DISPLAY IN POSITIONS OF HONOR IN STATE GOVERNMENT BUILDINGS."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 35 "SENATE CONCURRENT RESOLUTION URGING THE CONVENING OF A TASK FORCE TO CONSIDER THE MERITS OF CREATING IN OR NEAR HANA, MAUI, A MONUMENT TO QUEEN KA'AHUMANU IN COLLABORATION WITH HAWAIIAN ORGANIZATIONS, RESPECTED KŪPUNA IN THE HAWAIIAN COMMUNITY, AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE FEDERAL PROCESS FOR PROCUREMENT NOTICE CONTAINED IN TITLE 41 UNITED STATES CODE SECTION 416."

Offered by: Senators Fukunaga, Baker, English, Hee, Ige, Slom, Takamine.

S.C.R. No. 37 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS."

Offered by: Senators Kidani, Baker, Chun Oakland, Hooser, Galuteria, Hanabusa, Kim, Sakamoto, Tsutsui.

S.C.R. No. 38 "SENATE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED THE "RONALD T.Y. MOON JUDICIAL COMPLEX"."

Offered by: Senators Hanabusa, Taniguchi.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 1 to 26) were read by the Clerk and were deferred:

S.R. No. 1 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HUMAN SERVICES TO CONVENE A WORKING GROUP TO FURTHER STUDY FAMILY COURT CUSTODY EVALUATOR STANDARDS, INCLUDING A MINIMUM CURRICULUM, PROCEDURES AND REQUIREMENTS FOR APPOINTMENT, AND OTHER RECOMMENDATIONS."

Offered by: Senators Chun Oakland, Fukunaga.

S.R. No. 2 "SENATE RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH."

Offered by: Senators Baker, Chun Oakland, Fukunaga.

S.R. No. 3 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SET MORE STANDARDIZED REQUIREMENTS FOR SENIOR PROJECTS."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.

S.R. No. 4 "SENATE RESOLUTION REQUESTING PUBLIC AND PRIVATE SCHOOLS TO INCORPORATE MORE KINESTHETIC AND OTHER TYPES OF LEARNING INTO SCHOOL CURRICULA."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Ihara, Kidani.

S.R. No. 5 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST PUBLIC SCHOOLS STATEWIDE IN ADOPTING AND IMPLEMENTING COMPREHENSIVE CAMPUS RECYCLING POLICIES."

Offered by: Senators Chun Oakland, Fukunaga, Ige.

S.R. No. 6 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE THAT SCHOOL RESTROOMS ARE SUPERVISED, CLEANED, AND RESTOCKED PERIODICALLY THROUGHOUT THE SCHOOL DAY."

Offered by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.

S.R. No. 7 "SENATE RESOLUTION RECOGNIZING AFTER-SCHOOL PROGRAMS AND PREVENTION PROGRAMS IN SCHOOLS AS EFFECTIVE STRATEGIES FOR COMBATING BULLYING AND DOMESTIC VIOLENCE AND PROMOTING SEXUAL HEALTH AWARENESS, EMOTIONAL LITERACY, CIVIC RESPONSIBILITY, AND HEALTHY RELATIONSHIPS."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Ige, Ihara, Kidani.

S.R. No. 8 "SENATE RESOLUTION ENCOURAGING PUBLIC SCHOOLS TO EMPHASIZE TEENAGE PREGNANCY PREVENTION AND SUPPORT PREVENTION STRATEGIES."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Ihara, Kidani.

S.R. No. 9 "SENATE RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO ESTABLISH AT LEAST ONE SERVICE LEARNING COORDINATOR IN EACH PUBLIC SCHOOL."

Offered by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.

S.R. No. 10 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO SUSPEND THE PERSONAL TRANSITION PLAN GRADUATION REQUIREMENT UNTIL A CLEAR AND FIRM CURRICULUM IS ADOPTED."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Kidani, Ihara.

S.R. No. 11 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A PUBLIC SERVICE PROGRAM FOR VOLUNTEERS TO PICK UP LITTER FROM HAWAII'S BEACHES."

Offered by: Senators Chun Oakland, Fukunaga, Ige, Kidani.

S.R. No. 12 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE PROGRAM TO PLANT ONE MILLION TREES BY OCTOBER 2010, AS PART OF THE CHILDREN AND YOUTH MONTH CELEBRATION."

Offered by: Senators Chun Oakland, Ige.

S.R. No. 13 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Ige.

S.R. No. 14 "SENATE RESOLUTION RECOGNIZING SEPTEMBER 2010 AS EDUCATION AWARENESS AND APPRECIATION MONTH IN HAWAII."

Offered by: Senators Chun Oakland, Ige.

S.R. No. 15 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION TO CONSIDER THE ADDITION OF SURFING TO THE SPORTS RECOGNIZED BY THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION."

Offered by: Senators Chun Oakland, Fukunaga, Ige.

S.R. No. 16 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A STATEWIDE PLAN TO ELIMINATE THE WASTE OF MILK DISTRIBUTED WITH SCHOOL LUNCHES."

Offered by: Senators Kidani, Chun Oakland, Fukunaga, Ihara, Ige.

S.R. No. 17 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE NO FURTHER BUDGET CUTS TO STUDENT ACTIVITIES PROGRAMS IN PUBLIC SCHOOLS."

Offered by: Senators Chun Oakland, Fukunaga, Ihara, Kidani.

S.R. No. 18 "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER CASE MANAGERS SHOULD BE CERTIFIED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Offered by: Senator Chun Oakland.

S.R. No. 19 "SENATE RESOLUTION CONDEMNING AND URGING THE CESSATION OF THE PERSECUTION AND DISCRIMINATION OF FALUN GONG."

Offered by: Senator Chun Oakland.

S.R. No. 20 "SENATE RESOLUTION URGING INSTRUCTION AND TESTING IN DRIVERS EDUCATION PROGRAMS AND DRIVERS LICENSING EXAMINATIONS TO PROMOTE THE SAFETY OF BLIND PEDESTRIANS."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Ige, Tsutsui.

S.R. No. 21 "SENATE RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF AMERICAN SIGN LANGUAGE INTERPRETERS."

Offered by: Senator Chun Oakland.

S.R. No. 22 "SENATE RESOLUTION REQUESTING GOVERNMENT-FUNDED HOUSING AGENCIES TO AFFORD ELDERLY TENANTS IN PUBLIC AND SENIOR HOUSING WHO HAVE UNEXPECTEDLY BECOME THE PRIMARY CAREGIVERS OF THEIR GRANDCHILDREN-IN-CRISIS A REASONABLE TIME TO FIND APPROPRIATE HOUSING BEFORE THEY MAY BE EVICTED."

Offered by: Senators Chun Oakland, Fukunaga, Galuteria, Hooser, Ihara.

S.R. No. 23 "SENATE RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS."

Offered by: Senators Ihara, Chun Oakland, Baker, Galuteria, Hooser, Sakamoto, Takamine.

S.R. No. 24 "SENATE RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING."

Offered by:	Senators Ihara, Baker, Chun Oakland, Hemmings, Hooser, Takamine.	S.B. No. 2160	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.R. No. 25	“SENATE RESOLUTION AMENDING THE RULES OF THE SENATE OF THE TWENTY-FIFTH LEGISLATURE OF THE STATE OF HAWAII TO FACILITATE PUBLIC PARTICIPATION AND AN OPEN LEGISLATIVE PROCESS.”	S.B. No. 2161	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
Offered by:	Senator Ihara.	S.B. No. 2162	Committee on Health, then to the Committee on Judiciary and Government Operations
S.R. No. 26	“SENATE RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS.”	S.B. No. 2163	Committee on Health, then to the Committee on Commerce and Consumer Protection
Offered by:	Senators Kidani, Baker, Chun Oakland, Hooser, Galuteria, Hanabusa, Kim, Sakamoto.	S.B. No. 2164	Committee on Commerce and Consumer Protection

**ORDER OF THE DAY**

**THIRD READING**

H.B. No. 444, H.D. 1, S.D. 1:		S.B. No. 2165	Committee on Commerce and Consumer Protection
By unanimous consent, H.B. No. 444, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL UNIONS,” was placed on the calendar for Third Reading on Friday, January 22, 2010.		S.B. No. 2166	Committee on Labor
		S.B. No. 2167	Committee on Labor, then to the Committee on Judiciary and Government Operations
		S.B. No. 2168	Committee on Judiciary and Government Operations

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 20, 2010.

S.B. No.:	Referred to:	S.B. No. 2169	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2148	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2170	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2149	Committee on Judiciary and Government Operations	S.B. No. 2171	Committee on Judiciary and Government Operations
S.B. No. 2150	Committee on Judiciary and Government Operations	S.B. No. 2172	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2151	Committee on Judiciary and Government Operations	S.B. No. 2173	Committee on Ways and Means
S.B. No. 2152	Committee on Judiciary and Government Operations	S.B. No. 2174	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Labor
S.B. No. 2153	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2175	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Labor
S.B. No. 2154	Committee on Judiciary and Government Operations	S.B. No. 2176	Jointly to the Committee on Labor and the Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2155	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2177	Committee on Transportation, International and Intergovernmental Affairs
S.B. No. 2156	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2178	Committee on Transportation, International and Intergovernmental Affairs
S.B. No. 2157	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2179	Committee on Transportation, International and Intergovernmental Affairs
S.B. No. 2158	Committee on Judiciary and Government Operations		
S.B. No. 2159	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means		

- S.B. No. 2180 Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
- S.B. No. 2181 Committee on Judiciary and Government Operations
- S.B. No. 2182 Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
- S.B. No. 2183 Committee on Judiciary and Government Operations
- S.B. No. 2184 Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology
- S.B. No. 2185 Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
- S.B. No. 2186 Jointly to the Committee on Higher Education and the Committee on Tourism, then to the Committee on Ways and Means
- S.B. No. 2187 Committee on Tourism, then to the Committee on Judiciary and Government Operations
- S.B. No. 2188 Committee on Health, then to the Committee on Commerce and Consumer Protection
- S.B. No. 2189 Committee on Judiciary and Government Operations
- S.B. No. 2190 Committee on Judiciary and Government Operations
- S.B. No. 2191 Committee on Judiciary and Government Operations
- S.B. No. 2192 Committee on Judiciary and Government Operations
- S.B. No. 2193 Committee on Judiciary and Government Operations
- S.B. No. 2194 Committee on Judiciary and Government Operations
- S.B. No. 2195 Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
- S.B. No. 2196 Committee on Judiciary and Government Operations
- S.B. No. 2197 Committee on Judiciary and Government Operations

At this time, Senator Hee rose on a point of personal privilege and said:

“I got an e-mail yesterday and I wanted to precede the Senate Majority Floor Leader on his wise saying of the day. Without your help this could not have been brought to the fullness, because in my discussion with you I learned that ‘Hanabusa’ is ‘a cluster of flowers’. Because you told me that today, when I see you there, I see a cluster of flowers; and I wanted to personally pass this on to all my members when they look at you to envision a cluster of flowers.

“The saying for today, members, is ‘*hana yori dango*.’ Let me share with you what it means. This was said years ago by Tony Kunimura in the House chambers during a challenging time in the Legislature—although I guess some of you may suggest not quite as challenging as today. But literally, what Tony meant was, ‘dumplings over flowers,’ flowers being ‘*hana*’ as in ‘Hanabusa’. And what he meant was that in times like these, it is better to be practical (as in ‘*hana yori dango*,’ dumplings before flowers) than to be aesthetically pleasing—not knowing that you would be the Senate President, of course. The phrase for today is: ‘*hana yori dango*’—dumplings over flowers. Thank you.”

**ADJOURNMENT**

At 11:59 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, January 22, 2010.

**MISCELLANEOUS COMMUNICATION**

The following communication (Misc. Com. No. 1) was read by the Clerk and was placed on file:

Misc. Com. No. 1, dated January 20, 2010, transmitting the Report of the Task Force on Reinventing Government, prepared by the Legislative Reference Bureau pursuant to H.C.R. No. 76 (2009).

## THIRD DAY

Friday, January 22, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:43 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Marvin Nitta, Office of the Honorable Robert Bunda, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Second Day.

At this time, the following introductions were made to the members of the Senate:

Senators Hemmings, Baker, Green, Gabbard, Tsutsui, Galuteria, Nishihara, Kidani, Hooser, Sakamoto, Tokuda, Chun Oakland, and Kokubun introduced the following student shadows: Shahlo Tohirova, Tajikistan; Selbi Akmyradova, Turkmenistan; Zaky Mekkioui, Morocco; Zakaria Rami, Morocco; Anna Ivanova, Russia; Al-Gassim Mohammad Sharaf Addin, Yemen; Baher Nabil Fouad Abusada, Palestine; Abdul Kareem Fanni, Jordan; Lyubov Malysheva, Ukraine; Yuliya Zatula, Ukraine; Maan Kerbaj, Lebanon; Zhasmena Asoyan, Armenia; Liliya Semenova, Russia; and Rahim Dad, Pakistan.

Senator Slom introduced a class of 10<sup>th</sup> graders from Honolulu Waldorf School and their instructor Shanti McCarter.

Senator Galuteria introduced Hawaiian Homelands homestead leaders from the islands of Moloka'i, Hawai'i, Kaula'i, Maui, and O'ahu, who were attending the "Your Community at the Capitol" workshop.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 153 to 157) were read by the Clerk and were placed on file:

Gov. Msg. No. 153, dated January 11, 2010, transmitting the Annual Report of the Hawaii Labor Relations Board pursuant to Section 89-5, HRS.

Gov. Msg. No. 154, dated January 19, 2010, transmitting the Annual Report of the Hoisting Machine Operators Advisory Board, prepared by the Department of Labor and Industrial Relations, Hoisting Machine Operators Advisory Board, pursuant to Section 396-20, HRS.

Gov. Msg. No. 155, dated January 20, 2010, transmitting the Department of Labor and Industrial Relations' reports on the following non-general fund information: Employment and Training Fund; Premium Supplementation Fund; Special Compensation Fund; Special Fund for Temporary Disability Benefits; Unemployment Insurance Trust Fund; and Special Unemployment Insurance Administration Fund.

Gov. Msg. No. 156, dated January 20, 2010, transmitting the Department of the Attorney General's Report on Goals and Objectives, pursuant to Act 100, SLH 1999, as amended by Act 154, SLH 2005.

Gov. Msg. No. 157, dated January 22, 2010, transmitting the report, "Lead By Example; State of Hawaii Agencies' Energy Initiatives; FY 2008-2009," prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96, SLH 2006.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 62) was read by the Clerk and was placed on file:

Dept. Com. No. 62, from the University of Hawaii, dated January 20, 2010, transmitting a Report on the Feasibility of Establishing a Farm to School Program in Hawaii's Public Schools, pursuant to S.C.R. No. 121 (2009).

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 3 and 4) were read by the Clerk and were placed on file:

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 21, 2010.

Hse. Com. No. 4, returning S.C.R. No. 2, which was adopted by the House of Representatives on January 21, 2010.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committee or deferred:

Referred

S.B. No. 2334 "A BILL FOR AN ACT RELATING TO RESIDENT MANAGERS."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.B. No. 2335 "A BILL FOR AN ACT RELATING TO MILITARY AND OVERSEAS CIVILIAN ABSENTEE VOTERS."

Introduced by: Senator Hanabusa, by request.

Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means

S.B. No. 2336 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Baker, Chun Oakland, English, Espero, Fukunaga, Green, Ige, Ihara, Nishihara, Sakamoto, Tokuda, Tsutsui, Galuteria, Hooser, Kidani, Takamine, Taniguchi.

Referred to: Committee on Education and Housing, then to the Committee on Ways and Means

S.B. No. 2337 "A BILL FOR AN ACT RELATING TO RECREATIONAL ACTIVITIES."

Introduced by: Senators Baker, English, Fukunaga, Gabbard, Hee, Ige, Ihara, Nishihara, Sakamoto, Takamine, Taniguchi, Tsutsui.

Referred to: Committee on Judiciary and Government Operations

S.B. No. 2338 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND SENATORIAL DISTRICT."

Introduced by: Senator Kokubun.

<p>S.B. No. 2339</p> <p>Referred to: Committee on Ways and Means</p> <p>Introduced by: Senators Takamine, Chun Oakland, English, Gabbard, Galuteria, Hee, Ihara, Nishihara, Taniguchi, Tokuda.</p> <p>Referred to: Committee on Labor</p> <p>S.B. No. 2340</p> <p>Introduced by: Senators Tokuda, Fukunaga, Kokubun, Sakamoto, Takamine.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs</p> <p>S.B. No. 2341</p> <p>Introduced by: Senators Baker, Chun Oakland, Kidani, Tokuda.</p> <p>Referred to: Jointly to the Committee on Human Services and the Committee on Labor</p> <p>S.B. No. 2342</p> <p>Introduced by: Senators Espero, Kidani, Bunda, English, Gabbard, Galuteria, Hemmings.</p> <p>Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2343</p> <p>Introduced by: Senators Green, Baker, Espero, Ige.</p> <p>Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2344</p> <p>Introduced by: Senators Green, Chun Oakland, Espero, Hee, Hemmings, Ige.</p> <p>Referred to: Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p> <p>S.B. No. 2345</p> <p>Introduced by: Senators Green, Espero, Chun Oakland, Hee, Hemmings, Ige.</p> <p>Referred to: Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>S.B. No. 2346</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing</p> <p>S.B. No. 2347</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2348</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p> <p>S.B. No. 2349</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2350</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2351</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2352</p> <p>Introduced by: Senator Sakamoto.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2353</p> <p>Introduced by: Senator Bunda.</p> <p>Referred to: Committee on Judiciary and Government Operations</p> <p>S.B. No. 2354</p>	<p>“A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD.”</p> <p>“A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.”</p> <p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p> <p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p> <p>“A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES.”</p> <p>“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION.”</p> <p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p> <p>“A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION FUNDS.”</p> <p>“A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE WHILE INTOXICATED.”</p> <p>“A BILL FOR AN ACT RELATING TO DESECRATION.”</p> <p>“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF</p>
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	THE NINETEENTH SENATORIAL DISTRICT.”	Introduced by:	Senators Gabbard, Baker, Chun Oakland, Fukunaga, Hee, Hemmings, Kokubun.
Introduced by:	Senator Gabbard.	Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Government Operations
S.B. No. 2355	“A BILL FOR AN ACT RELATING TO DIGITAL MEDIA.”	S.B. No. 2362	“A BILL FOR AN ACT RELATING TO CONSERVATION OUTREACH.”
Introduced by:	Senators Gabbard, Bunda, Chun Oakland, Espero, Hanabusa, Ige, Kidani, Nishihara, Sakamoto.	Introduced by:	Senators Gabbard, Chun Oakland, Kidani, Espero, Galuteria.
Referred to:	Jointly to the Committee on Economic Development and Technology and the Committee on Higher Education, then to the Committee on Ways and Means	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2356	“A BILL FOR AN ACT RELATING TO LEAF BLOWERS.”	S.B. No. 2363	“A BILL FOR AN ACT RELATING TO CONSERVATION OUTREACH.”
Introduced by:	Senators Gabbard, Baker, Bunda, Chun Oakland, Galuteria, Green, Kidani, Tokuda.	Introduced by:	Senators Gabbard, Chun Oakland, Kidani, Espero, Galuteria, Sakamoto, Tsutsui.
Referred to:	Committee on Energy and Environment, then to the Committee on Judiciary and Government Operations	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2357	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	S.B. No. 2364	“A BILL FOR AN ACT RELATING TO INSURANCE FRAUD.”
Introduced by:	Senators Gabbard, Chun Oakland, Espero, Fukunaga, Hee, Ige, Ihara, Sakamoto, Takamine, Tokuda.	Introduced by:	Senators Gabbard, Bunda, Espero, Hemmings, Nishihara.
Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.B. No. 2358	“A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES.”	S.B. No. 2365	“A BILL FOR AN ACT RELATING TO CONSUMER FIREWORKS.”
Introduced by:	Senators Gabbard, Chun Oakland, Green, Bunda, Fukunaga, Hemmings, Nishihara, Sakamoto.	Introduced by:	Senator Gabbard.
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2359	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”	S.B. No. 2366	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
Introduced by:	Senators Gabbard, Bunda, Fukunaga, Hee, Hemmings, Nishihara.	Introduced by:	Senator Taniguchi.
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2360	“A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.”	S.B. No. 2367	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TENTH SENATORIAL DISTRICT.”
Introduced by:	Senators Gabbard, English, Baker, Hemmings.	Introduced by:	Senator Taniguchi.
Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means	Referred to:	Committee on Ways and Means
S.B. No. 2361	“A BILL FOR AN ACT RELATING TO WASTE STREAM REDUCTION.”	S.B. No. 2368	“A BILL FOR AN ACT RELATING TO CHILD VISITATION.”

Introduced by:	Senator Taniguchi, by request.	S.B. No. 2376	“A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES.”
Referred to:	Committee on Human Services, then to the Committee on Judiciary and Government Operations	Introduced by:	Senator Baker, by request.
S.B. No. 2369	“A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE.”	Referred to:	Committee on Commerce and Consumer Protection
Introduced by:	Senator Bunda.	S.B. No. 2377	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH SENATORIAL DISTRICT.”
Referred to:	Jointly to the Committee on Labor and the Committee on Human Services, then to the Committee on Judiciary and Government Operations	Introduced by:	Senator Fukunaga.
S.B. No. 2370	“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”	Referred to:	Committee on Ways and Means
Introduced by:	Senator Hanabusa.	<u>Deferred</u>	
Referred to:	Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2378	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”
S.B. No. 2371	“A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE.”	Introduced by:	Senators Hee, Green, Chun Oakland, English, Galuteria, Hooser, Kidani, Kokubun, Takamine, Tokuda, Tsutsui.
Introduced by:	Senators Baker, Espero, Ige, Ihara, Nishihara.	S.B. No. 2379	“A BILL FOR AN ACT RELATING TO THE STATE BUDGET.”
Referred to:	Committee on Health, then to the Committee on Commerce and Consumer Protection	Introduced by:	Senators Ige, Baker, Chun Oakland, Espero, Nishihara, Tokuda, Fukunaga, Hemmings.
S.B. No. 2372	“A BILL FOR AN ACT RELATING TO SUNRISE REVIEWS.”	S.B. No. 2380	“A BILL FOR AN ACT RELATING TO BOTTLED WATER.”
Introduced by:	Senators Baker, Chun Oakland, Espero, Green, Ige, Ihara, Nishihara, Sakamoto, Tokuda, Tsutsui.	Introduced by:	Senators Ige, Chun Oakland, Baker, English, Espero, Fukunaga, Hemmings, Tokuda.
Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2381	“A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED.”
S.B. No. 2373	“A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES.”	Introduced by:	Senator Ige, by request.
Introduced by:	Senators Baker, Espero, Fukunaga, Green, Ige, Ihara.	S.B. No. 2382	“A BILL FOR AN ACT RELATING TO PREMATURE INFANT HEALTH CARE.”
Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	Introduced by:	Senators Ige, Baker, Chun Oakland, Espero, Hemmings.
S.B. No. 2374	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2383	“A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS.”
Introduced by:	Senators Baker, Chun Oakland, Espero, Kidani, Nishihara, Sakamoto, English, Fukunaga, Hee, Taniguchi.	Introduced by:	Senators Takamine, Bunda, Hee, Taniguchi.
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2384	“A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON SERVICE CONTRACTS.”
S.B. No. 2375	“A BILL FOR AN ACT RELATING TO HIGHWAYS.”	Introduced by:	Senators Takamine, Bunda, Hee, Taniguchi, Tokuda.
Introduced by:	Senators Baker, English, Espero, Gabbard, Nishihara, Tsutsui.	S.B. No. 2385	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Referred to:	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	Introduced by:	Senators Tokuda, Baker, Chun Oakland, English, Ige, Tsutsui, Kokubun, Takamine.
		S.B. No. 2386	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS

	PROGRAM PROJECT ASSESSMENT SPECIAL FUND.”		Nishihara, Sakamoto, Takamine, Tokuda, Tsutsui.
Introduced by:	Senators Tokuda, Baker, Chun Oakland, English, Tsutsui, Espero, Ige, Kokubun, Takamine.	S.B. No. 2397	“A BILL FOR AN ACT RELATING TO SALARY AND PENSION PAYMENTS.”
S.B. No. 2387	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	Introduced by:	Senators Kim, Chun Oakland, English, Galuteria, Kidani, Bunda, Espero, Hanabusa, Hee, Hooser, Kokubun, Nishihara, Sakamoto, Takamine, Taniguchi.
Introduced by:	Senators Tokuda, Baker, Chun Oakland, English, Tsutsui, Espero, Ige, Kokubun, Sakamoto, Takamine.	S.B. No. 2398	“A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.”
S.B. No. 2388	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	Introduced by:	Senator Kim.
Introduced by:	Senators Tokuda, Baker, Chun Oakland, Espero, Ige, Tsutsui, English, Kokubun, Takamine.	S.B. No. 2399	“A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS.”
S.B. No. 2389	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	Introduced by:	Senator Kim.
Introduced by:	Senators Tokuda, Baker, Chun Oakland, English, Espero, Ige, Tsutsui, Kokubun, Takamine.	S.B. No. 2400	“A BILL FOR AN ACT RELATING TO FUNDS.”
S.B. No. 2390	“A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE.”	Introduced by:	Senator Kim.
Introduced by:	Senators Tokuda, Sakamoto, Baker, Chun Oakland, English, Espero, Green, Ige, Kokubun, Takamine, Taniguchi.	S.B. No. 2401	“A BILL FOR AN ACT RELATING TO STATE FINANCES.”
S.B. No. 2391	“A BILL FOR AN ACT RELATING TO STATE FINANCES.”	Introduced by:	Senator Kim.
Introduced by:	Senators Hanabusa, Hee, Kim.	S.B. No. 2402	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2392	“A BILL FOR AN ACT RELATING TO FAMILY LEAVE INSURANCE.”	Introduced by:	Senator Kim.
Introduced by:	Senators Takamine, Baker, Chun Oakland, Fukunaga, Hee, Ihara, Kidani, Tokuda.	S.B. No. 2403	“A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS.”
S.B. No. 2393	“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.”	Introduced by:	Senator Kim.
Introduced by:	Senators Takamine, Chun Oakland, Kidani, Tokuda, Tsutsui, Sakamoto, Taniguchi.	<b>SENATE CONCURRENT RESOLUTIONS</b>	
S.B. No. 2394	“A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN.”	The following concurrent resolutions (S.C.R. Nos. 39 to 43) were read by the Clerk and were deferred:	
Introduced by:	Senators Takamine, Chun Oakland, Kidani, Fukunaga, Sakamoto, Taniguchi, Tokuda, Tsutsui.	S.C.R. No. 39	“SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGISTRATION OF RESIDENT MANAGERS.”
S.B. No. 2395	“A BILL FOR AN ACT RELATING TO THE BUDGET.”	Offered by:	Senator Hanabusa, by request.
Introduced by:	Senators Kim, Galuteria, Hooser, Kidani, Bunda, Chun Oakland, English, Espero, Hanabusa, Hee, Kokubun, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda, Tsutsui.	S.C.R. No. 40	“SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ENFORCEMENT OF EXISTING OSHA REGULATIONS ON THE USE OF HEXAVALENT CHROMIUM AND URGING OSHA TO DEVELOP SAFER ALTERNATIVES AND BAN HEXAVALENT CHROMIUM.”
S.B. No. 2396	“A BILL FOR AN ACT RELATING TO ELECTIONS.”	Offered by:	Senators Baker, Chun Oakland, English, Gabbard, Bunda, Espero, Fukunaga, Green, Hee, Hooser, Ige, Ihara, Kidani, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda.
Introduced by:	Senators Kim, Espero, Hooser, Kidani, Bunda, Chun Oakland, English, Galuteria, Hanabusa, Hee, Kokubun,	S.C.R. No. 41	“SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES.”

Offered by: Senators Baker, English, Espero, Green, Ige, Ihara, Sakamoto, Tsutsui.

S.C.R. No. 42 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES."

Offered by: Senators Green, Baker, Espero, Ige.

S.C.R. No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY."

Offered by: Senators Bunda, Baker, Fukunaga.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 27 and 28) were read by the Clerk and were deferred:

S.R. No. 27 "SENATE RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES."

Offered by: Senators Green, Baker, Ige, Espero.

S.R. No. 28 "SENATE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY."

Offered by: Senators Bunda, Baker, Fukunaga.

At 12:07 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 p.m.

#### ORDER OF THE DAY

##### THIRD READING

H.B. No. 444, H.D. 1, S.D. 1:

Senator Ihara moved that H.B. No. 444, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Kidani.

Senator Kidani then offered the following amendment (Floor Amendment No. 1) to H.B. No. 444, H.D. 1, S.D. 1:

"SECTION 1: House Bill No. 444, H.D. 1, S.D. 1, is amended by amending Section 7 to read as follows:

"SECTION 7. This Act shall take effect on January 1, 2011."

Senator Kidani moved that Floor Amendment No. 1 be adopted, seconded by Senator Ihara.

Senator Kidani rose to speak in support of the amendment as follows:

"The floor amendment is a simple technical amendment which changes the effective date from January 1, 2010 to January 1, 2011. In a letter to Senator Ihara dated November 25, 2009, the Attorney General opined that if the bill passes with the current date, it would create administrative problems for the Department of Health. The date change would give the Department more time to develop the necessary forms. Thank you."

Senator Ihara rose to speak in support of the amendment as follows:

"I am one of the co-sponsors of this floor amendment that would correct the unintended effective date of the civil unions bill. I am also the requestor of two legal opinions from the

Legislative Reference Bureau and the State Attorney General regarding the effective date.

"Colleagues, the amendment is intended to address an inadvertent error in the date House Bill 444 would become effective if passed. Last May, in the rush of preparing the floor amendment adopted as Senate draft 1, the effective date was not changed as it would've been had there been more time. The January 1, 2010 effective date of the original bill would have allowed six months for State agencies to prepare for the implementation of a civil unions law. By pushing back legislative action on House Bill 444 to one year later, the January 2010 effective date makes the civil unions rights retroactive. The Attorney General advised—and I quote—'While HRS Section 1-3 provides that no law has any retroactive operation, unless otherwise expressed or obviously intended, it would appear that when the Legislature enacts a bill with an obvious effective date that precedes the date the bill is passed, such a bill would be interpreted to be retroactive.' Both Attorney General and LRB opinions cite the potential of lawsuits and legal challenges that would require a court to determine when civil union rights took effect. 'However, the retroactive date does not make the bill invalid,' said the Attorney General. And LRB agrees, stating the retroactive effective date is not in itself fatal to the measure. The January 1, 2010 effective date is flawed, but I agree not fatally so.

"So far, so good; and if this was all the advice given, we probably wouldn't be discussing this floor amendment today. But a curious thing appeared in the Attorney General's opinion. He provided some unsolicited advice on reasons the effective date might be changed to avoid a veto. I did not ask for advice regarding the veto, suggest any concern or hint at any interest in reasons for a veto, but surprisingly the Attorney General said my concern was that the effective date might make the bill invalid (which it does not) and—and this is the unsolicited part—that the bill might otherwise be subject to a veto by the Governor. But I only asked the Attorney General for, I quote, 'a legal opinion on whether it is necessary for the effective date to be amended to a date later than the current date of January 1, 2010.' The AG opinion said, 'If this bill is passed with the effective date of January 1, 2010, there will be administrative problems.' Continuing, he advised that the Department of Health would face and civil union ceremonies would probably not be available until the Department had developed the forms and procedures for obtaining civil union licenses. The second problem is that forms, procedures, and probably rules would need to be developed and adopted to license persons to perform civil unions. This is because House Bill 444 does not automatically authorize people who perform marriages to perform civil unions. An actual license would need to be obtained after an administrative system was put in place. The original bill would have provided six months to do this, but the current draft does not.

"This floor amendment would not be necessary if we were not concerned about a veto or were prepared to override a veto based on the flawed effective date. However, once the Attorney General's advice was given to suggest possible correction of an effective date, I feel obligated to suggest the correction or face a possible veto.

"I feel compelled to propose and support this floor amendment because I seek to get a civil unions bill enacted this session to end discrimination against committed same-sex couples. It would be difficult for my integrity if I failed to consider the Attorney General's advice, and the Governor did indeed veto the bill for reasons cited by the Attorney General. I hope the Governor does not veto the bill for these reasons, but if she does there still is another way to address the situation, and

that is for the Senate and House to override a veto on this technical effective date.

“Administrative problems in the civil unions law can be addressed and solved by passing this amendment, but not a veto that is not overridden. So if we choose not to make this technical amendment, then I would encourage the Senate and the House to override a possible veto if given for these reasons. Thank you, Madam President, and I would like to request a Roll Call vote. (The Chair so ordered.)”

Senator Kokubun rose to speak in opposition to the amendment as follows:

“I’m not an attorney—let me start off by saying that—but I think the Attorney General opinion that was sought based on the question that was asked is very clear. Essentially, the Attorney General is saying that H.B. No. 444, S.D. 1 would not be invalid because its effective date precedes the date that the bill becomes law. Such legislation is often referred to as ‘retroactive’ or ‘retrospective’ legislation. There have been a number of examples, I think, of legislation that we have passed that have a retroactive application to that. At this point in the discussion, I believe it’s important for us to consider the bill. I think the action by the Senate should be to move the bill to the House, and I don’t believe, based on the Attorney General opinion, that there is a need to further delay the movement of the bill to the House. So I would ask my colleagues and encourage them to not approve this amendment. Thank you.”

Senator Slom rose to speak in opposition to the amendment as follows:

“I, too, am also looking forward to the full debate on the full measure. But in between time, I notice that we continue the headlong rush to pass this political legislation, and the inadvertent error really is the entire bill, not just the floor amendment. To not seek and don’t care about the advice given by the Attorney General is just one more statement that has been made. No one has sought the public’s input nor the Attorney General’s, and so we are again putting this particular measure in front of education, in front of our economy, in front of jobs in order to satisfy one particular part of our civilization here. So I urge a ‘no’ vote. Thank you.”

At this time, the Chair addressed the audience seated in the gallery as follows:

“Members of the public, it is important for the Senators to hear each other in this debate, so we’d like to ask that you refrain from outbursts.”

Senator Hooser rose to speak in support of the amendment as follows:

“To the contrary, I believe there’s been much public discussion on the issue, without question, over the past year and a half or more. This is an important issue. The amendment is an important part of that issue, and I believe that we need to do the people’s work and expeditiously move this issue forward successfully and into law. And the reason I’m supporting the amendment, Madam President and colleagues, is because I wholeheartedly support the underlying measure of providing equal rights to all people, and this amendment strengthens the measure. To me it’s fairly simple: This amendment strengthens the measure. And I will limit my comments to that and ask that the comments of the Majority Policy Leader, who is also in support—if those comments could be inserted into the record as if they were my own. (The Chair so ordered, by reference only.) Thank you.”

The motion to adopt Floor Amendment No. 1 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Bunda, Espero, Gabbard, Hanabusa, Hee, Hemmings, Kim, Kokubun, Nishihara, Sakamoto, Slom, Takamine, Taniguchi, Tokuda, Tsutsui)

The Chair then said:

“If there are no objections from the members, we will be taking Third Reading on consent. The Chair will, however, call for a short recess at this time.”

At 12:26 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 p.m.

The Chair then said:

“Is there any discussion? No discussion? Members, shall we vote?”

Senator Slom rose to speak in opposition to the measure as follows:

“You know, we have had hearings and we have had votes, and all the votes have been in opposition to this bill. And yet we’re still having votes and we’re still having this bill once again. In fact, the Senate had the longest hearing on record last year—18 hours plus straight through in the Auditorium. We had more than 1500 people that signed up; we had more than 500 people that actually testified. We had every point of view presented; and then we had a vote and the vote did not pass the bill. But yet here we are again, first thing in this legislative session. And I say again, Madam President, if indeed everybody says that they’re concerned about furloughs and about instructional days and getting our kids back to school, that’s what we should be doing. If they’re concerned about their civil rights as it relates to economics and their standard of living, then we should be debating economic issues and health issues and transportation issues and—the list is endless. But instead, we’re debating House Bill 444 yet again.

“And what is new? What has changed? Nothing has changed except the political pressure to pass this piece of legislation. I don’t view it as civil rights; I view it at best as civil license. We can talk about rights and we can talk about privileges and we can talk about equality. The fact of the matter is very few states have changed their position on traditional marriage. Very few courts have changed their position on traditional marriage. Twelve years ago—nine years ago now—the people of Hawai’i voted on traditional marriage. Overwhelmingly, they supported marriage, by a vote, that was between a man and a woman. All right, if we want to discuss this further then that’s the proper venue—to vote on it, to let the people vote. These stacks of e-mails are just recent e-mails in opposition to passing H.B. No. 444 from my constituents. I have today introduced a bill proposing an amendment to Article I of the Constitution of the State of Hawai’i. If people once again want to vote, the question is, ‘Marriage shall be reserved to opposite-sex couples. Yes or no?’ It’s as simple as that. But I think that our time in this legislative body and the deliberation should be reserved for those issues that we should be involved in. And let me tell you again, as I’ve said many, many times publicly and privately over the years: If I had my druthers, and if you want to propose such a bill, my belief is that the Legislature should not be involved in as many issues as it is right now, in social issues and in the control of individual lives. So if we want to truly say that people have the right to do whatever they want to do, take the government out of their daily lives and let them make their own decisions.

“However, unless and until we do that, we are faced with a decision. And there are many fine people up in the gallery of both sides of this particular issue, and I respect them for their particular advocacy. I’m very happy that we have a gallery

today because there's nothing worse than us debating important issues and nobody here to see them or to hear them. I'm also very happy that we have so many young people here to witness this as well. I just hope that these folks come back when we debate trying to raise their taxes, trying to limit what they do even more.

"In the meantime, my opposition is that this bill really would replace what traditional marriage is. We've tried over the years to try to make sure that people did have additional benefits. We passed a very extensive reciprocal beneficiaries bill, and I agree that it is not perfect. But it would seem that the reasonable and rational thing would be to make the amendments to that law, to make those changes that are required rather than trying to wholesale, make a change, to call people traditional marriage individuals, and to ignore those people that in fact are traditional marriage couples.

"Does this really have to do with civil rights? If you talk to people, the answer is a clear 'no.' The issue has to do with money and benefits and trying to be like another group. Madam President, I am truly sorry that within our community over the last couple of years we have pieces of legislation that have been more divisive than bringing people together—such as this bill, such as the Akaka bill, such as others that try to tear people apart and to categorize them by race or color or sexual orientation. We started out this session about an hour and a half ago, and everybody was in a good mood and we were welcoming our guests from around the world. We need to get back to that; we need to get back to the business at hand, and I think we can do that best by not supporting H.B. No. 444. I call for a Roll Call vote, Madam President. (The Chair so ordered.) Thank you."

At this time, the Chair addressed the audience seated in the gallery as follows:

"Members of the public, again, you're here to listen to the debate as we are. Outbursts like that prevents us in here from hearing our colleagues."

Senator Baker rose to speak in support of the measure as follows:

"You know, Madam President, colleagues, one of the best things about our country is the right to hold differing opinions as well as the guarantee of the separation of church and state. And I would ask people in the gallery who might agree with what I'm going to say to please reserve your comments, out of respect to the presiding officer and the other members. Please don't applaud, don't have any outbursts because this is really a very serious debate and I think it has to be, at the moment at least, a debate among our colleagues.

"I remember reading in history books—fortunately I'm not quite that old—about the time when women didn't have the right to vote, when blacks were considered property, not even human. They were chattel—items to be bartered or sold; they were not considered equal with everyone else. I remember a time in our history when if you weren't of a certain race you couldn't marry someone else. Those times are past, and I think the debate in those days on those issues may have been as emotional and as divisive as some of our current debates, but that doesn't mean that we shouldn't have them and we shouldn't try to determine in our best judgment what is equality under the law. And that, Madam President and colleagues, equality under the law is really what compels me to rise in support of this measure, because for me it is about equal treatment. It is about how the law views various relationships and how the law views the kinds of rights that individuals are treated who may look at things differently than we do.

"I see nothing in this measure that denies, hurts, or harms traditional marriage. I see nothing that takes away from those

values or tells other people you can't have a traditional marriage. What I see is an acknowledgement that there are all kinds of families, that there are all kinds of committed relationships, and all of those deserve to be treated equally under the law, and that we need to respect others. We need to respect those that may look at things differently than we do. For me, that's what the Aloha State is about, that's what our Constitution requires us to do, and that's why I stand in support of this measure. Thank you, Madam President."

Senator Sakamoto rose to speak in opposition to the measure as follows:

"In 1998, as mentioned, the people did vote and the numbers were 70 percent supportive of traditional marriage. Most recently, my understanding is that in a poll several months ago, 66 percent of people again said, that they were opposed or strongly opposed to H.B. No. 444. The issue to me is that we represent the people. We don't poll them on every issue but on issues as important as this, as a representative of the community, I'm not supportive of moving this measure forward.

"There are people who argue different things. I heard one man say, 'I've seen former poor people. I've seen former rich people. I've seen former straight people. I've seen former gay people.' He was a black man and he said, 'I've never seen a former black person.' So there are some things that are changeable and there are some things that are not. And at this point, the polls have supported the position of people not in favor and there may be a year when people believe differently, but, for myself at this point, I'm in opposition, Madam President, and ask my colleagues to oppose the bill as well."

Senator Hooser rose to speak in support of the measure as follows:

"Madam President, colleagues, you know, this has been a long path, but today is the day. After much discussion, many vigils, many protests, today's the day the Senate will finally vote on the substance and core of this issue. To me, that's an issue of equality, an issue of the obligation of government to treat all people equally under the law. It's as simple as that. This week, as we honor Dr. Martin Luther King, Jr., I see this as a step, a step down that path, and we have many more steps to take but this is an important step down the path of providing equality and justice for people in our community. And I for one to do not take this step out of fear or intimidation. I'm not cowered by this step; I'm proud to take this step. I think we all should be proud and stand tall that we're willing to reaffirm our core beliefs that all people—rich or poor, black or white, regardless of religion or ethnicity, man or woman, gay or straight—all people deserve to be treated equally with the same respect, the same freedoms, the same dignity, and the same rights and benefits under the law. Hopefully, the message that comes out of this body today will be a strong, loud, and clear message with 16, 17, 18, possibly 19 of us voting in support. Today's an opportunity, Madam President, members, an opportunity to reaffirm that our home, our community, and our state is perhaps different from a lot of the other states; that our state is a state that honors diversity, that promotes tolerance, that truly understands and lives the values of love and aloha, and believes and supports fundamentally the value of equality. I encourage members to vote in support. Thank you, Madam President."

Senator Green rose to speak in support of the measure as follows:

"Thank you, Madam President; I'll be very brief. This is in support of the bill. As you know, I spend just as much time in another profession as I do here with us at the Senate; I spend time as an emergency room physician. And two moments over

the past ten years stand out in my mind in Hawai'i, on the Big Island. About five years ago, I was taking care of a young man who had been severely beaten to near death, and the fight was because he was gay. He was being discriminated against; it was a tragedy. He lived, and he lives in fear because people think of him as someone different. I can tell you, in every way, shape, and form, he was just like me or my Chairman of Health, Senator Ige, or Suzie, or you and anyone up in that audience. That poor gentleman almost died because people thought he was different simply because he was gay.

"Then just two years ago, I took care of another young gentleman in the emergency department in another part of the state who tried to kill himself with a drug overdose. And when he came out of his coma and I was there with him, I asked him why a very nice young man, extremely well-educated from the Ivy League, and again it was because he faced discrimination because he was gay.

"Now, that's not the entirety of this bill but I do want people to think if they oppose this bill in the House of Representatives here in Hawai'i, I'd like them to consider the impact of not treating each one of us as brothers and sisters and equally because if we continue to discriminate—and I mean separate one from another—and think of people who are gay or lesbian as different, we're going to continue to see that kind of event, whether it's someone being hurt or someone hurting themselves. And so I would ask everyone in the audience today, for or against this issue, to consider those two events that are very real and anyone in the House of Representatives who would consider running away from this vote or finding some new excuse because it's an election year, that they consider the impact of not treating everyone with respect and kindness and full consideration of the impact on their lives for this kind of bill. Thank you, Madam Chair."

Senator Hemmings rose to speak in opposition to the measure as follows:

"This is democracy at its best, Madam President. This is when duly elected people come to the floor of this legislature, not with a populous mandate one way or another, but with the values and the beliefs we hold dear to us coupled with a devotion to our electorate, to the principles of the Constitution, and of course to the laws. There are many arguments that have been put forth in favor of this bill today, and some of them were anecdotal. I, too, sympathize with anyone who has been violated, for any reason of discrimination. I know a State Senator that was assaulted, physically assaulted, because he was against this bill. So I think there are cases of abuse in many forms throughout our community; so anecdotal evidence is just that—anecdotal.

"It was mentioned about the separation of church and state: Thomas Jefferson and his famous letter to the clergy of Danbury, Connecticut talked about it, and obviously the Founding Fathers wanted to establish a government that would not morph into a theocracy. We know how terrible theocracies can be. But it's important to note that the First Amendment does protect 'We the People' from theocracies, but it also protects those of us who have core beliefs that are found in the roots of our religion and our moral beliefs to bring those beliefs to the table in discussing public policy. I exercise my First Amendment right to the free practice of my religion. I exercise my right to bring my values as based on my heritage and my religion to this floor; and I will respect everyone else to do the same, or in the case of them being an atheist, not. That is what the church-state separation issue is about; it is indeed a two-way street.

"It's important in looking at the Constitution of the United States of America that we clarify what rights are. Unfortunately, we sometimes have activist courts that override

the will of the people. The Constitution is very clear. As we all know, when the Constitution was ratified by the states it did not include a Bill of Rights, and the first Ten Amendments became what is considered the blueprint for all humanity on human rights. Nowhere, nowhere is what we're doing here today mentioned as a right. And I think those of us who oppose this legislation take issue with the misrepresentation of this being a human right, because it is not and it's been judged that way by decisions in other jurisdictions. What we're passing here is a law, a law that could be tested constitutionally, and a law that probably would, if we passed, it pass the Constitutional test. This state wants to make a criterion for licensing available, under other circumstances than marriage between a man and a woman. I believe constitutionally the State would have that right, but that's not for me to determine. My job and your job, colleagues, is to vote today on a law, a law that reflects the values and—heaven forbid—the morals and the will of those people who sent us here, and those people have spoken.

"We're going to make a law or not with this vote. I would suggest to my colleagues, if there are any of you of the 25 of us who do not have your mind made up, to consider it in the context of what we really are doing. We're not voting on a right; and you should be very worried about that because where do you draw the line on rights, if this indeed is a right? Three loving, adoring people get married—why not? It's a right; we all love each other. This isn't about love. This is about government, the laws of the State of Hawai'i, sanctioning a license. Churches—some churches, the Church of England—already sanction gay marriage, and (excuse the metaphor and play on words) God bless them. That's their privilege. But we're not a church; we're making laws.

"I'm urging my colleagues to vote 'no' against this legislation, to stay consistent with values that are recognized in the history of humanity, for values that come right to the foundation of civilization, for values that some bring to this floor via their moral conviction, their religious beliefs, or their secular beliefs, whatever the case may be. But please, colleagues, vote this legislation down because it is not a right and we, the lawmakers of the State of Hawai'i representing the people who sent us here, make the laws according to our own personal judgment and the will of the people, and the people have spoken very strongly on this issue. Madam President, I urge my colleagues to vote 'no' on this legislation."

Senator Kokubun rose to speak in support of the measure as follows:

"Hawai'i has an opportunity to demonstrate both our acceptance of diversity in our community and the value we place on the rights of others. The language of the Senate draft—and I really want all of my colleagues to focus just on the Senate draft—now under consideration leaves no doubts that a civil union is not marriage. Our State Constitution gives the Legislature the sole right to define marriage, and the bill is unequivocal in declaring that 'it is not the legislature's intent to revise the definition or eligibility requirements of marriage.' In other words, marriage will still be marriage reserved for unions of one man and one woman. Civil unions will be a distinct and legally-established alternative.

"Establishing fully-defined civil unions in Hawai'i will also finally and firmly answer a question that has divided our community for too long. It will grant same-sex couples the legal rights they have been seeking. At the same time, by extending benefits to opposite-sex couples, the civil unions law will strengthen traditional marriage by removing it from this acrimonious public debate. The unique value of traditional marriage will be absolutely protected. The current proposal creates a civil union based entirely in the law and conferring strictly legal rights to couples who opt to enter into a civil union. While other states offer similar unions, Hawaii's

proposed law will be the only one that offers a civil unions legal benefits to both same-sex and opposite-sex couples without further limitation. Other states offering civil union benefits to opposite-sex couples place limitations, either on the union or on the rights conferred. In offering civil unions to both same-sex and opposite-sex couples, Hawai'i will demonstrate that civil unions are not a half measure or a form of separate but equal treatment for same-sex couples. Rather, the civil union law creates a new and valuable process for committed couples to enjoy the rights normally provided to married couples while protecting the sanctity of traditional marriage.

"Diversity has long been a hallmark of our island culture, and respect for that diversity has played a large role in creating the rich, thriving community we love. Hawai'i learned long ago that the resilience of our community rests upon a foundation of acceptance of ideas and practices that differ from our own. It's easy to accept those who are like us; unity comes from respecting those who are different. We can show the rest of our nation the path to greater peace by taking this vital step. In preserving traditional marriage while providing a meaningful alternative, Hawai'i can lead the country on a path away from divisiveness and towards solutions that consider all reasonable concerns. The time to act on civil unions has come.

"We have all heard the claims that the Legislature is too busy or that we should be focused on other more pressing issues. There is no issue more important than treating each other with respect, particularly those whose opinions differ from our own. The question is before us, the opportunity is ripe, and the solution is ready. Let's act on this bill today. Thank you."

Senator Kidani rose to speak in support of the measure as follows:

"To deny our gay brothers and sisters a chance at equality is to perpetuate the fear and the bigotry. Our gay brothers and sisters have names, they have loving commitments, and I think they deserve the right to have this bill passed. They also have red blood that runs through their veins, and they have souls. I vote for love. Give love a chance."

Senator Ihara rose to speak in support of the measure as follows:

"This civil union legislation would provide virtually the same legal rights to both opposite-sex and same-sex couples who wish to be committed to each other as a civil union. There are no religious rights, responsibilities, or sacraments provided to same-sex couples in this bill. Discrimination against same-sex couples is no longer acceptable in our society. We must stop denying committed same-sex couples the same legal and civil rights given to opposite-sex couples, and thus we must pass this bill. It would be an honor for me to cast my vote in support of this legislation in order to provide equality for all loving couples in the State. Thank you."

Senator Gabbard rose to speak in opposition to the measure as follows:

"Colleagues, I know many of you have already made up your mind on this issue, but I do feel compelled to make some remarks this morning—now this afternoon.

"As many of you know, I've been involved with the efforts to preserve traditional marriage since the early 1990s. In 1998, 70 percent of Hawai'i voters came together to pass a constitutional amendment to effectively prevent the courts from legalizing same-sex marriage in our state. Presently, there are 31 states across the country who have also passed constitutional amendments, and 42 states who have passed laws protecting traditional marriage.

"I am proud to be involved in this movement, which has brought together people of every religion, race, and ethnicity to uphold the important institution of marriage. This has been a very emotional issue for all of us, and it will continue to be, not just here but nationally and internationally. Why? Marriage is not just a word. It is the foundation, it is the bedrock of our society, it is the cornerstone of civilization, and it impacts every one of our lives. For me and for thousands of our residents, we believe that marriage should remain a sacred institution between one man and one woman.

"Let me be clear: Civil unions is simply another name for same-sex marriage. When you think about it, we don't need a civil unions law here in Hawai'i. Why? Because civil unions already exist. It's called the Marriage Law. Marriage is a civil union. We have a clearly defined law on our books. It's not a religious marriage law; it's a civil marriage law. Those who promote the idea that in addition to the marriage law there should be a civil union law will have to explain that if the marriage law is not a civil union statute, then what is it? A religious union statute? And if so, what is the government doing being involved in religious statutes? Proponents of this bill are accepting the presumption that marriage in Hawai'i is not a civil union; their whole argument is based on that presumption, when in actuality marriage is a civil union.

"Colleagues, it's time to stop playing word games. It's time to stop trying to change the definitions. Marriage is already a civil union in the State of Hawai'i. It is a civil union that is accepted by the people who have said repeatedly that they do not want to recognize any other union besides one that is between a man and a woman. That was the unequivocal message of the constitutional amendment in 1998.

"The reality is this contentious issue is not about civil rights, equal rights, or benefits. The ultimate goal of civil unions/same-sex marriage advocates is societal approval and acceptance of homosexuality on an equal basis as heterosexuality. Evidence of this lack of interest in our State's Reciprocal Beneficiary Law by same-sex couples. Our RB law confers many of the benefits provided to married couples to unmarried individuals who are committed to caring for and taking care of each other. The difference between the RB law and civil unions are that RBs are for everyone, not just for homosexual couples. For example, two old war veterans who are committed to taking care of each other can declare a reciprocal beneficiary relationship here in Hawai'i; so can a widowed mother and her adult son, or two sisters or two brothers. Any committed couple, whether related by blood or not. Sexual desires, tendencies, or behaviors are not relevant to our RB law. It does not create counterfeit marriage. Hawaii's RB law achieves the goal of encouraging people to take care of and to look out for each other. Such behavior is beneficial to all of society and it should be encouraged. I call our RB law 'The Aloha Solution' because it achieves the compassionate aims of most people while not in any way undermining the institution of marriage or giving social approval to homosexual behavior or relationships.

"And with all due respect to the Senator from Maui, comparing an immutable characteristic like race or gender is a convenient comparison, but it is invalid. And also to the Senator from Mililani, I find it offensive to say that anyone that disagrees with this bill is a bigot or is full of fear; that is just not the case.

"As we cast our votes today and we continue to debate this issue, I'm hopeful that we will stop the name-calling, we will stop the verbal and the physical attacks. I'm hopeful that we will continue to show aloha and respect for each other no matter where we stand on this issue. This is the type of open and honest dialogue that will make our vibrant democracy even

stronger. Colleagues, I urge you to join the voices of the people of Hawai'i and vote 'no' on H.B. No. 444. Mahalo."

The motion was put by the Chair and, Roll Call vote having been requested, H.B. No. 444, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Bunda, Espero, Gabbard, Hemmings, Kim, Sakamoto, Slom).

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 2103	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals listed on the Order of the Day and on the Supplemental Order of the Day to be distributed to your offices later today."

**MISCELLANEOUS COMMUNICATION**

The following communication (Misc. Com. No. 2) was read by the Clerk and was placed on file:

Misc. Com. No. 2, dated January 19, 2010, transmitting a Report on the Recommendations of the Construction Industry Task Force, pursuant to S.C.R. No. 132 (2009).

At this time, the Chair made the following announcements:

"Members, the deadline to submit bills to the Clerk's office for introduction is 6:00 p.m. tonight. Again, 6:00 p.m. tonight. Please remember that after today, members, bill limits will be in effect for the duration of the bill introduction period. You may file up to five bills each on Monday, Tuesday, and Wednesday of next week.

"The Senate session on Monday, January 25<sup>th</sup> will convene at 9:30 a.m., after which we will meet in joint session with the House to receive the Governor's State of the State address at 10:00 a.m. in the House Chamber."

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 p.m. In consequence thereof and subsequent to its recessing at 1:11 p.m., the following bills were introduced and placed on the calendar for further action on Monday, January 25, 2010:

S.B. No. 2404 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Bunda, Espero.

S.B. No. 2405 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Ihara, Kidani, Sakamoto, Tokuda.

S.B. No. 2406 "A BILL FOR AN ACT RELATING TO COFFEE."

Introduced by: Senator Hee, by request.

S.B. No. 2407 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators Hee, English, Hemmings, Bunda, Chun Oakland, Fukunaga, Galuteria, Hooser, Ihara, Kidani, Kokubun, Takamine, Tokuda.

S.B. No. 2408 "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT."

Introduced by: Senators Hee, Kidani, Sakamoto, Chun Oakland, English, Galuteria, Takamine, Tokuda.

S.B. No. 2409 "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS."

Introduced by: Senators Hee, Kidani, Galuteria, Hooser, Takamine, Tokuda.

S.B. No. 2410 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Hooser, by request.

S.B. No. 2411 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES."

Introduced by: Senator Hooser, by request.

S.B. No. 2412 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN MONK SEAL."

Introduced by: Senators Hooser, Espero, Green, Ihara, Nishihara, Sakamoto.

S.B. No. 2413 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Senators Hooser, English, Espero, Sakamoto, Tokuda, Baker, Ihara, Nishihara.

S.B. No. 2414 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senators Hooser, Baker, Espero, Green, Ihara, Nishihara, Sakamoto.

S.B. No. 2415 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senators Hooser, Baker, Espero, Ihara.

S.B. No. 2416 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX DEADLINES."

Introduced by: Senators Hooser, Baker, English, Espero, Fukunaga, Ihara.

S.B. No. 2417 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL."

Introduced by: Senator Bunda.

S.B. No. 2418 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Espero, Bunda, Galuteria, Hemmings, Kidani, Slom.

S.B. No. 2419 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTIETH SENATORIAL DISTRICT."

Introduced by:	Senator Espero.	Introduced by:	Senator Sakamoto.
S.B. No. 2420	“A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.”	S.B. No. 2435	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Gabbard, English, Bunda, Hee, Hemmings, Hooser.	Introduced by:	Senator Sakamoto.
S.B. No. 2421	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	S.B. No. 2436	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Gabbard, Espero, Hemmings, Takamine.	Introduced by:	Senators Sakamoto, Baker, Chun Oakland, English, Espero, Fukunaga, Galuteria, Green, Hanabusa, Hooser, Ige, Ihara, Kidani, Nishihara, Takamine, Taniguchi, Tokuda, Bunda, Gabbard, Kokubun.
S.B. No. 2422	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	S.B. No. 2437	“A BILL FOR AN ACT RELATING TO THE FUNDING OF THE STATE PROGRAMS.”
Introduced by:	Senators Gabbard, Baker, Hemmings, Hooser, Nishihara.	Introduced by:	Senators Sakamoto, Baker, Chun Oakland, English, Espero, Fukunaga, Galuteria, Hanabusa, Ihara, Kidani, Kokubun, Nishihara, Takamine, Taniguchi, Tokuda.
S.B. No. 2423	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”	S.B. No. 2438	“A BILL FOR AN ACT RELATING TO PUBLIC HOUSING.”
Introduced by:	Senators Gabbard, Baker, Bunda, Hemmings, Hooser, Ige, Sakamoto.	Introduced by:	Senator Sakamoto.
S.B. No. 2424	“A BILL FOR AN ACT RELATING TO HOMICIDE.”	S.B. No. 2439	“A BILL FOR AN ACT RELATING TO THE HOMELESS.”
Introduced by:	Senator Gabbard.	Introduced by:	Senator Sakamoto.
S.B. No. 2425	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	S.B. No. 2440	“A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY.”
Introduced by:	Senators Nishihara, Espero, Galuteria.	Introduced by:	Senator Hooser, by request.
S.B. No. 2426	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2441	“A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES.”
Introduced by:	Senators Nishihara, Galuteria.	Introduced by:	Senators Hooser, Espero, Green, Ihara.
S.B. No. 2427	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”	S.B. No. 2442	“A BILL FOR AN ACT RELATING TO PAROLE HEARINGS.”
Introduced by:	Senators Nishihara, Espero, Taniguchi.	Introduced by:	Senators Hooser, Baker, Espero, Fukunaga, Galuteria, Kidani, Nishihara, Sakamoto, Takamine.
S.B. No. 2428	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2443	“A BILL FOR AN ACT RELATING TO EXCHANGE ACCOMMODATION.”
Introduced by:	Senators Nishihara, Espero, Slom, Taniguchi.	Introduced by:	Senators Hooser, Espero, Fukunaga, Galuteria, Kidani, Takamine.
S.B. No. 2429	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2444	“A BILL FOR AN ACT RELATING TO BIODIESEL PRODUCTION.”
Introduced by:	Senators Nishihara, Espero.	Introduced by:	Senators Hooser, Baker, English, Espero, Kidani, Tsutsui, Nishihara, Takamine.
S.B. No. 2430	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”	S.B. No. 2445	“A BILL FOR AN ACT RELATING TO AUDIT OF ELECTIONS.”
Introduced by:	Senators Nishihara, Galuteria, Slom.	Introduced by:	Senators Hooser, Fukunaga, Kidani, Takamine.
S.B. No. 2431	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2446	“A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING SYSTEMS.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Hooser, Baker, English, Tsutsui, Ihara, Nishihara, Takamine.
S.B. No. 2432	“A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS.”		
Introduced by:	Senator Sakamoto.		
S.B. No. 2433	“A BILL FOR AN ACT RELATING TO THE COUNTIES.”		
Introduced by:	Senator Sakamoto.		
S.B. No. 2434	“A BILL FOR AN ACT RELATING TO SALARIES.”		

<p>S.B. No. 2447</p> <p>Introduced by: Senator Nishihara.</p>	<p>“A BILL FOR AN ACT RELATING TO REAL ESTATE BROKER LICENSING.”</p>	<p>Introduced by: Senators English, Chun Oakland, Baker, Bunda, Espero, Fukunaga, Galuteria, Hee, Hemmings, Kokubun, Takamine, Tokuda.</p>
<p>S.B. No. 2448</p> <p>Introduced by: Senator Nishihara, by request.</p>	<p>“A BILL FOR AN ACT RELATING TO A STATE SCRATCH CARD GAME.”</p>	<p>S.B. No. 2458</p> <p>Introduced by: Senators English, Chun Oakland, Galuteria, Hemmings, Hooser, Kokubun, Nishihara, Takamine, Tokuda.</p>
<p>S.B. No. 2449</p> <p>Introduced by: Senators English, Chun Oakland, Tokuda, Baker, Espero, Gabbard, Green, Hanabusa, Hee, Hemmings, Ige, Kidani, Kim, Kokubun, Nishihara, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”</p>	<p>S.B. No. 2459</p> <p>Introduced by: Senators English, Hee, Fukunaga, Galuteria.</p>
<p>S.B. No. 2450</p> <p>Introduced by: Senators English, Green, Baker, Bunda, Chun Oakland, Espero, Gabbard, Galuteria, Hee, Hemmings, Hooser, Ihara, Kidani, Kim, Kokubun, Nishihara, Slom, Takamine, Tokuda.</p>	<p>“A BILL FOR AN ACT RELATING TO MARIJUANA.”</p>	<p>S.B. No. 2460</p> <p>Introduced by: Senators English, Espero, Gabbard, Galuteria, Hee, Kokubun, Nishihara, Takamine.</p>
<p>S.B. No. 2451</p> <p>Introduced by: Senators English, Baker, Chun Oakland, Gabbard, Green, Takamine, Tsutsui, Bunda, Espero, Fukunaga, Galuteria, Hanabusa, Hee, Hemmings, Hooser, Ige, Kidani, Kim, Kokubun, Nishihara, Slom, Tokuda.</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p>	<p>S.B. No. 2461</p> <p>Introduced by: Senators English, Baker, Galuteria, Kokubun.</p>
<p>S.B. No. 2452</p> <p>Introduced by: Senators English, Baker, Chun Oakland, Green, Tsutsui, Bunda, Espero, Gabbard, Hanabusa, Hee, Hemmings, Hooser, Ige, Kidani, Kokubun, Nishihara, Slom, Takamine, Tokuda.</p>	<p>“A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.”</p>	<p>S.B. No. 2462</p> <p>Introduced by: Senators English, Hee, Nishihara.</p>
<p>S.B. No. 2453</p> <p>Introduced by: Senator Taniguchi.</p>	<p>“A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.”</p>	<p>S.B. No. 2463</p> <p>Introduced by: Senators English, Fukunaga, Galuteria, Ige, Tsutsui.</p>
<p>S.B. No. 2454</p> <p>Introduced by: Senator Taniguchi.</p>	<p>“A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.”</p>	<p>S.B. No. 2464</p> <p>Introduced by: Senators English, Gabbard, Galuteria, Hee, Tsutsui.</p>
<p>S.B. No. 2455</p> <p>Introduced by: Senators English, Green, Baker, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Ige, Kidani, Kim.</p>	<p>“A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES.”</p>	<p>S.B. No. 2465</p> <p>Introduced by: Senator Chun Oakland.</p>
<p>S.B. No. 2456</p> <p>Introduced by: Senators English, Chun Oakland, Galuteria, Baker, Bunda, Espero, Fukunaga, Gabbard, Hemmings, Ige, Kidani, Kim, Slom, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO HARBORS.”</p>	<p>S.B. No. 2466</p> <p>“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN FARMERS’ MARKET NUTRITION PROGRAM.”</p>
<p>S.B. No. 2457</p>	<p>“A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE.”</p>	<p>Introduced by: Senators Chun Oakland, Baker, Hooser, Ige, Hee.</p>

S.B. No. 2470	“A BILL FOR AN ACT RELATION TO EDUCATION.”	Introduced by:	Senators Galuteria, by request, Chun Oakland, Kidani, Bunda, Espero, Fukunaga, Gabbard, Hee, Hemmings, Kim, Kokubun, Nishihara, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Chun Oakland, Espero, Fukunaga, Ihara, Sakamoto, Baker, Bunda, Green, Hee, Hemmings, Ige, Kidani, Kim, Kokubun, Slom, Taniguchi, Tokuda.
S.B. No. 2471	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Ige, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Taniguchi, Tokuda.
	Introduced by:		Senators Galuteria, Hooser, Chun Oakland, English, Espero, Hemmings, Ige, Kidani, Kokubun.
S.B. No. 2472	“A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Hee, Hemmings, Ige, Ihara, Kidani, Kokubun, Nishihara, Sakamoto, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Ihara, Kidani, Sakamoto, Tokuda, Bunda, Gabbard, Hemmings, Kim, Nishihara, Slom, Taniguchi.
S.B. No. 2473	“A BILL FOR AN ACT RELATING TO HOUSING.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2474	“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Chun Oakland, English, Espero, Ige, Kidani, Kim, Kokubun, Nishihara, Sakamoto.
S.B. No. 2475	“A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Hooser, Ige, Ihara, Kokubun, Nishihara, Sakamoto.
	Introduced by:		Senators Galuteria, Baker, English, Espero, Fukunaga, Gabbard, Hemmings, Hooser, Ihara, Kidani, Kim, Nishihara, Taniguchi, Tsutsui.
S.B. No. 2476	“A BILL FOR AN ACT RELATING TO MINIMUM WAGES.”	Introduced by:	Senators Galuteria, Chun Oakland, English, Kidani, Kokubun, Sakamoto, Baker, Bunda, Fukunaga, Gabbard, Hee, Ige, Ihara, Kim, Tokuda.
	Introduced by:		Senators Galuteria, Bunda, Chun Oakland, Green, Hee, Hemmings, Hooser, Kidani, Sakamoto, Tokuda.
S.B. No. 2477	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”	Introduced by:	Senators Galuteria, Bunda, Fukunaga, Ige, Kidani.
	Introduced by:		Senators Galuteria, Chun Oakland, Green, Hooser, Bunda, Espero, Hemmings, Ige, Ihara, Kim, Kokubun, Sakamoto, Slom.
S.B. No. 2478	“A BILL FOR AN ACT RELATING TO TAXATION.”	Introduced by:	Senators Galuteria, Chun Oakland, English, Tokuda, Espero, Hee, Hemmings, Hooser, Ige, Kim, Kokubun, Nishihara.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hee, Ige, Ihara, Kidani, Kokubun, Sakamoto, Slom.
S.B. No. 2479	“A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES.”	Introduced by:	Senators Hee, Gabbard, Hemmings, English, Fukunaga, Galuteria, Kokubun, Takamine.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2480	“A BILL FOR AN ACT RELATING TO PUBLIC ORDER.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Ige, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Taniguchi, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Tokuda.
S.B. No. 2481	“A BILL FOR AN ACT RELATING TO PROSTITUTION.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2482	“A BILL FOR AN ACT RELATING TO PROSTITUTION.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2483	“A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2484	“A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2485	“A BILL FOR AN ACT RELATING TO MOKAUEA ISLAND.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2486	“A BILL FOR AN ACT RELATING TO SUBMERGED LANDS LEASING.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2487	“A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2488	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
S.B. No. 2489	“A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE.”	Introduced by:	Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.
	Introduced by:		Senators Galuteria, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Slom, Tokuda.

Introduced by:	Senator Ige, by request.	Introduced by:	Senators Espero, Chun Oakland, Fukunaga, Galuteria, Kidani, Sakamoto, Takamine.
S.B. No. 2490	“A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS.”	S.B. No. 2504	“A BILL FOR AN ACT RELATING TO CARGO INSPECTIONS.”
Introduced by:	Senators Ige, Baker, Green, Nishihara, Espero.	Introduced by:	Senators Espero, Galuteria, Kidani, Tokuda, Tsutsui, Bunda, English, Gabbard, Hemmings, Ige, Ihara, Sakamoto.
S.B. No. 2491	“A BILL FOR AN ACT RELATING TO TELEMEDICINE.”	S.B. No. 2505	“A BILL FOR AN ACT RELATING TO PERSONAL RELATIONSHIPS.”
Introduced by:	Senators Ige, Kokubun.	Introduced by:	Senators Espero, Bunda.
S.B. No. 2492	“A BILL FOR AN ACT RELATING TO PRACTICE OF PHARMACY.”	S.B. No. 2506	“A BILL FOR AN ACT RELATING TO MEDICAL GIFTS.”
Introduced by:	Senators Ige, Kokubun.	Introduced by:	Senators Ihara, Takamine.
S.B. No. 2493	“A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS.”	S.B. No. 2507	“A BILL FOR AN ACT RELATING TO LEGISLATIVE SUNSHINE PROVISIONS.”
Introduced by:	Senator Ige.	Introduced by:	Senators Ihara, Chun Oakland, Baker, Bunda, Galuteria, Hemmings, Hooser, Kidani, Slom.
S.B. No. 2494	“A BILL FOR AN ACT RELATING TO INSURANCE.”	S.B. No. 2508	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE RETIREMENT BENEFITS.”
Introduced by:	Senator Ige.	Introduced by:	Senators Ihara, Galuteria, Slom.
S.B. No. 2495	“A BILL FOR AN ACT RELATING TO FIREARMS.”	S.B. No. 2509	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO REQUIRE THE FORFEITURE OR REDUCTION OF PENSION BENEFITS OF AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION THEREOF WHO IS CONVICTED OF A FELONY RELATED TO THE EMPLOYEE'S EMPLOYMENT.”
Introduced by:	Senators Slom, Gabbard, Hemmings, Nishihara.	Introduced by:	Senators Ihara, Galuteria.
S.B. No. 2496	“A BILL FOR AN ACT RELATING TO TRANSPORTATION FUNDING.”	S.B. No. 2510	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH BENEFITS.”
Introduced by:	Senators Slom, Hemmings.	Introduced by:	Senators Ihara, Chun Oakland, Galuteria, Slom.
S.B. No. 2497	“A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT.”	S.B. No. 2511	“A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING.”
Introduced by:	Senators Slom, Hemmings.	Introduced by:	Senators Ihara, Hooser.
S.B. No. 2498	“A BILL FOR AN ACT RELATING TO REAL PROPERTY BLIGHT.”	S.B. No. 2512	“A BILL FOR AN ACT RELATING TO THE LEGISLATURE.”
Introduced by:	Senators Slom, Baker, Chun Oakland, Galuteria, Hemmings, Kidani, Nishihara.	Introduced by:	Senators Ihara, Chun Oakland, Galuteria, Hooser.
S.B. No. 2499	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”	S.B. No. 2513	“A BILL FOR AN ACT RELATING TO ETHICS.”
Introduced by:	Senators Slom, Galuteria, Hemmings, Nishihara.	Introduced by:	Senators Ihara, Slom.
S.B. No. 2500	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	S.B. No. 2514	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 3, OF THE HAWAII CONSTITUTION, TO CONSTITUTIONALLY ESTABLISH
Introduced by:	Senator Slom.		
S.B. No. 2501	“A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY.”		
Introduced by:	Senators Espero, Ihara.		
S.B. No. 2502	“A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES.”		
Introduced by:	Senators Espero, Gabbard, Hooser, Ige, Ihara, Sakamoto, Slom, Takamine.		
S.B. No. 2503	“A BILL FOR AN ACT RELATING TO EDUCATION.”		

	THE ELECTIONS COMMISSION TO SUPERVISE THE CHIEF ELECTION OFFICER.”	Introduced by:	Senators Takamine, Espero, Tsutsui, Bunda, Galuteria, Ige, Kokubun.
Introduced by:	Senators Ihara, Baker, Espero, Galuteria, Slom, Takamine.	S.B. No. 2529	“A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS.”
S.B. No. 2515	“A BILL FOR AN ACT RELATING TO PUBLIC FUNDS.”	Introduced by:	Senator Ige.
Introduced by:	Senators Ihara, Espero, Baker, Chun Oakland, Galuteria, Slom, Takamine.	S.B. No. 2530	“A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS.”
S.B. No. 2516	“A BILL FOR AN ACT RELATING TO THE FUNERAL INDUSTRY.”	Introduced by:	Senator Ige.
Introduced by:	Senators Ihara, Chun Oakland, Baker, Espero, Galuteria, Takamine, Tokuda.	S.B. No. 2531	“A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS.”
S.B. No. 2517	“A BILL FOR AN ACT RELATING TO THE COMMISSION ON SALARIES.”	Introduced by:	Senator Hee.
Introduced by:	Senator Bunda.	S.B. No. 2532	“A BILL FOR AN ACT RELATING TO SUSTAINABILITY.”
S.B. No. 2518	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	Introduced by:	Senators Kokubun, Baker, Chun Oakland, English, Galuteria, Hooser, Sakamoto, Tokuda, Espero, Kim, Takamine.
Introduced by:	Senator Bunda.	S.B. No. 2533	“A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER.”
S.B. No. 2519	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	Introduced by:	Senators Kokubun, Baker, Chun Oakland, Espero, Galuteria, Hooser, Kim, Tokuda.
Introduced by:	Senator Hee, by request.	S.B. No. 2534	“A BILL FOR AN ACT RELATING TO BAIL.”
S.B. No. 2520	“A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.”	Introduced by:	Senator Taniguchi.
Introduced by:	Senators Hee, Gabbard, Galuteria.	S.B. No. 2535	“A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION.”
S.B. No. 2521	“A BILL FOR AN ACT RELATING TO COUNTY BOARDS OF WATER SUPPLY.”	Introduced by:	Senator Espero, by request.
Introduced by:	Senator Hee, by request.	S.B. No. 2536	“A BILL FOR AN ACT RELATING TO THE HOMELESS.”
S.B. No. 2522	“A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY.”	Introduced by:	Senator Espero, by request.
Introduced by:	Senator Hee, by request.	S.B. No. 2537	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”
S.B. No. 2523	“A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS.”	Introduced by:	Senators Espero, Bunda, Ihara.
Introduced by:	Senators Hee, Gabbard, Galuteria, Takamine.	S.B. No. 2538	“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”
S.B. No. 2524	“A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS.”	Introduced by:	Senators Espero, Bunda, Gabbard, Ihara, Takamine.
Introduced by:	Senator Hee.	S.B. No. 2539	“A BILL FOR AN ACT RELATING TO WORKPLACE PRACTICES.”
S.B. No. 2525	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	Introduced by:	Senators Espero, Chun Oakland, Kidani, Baker, Fukunaga, Galuteria, Ige, Ihara, Tsutsui.
Introduced by:	Senators Hee, Baker, Galuteria.	S.B. No. 2540	“A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.”
S.B. No. 2526	“A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES.”	Introduced by:	Senators Espero, Galuteria.
Introduced by:	Senators Hee, Galuteria.	S.B. No. 2541	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2527	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”		
Introduced by:	Senator Hee.		
S.B. No. 2528	“A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES.”		

Introduced by:	Senators Espero, Bunda, Gabbard.	S.B. No. 2554	“A BILL FOR AN ACT RELATING TO NET ZERO ENERGY CAPABLE NEW HOMES.”
S.B. No. 2542	“A BILL FOR AN ACT RELATING TO VETERANS.”	Introduced by:	Senators Gabbard, English, Espero, Takamine.
Introduced by:	Senators Espero, Fukunaga, Galuteria, Slom, Tsutsui.	S.B. No. 2555	“A BILL FOR AN ACT RELATING TO ELECTRICITY USAGE.”
S.B. No. 2543	“A BILL FOR AN ACT RELATING TO TECHNOLOGY.”	Introduced by:	Senators Gabbard, English, Espero, Hemmings, Takamine.
Introduced by:	Senators Fukunaga, Baker, English, Gabbard, Ihara, Tokuda, Galuteria, Hee, Hooser, Ige, Nishihara, Slom, Takamine.	S.B. No. 2556	“A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS.”
S.B. No. 2544	“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU.”	Introduced by:	Senators Gabbard, Espero, Hemmings, Takamine.
Introduced by:	Senators Fukunaga, Baker, Gabbard, Galuteria, Hee, Hooser, Ige, Ihara, Nishihara, Slom, Tokuda.	S.B. No. 2557	“A BILL FOR AN ACT RELATING TO GREEN BUILDINGS.”
S.B. No. 2545	“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”	Introduced by:	Senators Gabbard, Hemmings, Nishihara, Takamine.
Introduced by:	Senators Fukunaga, Baker, Chun Oakland, Espero, Galuteria, Hee, Ige, Taniguchi.	S.B. No. 2558	“A BILL FOR AN ACT RELATING TO FOSSIL FUELS.”
S.B. No. 2546	“A BILL FOR AN ACT RELATING TO EMERGENCY RESPONSE VEHICLES.”	Introduced by:	Senators Gabbard, Hemmings, Hooser, Bunda, Sakamoto.
Introduced by:	Senators Fukunaga, Baker, Chun Oakland, Espero, Galuteria, Hee, Ige, Slom, Taniguchi.	S.B. No. 2559	“A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION.”
S.B. No. 2547	“A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS.”	Introduced by:	Senators Gabbard, Espero, English.
Introduced by:	Senator Fukunaga.	S.B. No. 2560	“A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION.”
S.B. No. 2548	“A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY.”	Introduced by:	Senators Gabbard, English, Takamine.
Introduced by:	Senators Fukunaga, Baker, Espero, Ige, Hee.	S.B. No. 2561	“A BILL FOR AN ACT RELATING TO SPRAY PAINT.”
S.B. No. 2549	“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”	Introduced by:	Senator Gabbard, Nishihara, Takamine.
Introduced by:	Senators Takamine, English, Fukunaga, Hee, Kidani, Tsutsui.	S.B. No. 2562	“A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.”
S.B. No. 2550	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	Introduced by:	Senators Gabbard, Hooser, Baker, Bunda, Espero, Galuteria, Green, Hee, Taniguchi.
Introduced by:	Senator Gabbard.	S.B. No. 2563	“A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY.”
S.B. No. 2551	“A BILL FOR AN ACT RELATING TO NET ZERO ENERGY BUILDING PERMITTING.”	Introduced by:	Senators Gabbard, English.
Introduced by:	Senator Gabbard.	S.B. No. 2564	“A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.”
S.B. No. 2552	“A BILL FOR AN ACT RELATING TO COASTAL AREAS.”	Introduced by:	Senators Takamine, Gabbard, Ihara, Taniguchi, Tokuda.
Introduced by:	Senator Gabbard.	S.B. No. 2565	“A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.”
S.B. No. 2553	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	Introduced by:	Senators Takamine, Gabbard, Ihara, Taniguchi, Tokuda.
Introduced by:	Senator Gabbard.	S.B. No. 2566	“A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS.”
		Introduced by:	Senators Takamine, Bunda, Gabbard, Hee, Nishihara, Taniguchi, Tokuda.

S.B. No. 2567	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2579	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Sakamoto, Kidani, Tsutsui.
S.B. No. 2568	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ENTIRELY ELECTED BOARD TO A PARTIALLY ELECTED, PARTIALLY APPOINTED BOARD.”	S.B. No. 2580	“A BILL FOR AN ACT RELATING TO PERMITS AND LICENSES.”
Introduced by:	Senators Sakamoto, Bunda, Chun Oakland, Galuteria, Kidani, Nishihara, Takamine.	Introduced by:	Senators Sakamoto, Kidani.
S.B. No. 2569	“A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION.”	S.B. No. 2581	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
Introduced by:	Senators Sakamoto, Bunda, Chun Oakland, Gabbard, Galuteria, Kidani, Nishihara, Takamine.	Introduced by:	Senators Sakamoto, Kidani.
S.B. No. 2570	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD.”	S.B. No. 2582	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
Introduced by:	Senators Sakamoto, Bunda, Chun Oakland, Galuteria, Kidani, Kim, Kokubun, Nishihara, Takamine.	Introduced by:	Senators Sakamoto, Kidani.
S.B. No. 2571	“A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION.”	S.B. No. 2583	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
Introduced by:	Senators Sakamoto, Bunda, Chun Oakland, Galuteria, Kidani, Kokubun, Nishihara, Takamine.	Introduced by:	Senators Sakamoto, Kidani, Tsutsui.
S.B. No. 2572	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2584	“A BILL FOR AN ACT RELATING TO SELF-HELP HOUSING.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Sakamoto, Galuteria, Kidani.
S.B. No. 2573	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2585	“A BILL FOR AN ACT RELATING TO HOMELESS ASSISTANCE.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Sakamoto, Galuteria.
S.B. No. 2574	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2586	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Sakamoto, Galuteria, Kidani.
S.B. No. 2575	“A BILL FOR AN ACT RELATING TO HOUSING.”	S.B. No. 2587	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”
Introduced by:	Senators Sakamoto, Kidani.	Introduced by:	Senators Sakamoto, Kidani, Galuteria.
S.B. No. 2576	“A BILL FOR AN ACT RELATING TO HOUSING.”	S.B. No. 2588	“A BILL FOR AN ACT RELATING TO THE CHARTER SCHOOL ADMINISTRATIVE OFFICE.”
Introduced by:	Senators Sakamoto, Kidani.	Introduced by:	Senators Sakamoto, Galuteria, Kidani.
S.B. No. 2577	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING.”	S.B. No. 2589	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”
Introduced by:	Senators Sakamoto, Kidani.	Introduced by:	Senators Sakamoto, Galuteria, Kidani.
S.B. No. 2578	“A BILL FOR AN ACT RELATING TO TAXATION.”	S.B. No. 2590	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Sakamoto, Kidani.	Introduced by:	Senators Sakamoto, Galuteria, Kidani.
		S.B. No. 2591	“A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD.”
		Introduced by:	Senators Sakamoto, Galuteria, Kidani.
		S.B. No. 2592	“A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX.”
		Introduced by:	Senators Sakamoto, Galuteria, Kidani.
		S.B. No. 2593	“A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.”
		Introduced by:	Senators Sakamoto, Galuteria, Kidani.
		S.B. No. 2594	“A BILL FOR AN ACT RELATING TO HOUSING.”

Introduced by:	Senators Sakamoto, Galuteria, Kidani.	S.B. No. 2607	“A BILL FOR AN ACT RELATING TO ACTIVITY DESKS.”
S.B. No. 2595	“A BILL FOR AN ACT RELATING TO HOUSING.”	Introduced by:	Senators Baker, English, Espero, Fukunaga, Ige, Ihara, Tsutsui.
Introduced by:	Senators Sakamoto, Galuteria, Kidani.	S.B. No. 2608	“A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION.”
S.B. No. 2596	“A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE.”	Introduced by:	Senators Baker, Bunda, Fukunaga, Sakamoto, Takamine, Taniguchi.
Introduced by:	Senator Baker.	S.B. No. 2609	“A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS.”
S.B. No. 2597	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS’ MUTUAL INSURANCE COMPANY.”	Introduced by:	Senators Baker, English, Espero, Hooser, Ihara, Sakamoto, Taniguchi, Tsutsui.
Introduced by:	Senators Baker, Bunda, Espero, Fukunaga, Green, Ige, Ihara, Takamine, Taniguchi.	S.B. No. 2610	“A BILL FOR AN ACT RELATING TO CONVEYANCE TAX.”
S.B. No. 2598	“A BILL FOR AN ACT RELATING TO INSURANCE.”	Introduced by:	Senators Baker, English, Hooser, Ihara, Kidani, Tokuda, Tsutsui.
Introduced by:	Senators Baker, Chun Oakland, English, Espero, Fukunaga, Hooser, Ige, Ihara, Nishihara, Sakamoto, Tsutsui.	S.B. No. 2611	“A BILL FOR AN ACT RELATING TO VITAL STATISTICS.”
S.B. No. 2599	“A BILL FOR AN ACT RELATING TO HEALTH INSURANCE.”	Introduced by:	Senators Baker, Kidani, Tsutsui, English, Hooser, Ihara, Nishihara.
Introduced by:	Senators Baker, Fukunaga, Green, Bunda, English, Espero, Gabbard, Galuteria, Hooser, Ige, Kidani, Nishihara, Sakamoto, Taniguchi, Tokuda.	S.B. No. 2612	“A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS.”
S.B. No. 2600	“A BILL FOR AN ACT RELATING TO HEALTHCARE.”	Introduced by:	Senator Kidani, by request.
Introduced by:	Senators Baker, Chun Oakland, Green, Espero, Ige, Ihara, Kidani, Nishihara, Sakamoto.	S.B. No. 2613	“A BILL FOR AN ACT RELATING TO ENERGY.”
S.B. No. 2601	“A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS.”	Introduced by:	Senators Kidani, Chun Oakland, Hooser, Sakamoto, English, Espero, Gabbard, Galuteria, Ihara, Kim, Nishihara.
Introduced by:	Senators Baker, Espero, Ige, Ihara, Taniguchi, Tokuda.	S.B. No. 2614	“A BILL FOR AN ACT RELATING TO EXCESSIVE SPEEDING.”
S.B. No. 2602	“A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES.”	Introduced by:	Senators Kidani, Baker, Bunda, English, Espero, Gabbard, Galuteria, Hooser, Ihara, Kim, Nishihara, Sakamoto, Tsutsui.
Introduced by:	Senators Baker, Espero, Fukunaga, Ige, Ihara, Kidani, Taniguchi.	S.B. No. 2615	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2603	“A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT.”	Introduced by:	Senators Kidani, Chun Oakland, Espero, Hooser, Kim, Sakamoto, Baker, Galuteria, Nishihara, Takamine.
Introduced by:	Senators Baker, Espero, Fukunaga, Green, Ige, Ihara, Kokubun.	S.B. No. 2616	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2604	“A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.”	Introduced by:	Senators Kidani, Espero, Galuteria, Kim, Baker, Tsutsui.
Introduced by:	Senators Baker, Fukunaga, Green, English, Espero, Hooser, Ige, Ihara, Nishihara, Tokuda.	S.B. No. 2617	“A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS.”
S.B. No. 2605	“A BILL FOR AN ACT RELATING TO TAXATION.”	Introduced by:	Senators Kidani, Baker, Espero, Hooser, Ihara, Kim, Sakamoto, Galuteria, Nishihara.
Introduced by:	Senator Baker.	S.B. No. 2618	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES.”
S.B. No. 2606	“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”	Introduced by:	Senators Kidani, Gabbard, Green, Hooser, Sakamoto, Baker, English, Espero, Galuteria, Ihara.
Introduced by:	Senators Baker, English, Tsutsui.		

S.B. No. 2619	“A BILL FOR AN ACT RELATING TO NET ENERGY METERING.”	S.B. No. 2630	“A BILL FOR AN ACT RELATING TO TAXATION.”
Introduced by:	Senators Kidani, Espero, Galuteria, Hooser, Sakamoto, Baker, Ihara, Kim.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2620	“A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 FUND.”	S.B. No. 2631	“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”
Introduced by:	Senators Kidani, Espero, Hooser, Baker, Bunda, English, Galuteria, Ihara, Kim, Nishihara, Tsutsui.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2621	“A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.”	S.B. No. 2632	“A BILL FOR AN ACT RELATING TO PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.”
Introduced by:	Senators Kidani, Baker, English, Espero, Gabbard, Galuteria, Hooser, Nishihara, Sakamoto, Tsutsui, Bunda, Ihara.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2622	“A BILL FOR AN ACT RELATING TO CIVIL SERVICE.”	S.B. No. 2633	“A BILL FOR AN ACT RELATING TO HOUSING.”
Introduced by:	Senators Kidani, Bunda, Espero, Gabbard, Galuteria, Ihara, Nishihara, Takamine.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2623	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	S.B. No. 2634	“A BILL FOR AN ACT RELATING TO BIOFUEL FACILITIES.”
Introduced by:	Senators Kidani, Baker, Espero, Galuteria, Green, Nishihara, Sakamoto, Tsutsui, Ihara, Kim.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2624	“A BILL FOR AN ACT RELATING TO HAWAII TELEVISION AND FILM DEVELOPMENT.”	S.B. No. 2635	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
Introduced by:	Senators Kim, Espero, Galuteria, Kidani, Tokuda, Tsutsui, Baker, Hee, Taniguchi.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2625	“A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES.”	S.B. No. 2636	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
Introduced by:	Senators Kim, Kidani, Nishihara, Sakamoto, Bunda, Espero, Galuteria, Hanabusa, Hee, Kokubun, Takamine, Tokuda.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2626	“A BILL FOR AN ACT RELATING TO PUBLIC SERVICE.”	S.B. No. 2637	“A BILL FOR AN ACT RELATING TO TAXATION.”
Introduced by:	Senators Kim, Espero, Kidani, Bunda, English, Galuteria, Hanabusa, Hee, Hooser, Kokubun, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda, Tsutsui.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2627	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH SENATORIAL DISTRICT.”	S.B. No. 2638	“A BILL FOR AN ACT RELATING TO TAXATION.”
Introduced by:	Senator Kim.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2628	“A BILL FOR AN ACT RELATING TO REVENUE FOR DEPARTMENT OF EDUCATION BUDGETED EXPENSES.”	S.B. No. 2639	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
Introduced by:	Senators Kim, Kidani, Nishihara.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2629	“A BILL FOR AN ACT RELATING TO HAWAII TOURISM AUTHORITY.”	S.B. No. 2640	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING.”
Introduced by:	Senators Kim, Galuteria, Tokuda, Tsutsui.	Introduced by:	Senator Hanabusa, by request.
		S.B. No. 2641	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
		Introduced by:	Senator Hanabusa, by request.
		<b>REFERRAL OF SENATE BILLS</b>	
		The President made the following committee assignments of bills introduced on Thursday, January 21, 2010.	
		S.B. No.:	Referred to:
		S.B. No. 2301	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
		S.B. No. 2302	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
		S.B. No. 2303	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means

S.B. No. 2304	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2328	Committee on Health
S.B. No. 2305	Committee on Judiciary and Government Operations	S.B. No. 2329	Committee on Commerce and Consumer Protection
S.B. No. 2306	Committee on Judiciary and Government Operations	S.B. No. 2330	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2307	Committee on Judiciary and Government Operations	S.B. No. 2331	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2308	Jointly to the Committee on Judiciary and Government Operations and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2332	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2309	Committee on Judiciary and Government Operations	S.B. No. 2333	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2310	Jointly to the Committee on Judiciary and Government Operations and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	<b>RE-REFERRAL OF A SENATE BILL</b>	
S.B. No. 2311	Committee on Judiciary and Government Operations	The Chair re-referred the following Senate bill that was introduced:	
S.B. No. 2312	Committee on Judiciary and Government Operations	S.B. No.:	Re-referred to:
S.B. No. 2313	Committee on Judiciary and Government Operations	S.B. No. 2015	Committee on Commerce and Consumer Protection
S.B. No. 2314	Committee on Judiciary and Government Operations	<b>ADJOURNMENT</b>	
S.B. No. 2315	Committee on Judiciary and Government Operations	At 6:00 p.m., the Senate adjourned until 9:30 a.m., Monday, January 25, 2010.	
S.B. No. 2316	Committee on Judiciary and Government Operations		
S.B. No. 2317	Committee on Judiciary and Government Operations		
S.B. No. 2318	Committee on Judiciary and Government Operations		
S.B. No. 2319	Committee on Judiciary and Government Operations		
S.B. No. 2320	Committee on Judiciary and Government Operations		
S.B. No. 2321	Committee on Judiciary and Government Operations		
S.B. No. 2322	Committee on Judiciary and Government Operations		
S.B. No. 2323	Committee on Labor		
S.B. No. 2324	Committee on Labor, then to the Committee on Ways and Means		
S.B. No. 2325	Committee on Commerce and Consumer Protection		
S.B. No. 2326	Committee on Labor, then to the Committee on Ways and Means		
S.B. No. 2327	Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means		

**FOURTH DAY**

**Monday, January 25, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:36 a.m. with the President in the Chair.

The Divine Blessing was invoked by Kahu Curt Kekuna, Kawaiha'ō Church, after which the Roll was called showing all Senators present with the exception of Senators English and Takamine who were excused.

The President announced that she had read and approved the Journal of the Third Day.

**MESSAGE FROM THE GOVERNOR**

The following message from the Governor (Gov. Msg. No. 158) was read by the Clerk and was placed on file:

Gov. Msg. No. 158, letter dated January 22, 2010, informing the Senate that pursuant to Act 156, SLH 2008, the Department of Human Resources Development reports that the executive branch re-employed two retirants in the 2009 calendar year.

**HOUSE COMMUNICATION**

The following communication from the House (Hse. Com. No. 5) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 5, transmitting H.C.R. No. 3, which was adopted by the House of Representatives on January 22, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS, WITH HAWAII CONNECTIONS, KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was adopted.

**JOINT SPECIAL COMMITTEE REPORTS**

Senator Ihara, for the Joint Legislative Committee on Aging in Place, presented a report (Joint Spec. Com. Rep. No. 1), on its development of a comprehensive public policy to strengthen support for family caregivers who provide unpaid, informal assistance to persons sixty years of age and older with physical or cognitive disabilities and for grandparents raising grandchildren.

The President ordered the Clerk to file Joint Spec. Com. Rep. No. 1.

Senator Chun Oakland, for the Asset Building and Financial Education Task Force, presented a report (Joint Spec. Com. Rep. No. 2), recognizing the importance of asset building and financial education for Hawaii's families and communities.

The President ordered the Clerk to file Joint Spec. Com. Rep. No. 2.

**ORDER OF THE DAY**

**FIRST READING**

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committee or deferred:

Referred:

S.B. No. 2404 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2405 "A BILL FOR AN ACT RELATING TO TAXATION."

Referred to: Committee on Economic Development and Technology, then to the Committee on Ways and Means

S.B. No. 2406 "A BILL FOR AN ACT RELATING TO COFFEE."

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Commerce and Consumer Protection

S.B. No. 2407 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Referred to: Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection

S.B. No. 2408 "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT."

Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing

S.B. No. 2409 "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS."

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs

S.B. No. 2410 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs

S.B. No. 2411 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES."

Referred to: Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs

S.B. No. 2412 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN MONK SEAL."

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2413 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Energy and Environment, then to the Committee on Ways and Means

S.B. No. 2414	“A BILL FOR AN ACT RELATING TO STATE PARKS.”		Affairs, then to the Committee on Judiciary and Government Operations
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2425	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2415	“A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL.”	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2426	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2416	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX DEADLINES.”	Referred to:	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
Referred to:	Committee on Ways and Means	S.B. No. 2427	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”
S.B. No. 2417	“A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL.”	Referred to:	Committee on Transportation, International and Intergovernmental Affairs
Referred to:	Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2428	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2418	“A BILL FOR AN ACT RELATING TO THE ENVIRONMENT.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means
Referred to:	Committee on Energy and Environment, then to the Committee on Judiciary and Government Operations	S.B. No. 2429	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2419	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTIETH SENATORIAL DISTRICT.”	Referred to:	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
Referred to:	Committee on Ways and Means	S.B. No. 2430	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”
S.B. No. 2420	“A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.”	Referred to:	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means	S.B. No. 2431	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2421	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”	Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means
Referred to:	Committee on Energy and Environment, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2432	“A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS.”
S.B. No. 2422	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	Referred to:	Jointly to the Committee on Higher Education and the Committee on Education and Housing
Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2433	“A BILL FOR AN ACT RELATING TO THE COUNTIES.”
S.B. No. 2423	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	S.B. No. 2434	“A BILL FOR AN ACT RELATING TO SALARIES.”
S.B. No. 2424	“A BILL FOR AN ACT RELATING TO HOMICIDE.”		
Referred to:	Committee on Transportation, International and Intergovernmental		

	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2444	“A BILL FOR AN ACT RELATING TO BIODIESEL PRODUCTION.”
S.B. No. 2435	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Referred to: Committee on Energy and Environment, then to the Committee on Ways and Means	
	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2445	“A BILL FOR AN ACT RELATING TO AUDIT OF ELECTIONS.”
S.B. No. 2436	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2446	“A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING SYSTEMS.”
S.B. No. 2437	“A BILL FOR AN ACT RELATING TO THE FUNDING OF THE STATE PROGRAMS.”	Referred to: Committee on Judiciary and Government Operations	
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2447	“A BILL FOR AN ACT RELATING TO REAL ESTATE BROKER LICENSING.”
S.B. No. 2438	“A BILL FOR AN ACT RELATING TO PUBLIC HOUSING.”	Referred to: Committee on Commerce and Consumer Protection	
	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2448	“A BILL FOR AN ACT RELATING TO A STATE SCRATCH CARD GAME.”
S.B. No. 2439	“A BILL FOR AN ACT RELATING TO THE HOMELESS.”	Referred to: Jointly to the Committee on Judiciary and Government Operations and the Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2449	“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”
S.B. No. 2440	“A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY.”	Referred to: Committee on Transportation, International and Intergovernmental Affairs	
	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2450	“A BILL FOR AN ACT RELATING TO MARIJUANA.”
S.B. No. 2441	“A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES.”	Referred to: Committee on Judiciary and Government Operations	
	Referred to: Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2451	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2442	“A BILL FOR AN ACT RELATING TO PAROLE HEARINGS.”	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations	S.B. No. 2452	“A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.”
S.B. No. 2443	“A BILL FOR AN ACT RELATING TO EXCHANGE ACCOMMODATION.”	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
	Referred to: Committee on Commerce and Consumer Protection	S.B. No. 2453	“A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.”
		Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	
		S.B. No. 2454	“A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.”
		Referred to: Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	

<p>S.B. No. 2455</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection</p>	<p>S.B. No. 2464</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO GOVERNMENT.”</p> <p>Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means</p>
<p>S.B. No. 2456</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO HARBORS.”</p> <p>Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs</p>	<p>S.B. No. 2465</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT.”</p> <p>Committee on Judiciary and Government Operations</p>
<p>S.B. No. 2457</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE.”</p> <p>Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2466</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN FARMERS’ MARKET NUTRITION PROGRAM.”</p> <p>Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p>
<p>S.B. No. 2458</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means</p>	<p>S.B. No. 2467</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO HEALTHCARE.”</p> <p>Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p>
<p>S.B. No. 2459</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO MOTOR CARRIERS.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs</p>	<p>S.B. No. 2468</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO HANDICAP PARKING.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations</p>
<p>S.B. No. 2460</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO THE KAHO’OLAWA REHABILITATION TRUST FUND.”</p> <p>Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology, then to the Committee on Ways and Means</p>	<p>S.B. No. 2469</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.”</p> <p>Jointly to the Committee on Human Services and the Committee on Health and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>
<p>S.B. No. 2461</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means</p>	<p>S.B. No. 2470</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATION TO EDUCATION.”</p> <p>Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>
<p>S.B. No. 2462</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”</p> <p>Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p>	<p>S.B. No. 2471</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO EDUCATION.”</p> <p>Committee on Education and Housing, then to the Committee on Ways and Means</p>
<p>S.B. No. 2463</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO ELECTRONIC TRAFFIC CITATIONS.”</p> <p>Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary and Government</p>	<p>S.B. No. 2472</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES.”</p> <p>Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p>
		<p>S.B. No. 2473</p>	<p>“A BILL FOR AN ACT RELATING TO HOUSING.”</p>

		S.B. No. 2485	“A BILL FOR AN ACT RELATING TO MOKAUEA ISLAND.”
	Referred to: Jointly to the Committee on Human Services and the Committee on Education and Housing		Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2474	“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS.”	S.B. No. 2486	“A BILL FOR AN ACT RELATING TO SUBMERGED LANDS LEASING.”
	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Government Operations		Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2475	“A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE.”	S.B. No. 2487	“A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION.”
	Referred to: Committee on Labor, then to the Committee on Judiciary and Government Operations		Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2476	“A BILL FOR AN ACT RELATING TO MINIMUM WAGES.”	S.B. No. 2488	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
	Referred to: Committee on Labor, then to the Committee on Ways and Means		Referred to: Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2477	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”	S.B. No. 2489	“A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE.”
	Referred to: Committee on Ways and Means		Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2478	“A BILL FOR AN ACT RELATING TO TAXATION.”	S.B. No. 2490	“A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS.”
	Referred to: Committee on Economic Development and Technology, then to the Committee on Ways and Means		Referred to: Committee on Health, then to the Committee on Ways and Means
S.B. No. 2479	“A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES.”	S.B. No. 2491	“A BILL FOR AN ACT RELATING TO TELEMEDICINE.”
	Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2480	“A BILL FOR AN ACT RELATING TO PUBLIC ORDER.”	S.B. No. 2492	“A BILL FOR AN ACT RELATING TO PRACTICE OF PHARMACY.”
	Referred to: Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2481	“A BILL FOR AN ACT RELATING TO PROSTITUTION.”	S.B. No. 2493	“A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS.”
	Referred to: Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Ways and Means
S.B. No. 2482	“A BILL FOR AN ACT RELATING TO PROSTITUTION.”	S.B. No. 2494	“A BILL FOR AN ACT RELATING TO INSURANCE.”
	Referred to: Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2483	“A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES.”	S.B. No. 2495	“A BILL FOR AN ACT RELATING TO FIREARMS.”
	Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs		Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2484	“A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS.”		
	Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Tourism		

S.B. No. 2496	“A BILL FOR AN ACT RELATING TO TRANSPORTATION FUNDING.”		Government Operations, then to the Committee on Ways and Means
Referred to:	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2506	“A BILL FOR AN ACT RELATING TO MEDICAL GIFTS.”
		Referred to:	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2497	“A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT.”	S.B. No. 2507	“A BILL FOR AN ACT RELATING TO LEGISLATIVE SUNSHINE PROVISIONS.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2498	“A BILL FOR AN ACT RELATING TO REAL PROPERTY BLIGHT.”	S.B. No. 2508	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE RETIREMENT BENEFITS.”
Referred to:	Committee on Judiciary and Government Operations	Referred to:	Committee on Labor, then to the Committee on Judiciary and Government Operations
S.B. No. 2499	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”	S.B. No. 2509	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO REQUIRE THE FORFEITURE OR REDUCTION OF PENSION BENEFITS OF AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION THEREOF WHO IS CONVICTED OF A FELONY RELATED TO THE EMPLOYEE’S EMPLOYMENT.”
Referred to:	Committee on Transportation, International and Intergovernmental Affairs	Referred to:	Committee on Labor, then to the Committee on Judiciary and Government Operations
S.B. No. 2500	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	S.B. No. 2510	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES’ HEALTH BENEFITS.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Labor, then to the Committee on Judiciary and Government Operations
S.B. No. 2501	“A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY.”	S.B. No. 2511	“A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING.”
Referred to:	Committee on Commerce and Consumer Protection	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2502	“A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES.”	S.B. No. 2512	“A BILL FOR AN ACT RELATING TO THE LEGISLATURE.”
Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2503	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2513	“A BILL FOR AN ACT RELATING TO ETHICS.”
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2504	“A BILL FOR AN ACT RELATING TO CARGO INSPECTIONS.”	S.B. No. 2514	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 3, OF THE HAWAII CONSTITUTION, TO CONSTITUTIONALLY ESTABLISH THE ELECTIONS COMMISSION TO SUPERVISE THE CHIEF ELECTION OFFICER.”
Referred to:	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2505	“A BILL FOR AN ACT RELATING TO PERSONAL RELATIONSHIPS.”		
Referred to:	Jointly to the Committee on Labor and the Committee on Judiciary and		

Referred to:	Committee on Judiciary and Government Operations	S.B. No. 2525	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”
S.B. No. 2515	“A BILL FOR AN ACT RELATING TO PUBLIC FUNDS.”	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2526	“A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES.”
S.B. No. 2516	“A BILL FOR AN ACT RELATING TO THE FUNERAL INDUSTRY.”	Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
Referred to:	Committee on Commerce and Consumer Protection	S.B. No. 2527	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”
S.B. No. 2517	“A BILL FOR AN ACT RELATING TO THE COMMISSION ON SALARIES.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2528	“A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES.”
S.B. No. 2518	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2529	“A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS.”
S.B. No. 2519	“A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.”	Referred to:	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2530	“A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS.”
S.B. No. 2520	“A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.”	Referred to:	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2531	“A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS.”
S.B. No. 2521	“A BILL FOR AN ACT RELATING TO COUNTY BOARDS OF WATER SUPPLY.”	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
Referred to:	Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2532	“A BILL FOR AN ACT RELATING TO SUSTAINABILITY.”
S.B. No. 2522	“A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2533	“A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER.”
S.B. No. 2523	“A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS.”	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2534	“A BILL FOR AN ACT RELATING TO BAIL.”
S.B. No. 2524	“A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS.”		
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs		

	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations			PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU.”
S.B. No. 2535		“A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION.”	Referred to:		Committee on Energy and Environment, then to the Committee on Ways and Means
	Referred to:	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2545		“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”
S.B. No. 2536		“A BILL FOR AN ACT RELATING TO THE HOMELESS.”	Referred to:		Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
	Referred to:	Jointly to the Committee on Human Services and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2546		“A BILL FOR AN ACT RELATING TO EMERGENCY RESPONSE VEHICLES.”
S.B. No. 2537		“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”	Referred to:		Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
	Referred to:	Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2547		“A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS.”
S.B. No. 2538		“A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”	Referred to:		Committee on Water, Land, Agriculture, and Hawaiian Affairs
	Referred to:	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2548		“A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY.”
S.B. No. 2539		“A BILL FOR AN ACT RELATING TO WORKPLACE PRACTICES.”	Referred to:		Committee on Economic Development and Technology, then to the Committee on Ways and Means
	Referred to:	Committee on Labor, then to the Committee on Judiciary and Government Operations	S.B. No. 2549		“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”
S.B. No. 2540		“A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.”	Referred to:		Committee on Labor, then to the Committee on Ways and Means
	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	S.B. No. 2550		“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2541		“A BILL FOR AN ACT RELATING TO FIREWORKS.”	Referred to:		Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs
	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2551		“A BILL FOR AN ACT RELATING TO NET ZERO ENERGY BUILDING PERMITTING.”
S.B. No. 2542		“A BILL FOR AN ACT RELATING TO VETERANS.”	Referred to:		Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs
	Referred to:	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2552		“A BILL FOR AN ACT RELATING TO COASTAL AREAS.”
S.B. No. 2543		“A BILL FOR AN ACT RELATING TO TECHNOLOGY.”	Referred to:		Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
	Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.B. No. 2553		“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2544		“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL	Referred to:		Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the

	Committee on Judiciary and Government Operations		CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ENTIRELY ELECTED BOARD TO A PARTIALLY ELECTED, PARTIALLY APPOINTED BOARD."
S.B. No. 2554	"A BILL FOR AN ACT RELATING TO NET ZERO ENERGY CAPABLE NEW HOMES."		
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Education and Housing	S.B. No. 2569	"A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."
S.B. No. 2555	"A BILL FOR AN ACT RELATING TO ELECTRICITY USAGE."	S.B. No. 2570	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD."
Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection		
S.B. No. 2556	"A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS."	S.B. No. 2571	"A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."
Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	S.B. No. 2572	"A BILL FOR AN ACT RELATING TO EDUCATION."
S.B. No. 2557	"A BILL FOR AN ACT RELATING TO GREEN BUILDINGS."	S.B. No. 2573	"A BILL FOR AN ACT RELATING TO EDUCATION."
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2574	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
S.B. No. 2558	"A BILL FOR AN ACT RELATING TO FOSSIL FUELS."	S.B. No. 2575	"A BILL FOR AN ACT RELATING TO HOUSING."
Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	S.B. No. 2576	"A BILL FOR AN ACT RELATING TO HOUSING."
<u>Deferred:</u>		S.B. No. 2577	"A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING."
S.B. No. 2559	"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."	S.B. No. 2578	"A BILL FOR AN ACT RELATING TO TAXATION."
S.B. No. 2560	"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."	S.B. No. 2579	"A BILL FOR AN ACT RELATING TO EDUCATION."
S.B. No. 2561	"A BILL FOR AN ACT RELATING TO SPRAY PAINT."	S.B. No. 2580	"A BILL FOR AN ACT RELATING TO PERMITS AND LICENSES."
S.B. No. 2562	"A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."	S.B. No. 2581	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
S.B. No. 2563	"A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."	S.B. No. 2582	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
S.B. No. 2564	"A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."	S.B. No. 2583	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
S.B. No. 2565	"A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."	S.B. No. 2584	"A BILL FOR AN ACT RELATING TO SELF-HELP HOUSING."
S.B. No. 2566	"A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS."	S.B. No. 2585	"A BILL FOR AN ACT RELATING TO HOMELESS ASSISTANCE."
S.B. No. 2567	"A BILL FOR AN ACT RELATING TO EDUCATION."	S.B. No. 2586	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
S.B. No. 2568	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII	S.B. No. 2587	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
		S.B. No. 2588	"A BILL FOR AN ACT RELATING TO THE CHARTER SCHOOL ADMINISTRATIVE OFFICE."
		S.B. No. 2589	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
		S.B. No. 2590	"A BILL FOR AN ACT RELATING TO EDUCATION."

S.B. No. 2591	“A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD.”	S.B. No. 2615	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2592	“A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX.”	S.B. No. 2616	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
S.B. No. 2593	“A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.”	S.B. No. 2617	“A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS.”
S.B. No. 2594	“A BILL FOR AN ACT RELATING TO HOUSING.”	S.B. No. 2618	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES.”
S.B. No. 2595	“A BILL FOR AN ACT RELATING TO HOUSING.”	S.B. No. 2619	“A BILL FOR AN ACT RELATING TO NET ENERGY METERING.”
S.B. No. 2596	“A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE.”	S.B. No. 2620	“A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 FUND.”
S.B. No. 2597	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS’ MUTUAL INSURANCE COMPANY.”	S.B. No. 2621	“A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.”
S.B. No. 2598	“A BILL FOR AN ACT RELATING TO INSURANCE.”	S.B. No. 2622	“A BILL FOR AN ACT RELATING TO CIVIL SERVICE.”
S.B. No. 2599	“A BILL FOR AN ACT RELATING TO HEALTH INSURANCE.”	S.B. No. 2623	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
S.B. No. 2600	“A BILL FOR AN ACT RELATING TO HEALTHCARE.”	S.B. No. 2624	“A BILL FOR AN ACT RELATING TO HAWAII TELEVISION AND FILM DEVELOPMENT.”
S.B. No. 2601	“A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS.”	S.B. No. 2625	“A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES.”
S.B. No. 2602	“A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES.”	S.B. No. 2626	“A BILL FOR AN ACT RELATING TO PUBLIC SERVICE.”
S.B. No. 2603	“A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT.”	S.B. No. 2627	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH SENATORIAL DISTRICT.”
S.B. No. 2604	“A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.”	S.B. No. 2628	“A BILL FOR AN ACT RELATING TO REVENUE FOR DEPARTMENT OF EDUCATION BUDGETED EXPENSES.”
S.B. No. 2605	“A BILL FOR AN ACT RELATING TO TAXATION.”	S.B. No. 2629	“A BILL FOR AN ACT RELATING TO HAWAII TOURISM AUTHORITY.”
S.B. No. 2606	“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”	S.B. No. 2630	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2607	“A BILL FOR AN ACT RELATING TO ACTIVITY DESKS.”	S.B. No. 2631	“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”
S.B. No. 2608	“A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION.”	S.B. No. 2632	“A BILL FOR AN ACT RELATING TO PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.”
S.B. No. 2609	“A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS.”	S.B. No. 2633	“A BILL FOR AN ACT RELATING TO HOUSING.”
S.B. No. 2610	“A BILL FOR AN ACT RELATING TO CONVEYANCE TAX.”	S.B. No. 2634	“A BILL FOR AN ACT RELATING TO BIOFUEL FACILITIES.”
S.B. No. 2611	“A BILL FOR AN ACT RELATING TO VITAL STATISTICS.”	S.B. No. 2635	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
S.B. No. 2612	“A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS.”	S.B. No. 2636	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
S.B. No. 2613	“A BILL FOR AN ACT RELATING TO ENERGY.”	S.B. No. 2637	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2614	“A BILL FOR AN ACT RELATING TO EXCESSIVE SPEEDING.”		

S.B. No. 2638	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2639	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”
S.B. No. 2640	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING.”
S.B. No. 2641	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals of Senate bills are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later today.”

Senator Hemmings rose on a point of personal privilege as follows

“Madam President, colleagues, in the interest of assisting in contributing from the Minority party ways that we can increase in efficiency and the cost-effectiveness of government, I’d like to bring to my colleagues’ attention to two Orders of the Day, which I’ve stapled together from last week, that report back to us a total of 202 reports from the various departments of the executive branch of government. I imagine that some of the reports are very necessary for the function of our government, and certainly some of the reports will become very handy when the Chairman of the Senate Ways and Means Committee has to make the difficult decisions that need to be made on where the money should be spent. But I would like to suggest that these 202 reports, that possibly a great number of them will end up on the shelf or on the ash heap of legislative history, as most do. We have to focus our attention in these times on necessary core services. We keep hearing from departments how important their work is and how they don’t have enough time or money to take care of the environment and they don’t have enough staff to do the inspections necessary to carry out the protection of our people and the environment in this state. So Madam President, I’d like to suggest even though some of these reports—or most of these reports—are mandated by HRS that we take a second look at them. I’d hate to think of the amount of people-hours that were spent producing these reports that oftentimes are not used. So I think it’s just something for us to ruminate on and possible take action on. Thank you, Madam President.”

The Chair then made the following announcements:

“First, beginning today, the five bills per day limit is in effect for the remainder of the bill introduction period, and the deadline to submit bills to the Clerk’s office is 6:00 p.m. each day.

“Second, immediately following our floor session today, please report to the House chamber for the Joint Session at 10:00 a.m. to receive the Governor’s State of the State Address.”

At 9:47 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 2, to receive the Governor’s State of the State Address.

#### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai‘i, Regular Session of 2010, was called to order at 10:02 a.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twenty-Fifth Legislature:

The Honorable James R. Aiona, Jr., Lieutenant Governor of the State of Hawai‘i, and Mrs. Vivian Aiona;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawai‘i Supreme Court;

Ms. Haunani Apoliona, Chair, Office of Hawaiian Affairs;

The Honorable George R. Ariyoshi, former Governor of the State of Hawai‘i;

Admiral Robert F. Willard, U.S. Pacific Command;

Rear Admiral Manson K. Brown, Fourteenth Coast Guard District;

Rear Admiral Scott Van Buskirk, U.S. Pacific Fleet;

Major General Douglas Owens, U.S. Pacific Air Forces;

Brigadier General John Ma, Deputy Commander, U.S. Army Reserve;

Colonel Raymond L’Heureuv, U.S. Marine Corps Forces, Pacific;

The Honorable Simeon R. Acoba, Jr., Associate Justice, Hawai‘i State Supreme Court;

The Honorable Paula A. Nakayama, Associate Justice, Hawai‘i State Supreme Court;

The Honorable James E. Duffy, Jr., Associate Justice, Hawai‘i State Supreme Court;

The Honorable Mark B. Reckentwald, Associate Justice, Hawai‘i State Supreme Court;

The Honorable Mufi Hanneman, Mayor of the City and County of Honolulu, and Mrs. Gail Hanneman;

The Honorable Todd Apo, Council Chair, City and County of Honolulu;

The Honorable Danny Mateo, Council Chair, County of Maui;

The Honorable J. Yoshimoto, Council Chair, County of Hawai‘i;

The Honorable Derek Kawakami, Councilmember, representing Bill “Kaipo” Asing, County Chair, County of Kaua‘i;

Mr. Gary K. Heu, Administrative Assistant to the Mayor, County of Kaua‘i;

The Honorable Yoshiko Kamo, Consul General of Japan;

The Honorable David Binns, Consul General of Australia;

The Honorable Leoncio R. Cardenas, Consul General of the Philippines;

The Honorable Bong Joo Kim, Consul General of the Republic of Korea; and

Mr. Philip Wang, Director General, Taipei Economic & Cultural Office.

The Speaker then appointed Representatives Blake K. Oshiro and Lynn Finnegan, on behalf of the House of Representatives, and Senators Gary L. Hooser and Fred Hemmings, on behalf of the Senate, to escort the Honorable Linda Lingle, Governor of the State of Hawai‘i, to the rostrum.

Senator Russell S. Kokubun and Vice Speaker Michael Magaoy presented Governor Lingle with lei.

The Speaker then presented to the members of the Twenty-Fifth Legislature and guests the Honorable Linda Lingle, Governor of the State of Hawai'i.

Governor Lingle presented the State of the State Address as follows:

"Senate President Hanabusa, Speaker Say, Lt. Governor and Mrs. Aiona, former Governor Ariyoshi, members of the Legislature, cabinet members, Chief Justice Moon, Chair Apoliona, Mayor Hannemann, military leaders, members of the Consular Corps, distinguished guests, and to all the people of Hawai'i... good morning and aloha!

"It is my great privilege this morning to deliver the time-honored State of the State Address to the people of Hawai'i as I have done for the past seven years.

"This address will differ from those I have delivered in the past, because it will be my last.

"And while that fact might be considered an applause line by some in the Legislature, I will miss you all when my time in office ends later this year.

"I have invited a dozen current and retired Hawai'i National Guard Generals to join me this morning to bring attention to the role they have played during my years as Governor.

"Every governor's most basic responsibility and highest priority is the physical safety of the citizens they serve.

"Whether fires, floods, tsunami threats, or earthquakes, in times of emergency they have always been there for us, and never once fallen short of my expectations.

"Please join me in thanking them and the men and women they lead for helping us to stay safe throughout the years of my Administration.

"Before sharing my vision for the coming year, I first want to express my gratitude to the people of Hawai'i for the privilege you have given me to serve two full terms as your Governor.

"Beyond the honor of public office, you have made me part of your 'ohana, and for that I will be forever grateful.

"You have put your trust in me and I have always held that trust in the highest regard as I worked to make decisions large and small.

"My Administration began seven years ago during challenging economic times and enters its final year in an even tougher economic climate.

"The difference between then and now is that the challenges we face today are so much greater, revenue loss so much larger, and the statewide impact so far-reaching that the decisions we have to make are much tougher.

"I have already had to make some very difficult decisions – cutting popular programs and services, furloughing State employees, and with great reluctance, laying off hundreds of people.

"These decisions were not easy, nor were they the decisions I wanted to make.

"They were the decisions that I had to make given the situation before us.

"Simply put, our state government is spending at a rate that substantially exceeds our revenues and at a level that cannot be sustained.

"The mid-term economic outlook requires that we further downsize government, prioritize the services we desire and can afford, and together devise innovative ways to meet the needs of Hawai'i's people.

"We must face the situation as it is – not as we wish it to be; and we must make difficult decisions now about the size and nature of government that will keep us on a positive course for the future.

"More importantly, we must do what it takes to create a future that does not financially burden our children and grandchildren simply because we weren't willing to make those difficult, sometimes gut-wrenching decisions, when destiny called on us to do so.

"Clinging to the programs, practices and government structure of the past will not work and cannot be sustained.

"We have to create a government that is more efficient and able to provide essential services in a way that is affordable today and sustainable over time.

"The global recession hit Hawai'i hard and has affected us deeply.

"Visitor spending plunged, construction stalled, unemployment doubled over 18 months, and businesses and consumers uncertain about the future retrenched.

"It will take many months before our economy begins to rebound, and likely years before it returns to its pre-recession strength.

"Because of the tough lessons we have learned about sudden and severe economic downturns, I will be proposing a Constitutional Amendment to rename and revise the State's Rainy Day Fund to create a Fiscal Stabilization Fund.

"This fund will shield us in future years from the need to raise taxes during periods when the economy is contracting and citizens can least afford to pay more.

"The Fiscal Stabilization Fund will ensure that in years when tax revenues are growing, 5 percent of the general fund's end-of-year balance will be placed in the Stabilization Fund prior to granting the currently mandated refund to taxpayers.

"This prudent and important revision to the State's Rainy Day Fund will augment the fund's current source of revenue from Tobacco Settlement moneys.

"On a positive note, the prudent fiscal management that we have exercised during both good and bad times has resulted in Hawai'i maintaining a strong, double-A bond rating.

"During my remaining 10 months as Hawai'i's chief executive, my Administration's resolve to move us forward in a fiscally responsible way will remain steadfast.

"We are at a very unique point in our state's history – it is a time when both our current challenges and our future opportunities have never been greater.

"It is with that thought in mind that I want to use my final State of the State Address to speak with you about reaffirmation and rededication.

"Reaffirmation of who we are and what we are for, and rededication to the kind of future we want for the next generation – a future we will all share.

"The budget I presented to you last month, along with our legislative proposals, are aimed at creating new jobs and maintaining current jobs, encouraging investment, and laying the foundation for educational improvement and energy security.

“Together they comprise a plan for our economic recovery and a roadmap for a brighter, more prosperous future.

“Government cannot create a strong economy, but it can help provide a positive economic climate that makes it attractive to invest and create jobs in Hawai‘i.

“It can also work hand-in-hand with the business community to build the foundation upon which private enterprise will flourish.

“A good example of government creating a framework for success is the way public and private organizations have been working together to strengthen tourism – our number one industry.

“According to the latest count, nearly 580,000 additional airline seats will be added this year, creating the potential for another half a million visitors which would require businesses to call more than 5,000 people back to work.

“We will continue supporting our visitor industry while at the same time searching for other economic development opportunities both at home and abroad.

“Among all the world’s nations today, nowhere is the pace of economic activity more breathtaking than in China.

“On my most recent visit, I was personally involved in kick-starting direct flights between Beijing and Honolulu, had substantive discussions on clean energy partnerships, and signed an agreement to establish the first showroom for Hawai‘i products in Shanghai.

“I will return to China in a few months to further strengthen our relationships and continue efforts to promote business opportunities for local companies.

“We will join with business and cultural groups to celebrate Hawai‘i Week at the American Pavilion this June at the Shanghai World Expo and celebrate the 25th anniversary of our sister-state relationship with Guangdong Province, China’s manufacturing center and homeland to most of Hawai‘i’s residents of Chinese ancestry.

“Being a state located in the middle of the Pacific Ocean, Hawai‘i faces greater challenges than most states with similar size populations.

“Because of our geographic isolation, we must do more than merely wait for opportunities to come to us.

“Hawaiian monarchs realized the importance of connecting our isolated islands to the rest of the world as far back as the time of Kamehameha II when he and his Queen Kamamalu departed for England to strengthen diplomatic ties.

“Princes Alexander Liholiho and Lot Kamehameha traveled to the United States and on to Europe in the company of Dr. G.P. Judd to negotiate treaties with Great Britain in the mid-1800s.

“Queen Emma, Queen Kapi‘olani, then-Princess Liliu‘okalani, and King Kalākaua also traveled abroad.

“Previous governors have also traveled widely, and each international trip builds upon the relationships that have been developed and cultivated during prior visits.

“With a sense of our history and a focus on the future, my Administration is forging closer ties with the People’s Republic of China as well as reinforcing and strengthening ties with Japan, Taiwan, the Republic of Korea and the Philippines.

“In China, as it has been in Japan and Korea, and is in most of Asia, relationships matter – particularly relationships between governments.

“We will be hosting government officials and others from 28 different countries this fall at the Pacific Asian Energy Expo and Summit, the Asia-Pacific Homeland Security Summit and the International Women’s Leadership Conference.

“And while the Internet makes it easier for today’s leaders to learn about the world around them, I would encourage the next Governor to continue the tradition of our Hawaiian monarchs and governors and keep Hawai‘i in consistent contact with countries that present economic and cultural opportunities.

“It is vital for Hawai‘i to have a cohesive and ongoing international outreach strategy that is advanced by state and county governments, business leaders, public and private universities, and various NGOs, including our ethnic chambers of commerce.

“It is this kind of comprehensive and integrated approach that enabled our state to be chosen as the site of the prestigious 2011 APEC Leaders Conference.

“It was the team of Federal, State and local government officials, visitor industry and business leaders along with the expertise of the East-West Center and support from almost every business organization in the state that produced the winning bid for APEC.

“We can leverage our state’s limited resources by following this same model of collaboration in others areas.

“One of our most successful collaborations is the Hawai‘i Clean Energy Initiative.

“The concerted actions of many both in and out of government, have turned our over reliance on foreign oil into the impetus for a clean energy future and made us a global leader in our pursuit of energy independence.

“Clean energy is critical for our overall economic well-being, our environment and our security.

“And it is becoming an important and growing economic sector that will lead to high-quality, good-paying jobs for our residents.

“This legislative session I am proposing a package of initiatives that builds upon the foundation of the Hawai‘i Clean Energy Initiative, including a ban on the construction of new power plants that burn fossil fuels.

“It is time now to show the public by our actions that we will no longer allow our economic well-being to be dependent on burning oil and coal that must be shipped here over thousands of miles of open ocean.

“Another proposal will grant a general excise tax exemption to renewable energy projects of at least two megawatts that are placed in service between January 1st of 2011 and January 1st of 2015.

“In the transportation sector we propose a rebate of general excise taxes paid on electric and plug-in hybrid vehicles as well as the charging stations that will make it practical and convenient to drive electric vehicles in our islands in the coming years.

“These proposals and others will serve as effective incentives for investment in clean energy, create new jobs and make a clear public statement that clean, renewable energy is a state priority.

“Finally, I am proposing that property owners across the state be empowered to help create a green jobs sector through

the establishment of a new program called Hawai'i Clean Energy Investment Bonds.

"Similar programs, which already exist in 15 states, assist residential and commercial property owners with the upfront costs of installing clean energy systems or energy efficiency upgrades by allowing them to borrow the money from the State and then repay the loans over a period of years via an annual assessment on their real property tax bill.

"This program spurs both immediate job creation and economic activity, and moves us closer to our goal of 70 percent clean energy by 2030.

"The HCEI Bonds program to encourage a green jobs sector is just one of the economic recovery proposals my Administration will be implementing in the months ahead.

"Recognizing the economic and social imperative of getting people back to work, I am proposing a package of incentives, including help covering the costs of health insurance, and income tax credits for the creation of new jobs.

"The income tax credit proposal grants credits equal to the wages withheld by the employer for each new, full-time permanent position filled by a resident who is currently receiving unemployment benefits.

"Because we need jobs now, the tax credits will begin as soon as the law is passed and remain in effect through December 31, 2012.

"Businesses will be required to be operational for two years after their final tax credits are received.

"Also, we will actively work to expand our SEE Hawai'i Work program that currently reimburses an employee's wages and benefits for up to one year for companies that hire people off of the welfare rolls.

"The expanded program will use Federal Stimulus funds to cover for six months parents who are collecting unemployment and whose household income does not exceed a certain level.

"This program expansion does not require legislation and we will move now to get employers and employees the help they need to get back to work.

"In addition, we will begin a program next month to allow workers on unemployment to volunteer their time at a business or non-profit organization while still drawing unemployment benefits.

"This program will give workers an opportunity to demonstrate their skills to prospective employers and also help businesses evaluate an individual before they incur the cost of hiring them permanently.

"Because the construction and visitor industries have been hit especially hard during the downturn, and have the capacity to significantly stimulate the economy, we are proposing a 10 percent construction and renovation tax credit for hotels and resorts.

"This credit will be granted for the first \$500 million in construction work undertaken in each of the next three years, and has the potential to create more than 23,000 new jobs.

"The cost of the credit will be more than offset by the economic activity generated.

"We will also continue expediting our airports, harbors and highways modernization programs as well as other government construction projects.

"And we will again propose legislation that places reasonable time limits on issuing construction permits for high-

priority projects such as affordable housing, renewable energy and housing-related infrastructure.

"At the same time we are moving forward with these job creation initiatives, nearly every business in the state is worried about scheduled increases in unemployment insurance taxes if the Legislature does not take quick action this session.

"My Administration has been working with legislators as well as business and labor organizations to develop legislation that will moderate any increases while returning solvency to the unemployment insurance trust fund.

"Under our proposal, employers will pay only 60 percent of anticipated tax hikes, saving businesses \$497 million over the next four years.

"We believe strongly that anything beyond this 60 percent threshold will cause large job losses.

"I urge the Legislature to enact this bill prior to mid-March when the Labor Department will need to send out the unemployment insurance bills to businesses across the state.

"While I am spending most of my time this morning talking about important proposals to get our economy growing again, I also want to take a couple of minutes to thank members of my team for their important contributions to Hawai'i during the past seven years.

"We have been making progress in STEM education, renewable energy, film and television production and international partnerships thanks to the creativity and hard work of Director Ted Liu and the entire DBEDT team, including their recent success in convincing Disney to film the next Pirates of the Caribbean film in Hawai'i.

"I'd like to recognize a few other cabinet members, including one who has been with me from my first day as Governor as well as during my eight years as Mayor of Maui County, Budget Director Georgina Kawamura.

"Georgina and her team at B&F have found ways to keep the State's books balanced, accommodate our innovative policy initiatives and infrastructure modernization plans, while maintaining our strong bond rating during the largest global economic crisis of the last 70 years.

"I am very grateful to have her at my side.

"I also want to thank two of my go-to guys, Comptroller Russ Saito, for the many hats he wears with such ease, including keeping our infrastructure plans on track, honchoing our various homeless initiatives, getting a new energy code adopted, and constructing clean energy retrofits on state buildings. I also want to recognize our Director of Transportation, Brennon Morioka, for overseeing the state's largest-ever, simultaneous modernization of our highways, harbors and airports.

"And I want to thank Dr. Chiyome Fukino and Lillian Koller for the difficult yet creative adjustments they have made in order to assure the highest quality services for the greatest number of residents in need during a time of severe budget restrictions.

"Finally, I want to thank Lt. Governor Duke Aiona, a trusted friend who has provided me with wise counsel when I was facing some of the most difficult decisions of my governorship. Mahalo, Duke.

"To the Lt. Governor, all of my cabinet directors, deputies and senior staff, you have truly brought about the New Beginning we envisioned for our state.

"I ask that all members of the cabinet and deputies, as well as previous directors and deputies who are in the audience today stand so we can give you a well-deserved round of applause.

"I am proud of many of the services we deliver to the public, but one very expensive part of state government that I believe has failed to meet the community's expectations over many years now is our public school system.

"I came into office seven years ago believing we needed an entirely new governance structure in order to realize meaningful improvements in student achievement, and I enter this final year more convinced than ever that continuing the status quo structure of our public school system will never produce more than mediocre results.

"Despite consistently spending more than \$2 billion a year on education, we have not achieved the kind of meaningful results any of us can be proud of, and we continue lagging far behind other states.

"The recent public concern over furloughs is understandable and I have made a generous and fair offer in an attempt to achieve a permanent solution to this situation.

"But I ask everyone to be as concerned about the quality of education, as they have become about the mere quantity of education.

"The time has come to focus not only on the number of days children are in class, but on what they are learning during those days.

"The time has come for high school diplomas to mean that a student has the skills to be career or college ready rather than being a piece of paper signifying they sat in class a set number of years.

"And the time has come for us to focus more on long-lasting systemic reform of public education than on temporary furloughs caused by the severest fiscal crisis in Hawaii's history.

"Regardless of how quickly furloughs end, our school system needs structural reform.

"The current school system lacks clear lines of authority, responsibility and accountability.

"Because the Governor, the Legislature, the Board of Education, the Department of Education, and the Superintendent of Education all have roles to play, the public does not know who to hold accountable for consistently mediocre performance.

"If President Truman had analyzed our public school system, he might have said, "The buck doesn't stop here, or there, or there – it just gets passed around and eventually lost."

"I propose we offer our citizens the opportunity to vote on a constitutional amendment that makes the Department of Education a cabinet department with a superintendent hired by the next Governor so all of us will know clearly "where the buck stops."

"It is time for Hawai'i to make the Governor accountable for public education.

"If you want to see what can happen when the Governor's office gets involved with just a single aspect of education, look closely at the success of our robotics programs, which are among the finest in the country.

"When our Administration began a concerted focus on promoting science, technology, engineering and math programs through robotics in our schools in January of 2007, there were 95 robotics teams statewide.

"Today we have 400 robotics teams, primarily because of federal and private funding and enthusiastic and dedicated volunteers, including many teachers and some principals.

"But more importantly, robotics has proven that our children can excel in the very skills that will be in great demand by our state, national and world economies in the years ahead.

"I would like you to meet three championship teams who will represent Hawai'i on the global stage – our elementary school FIRST LEGO League Champions from Punahou and Hanalei Schools and their coach Robert Piper; our VEX robotics middle school champions from Highlands Intermediate along with their teacher Joan Okai, and our high school VEX Champions from McKinley High School and their veteran robotics teacher Osa Tui.

"Please stand and be recognized.

"Every public school student in Hawai'i deserves the opportunity to participate in this kind of project-based learning program that can enhance their STEM skills.

"That is why I have allocated \$10 million in discretionary federal stimulus funds to place these types of programs in every public and charter school in the state by the start of the 2011 school year.

"Besides education programs, we are intently focused on making progress during our remaining 315 days in many other areas including job creation, energy independence, and direct flights between Honolulu and Beijing.

"Regardless of the number of days remaining in my term, time will not alter our intentions or diminish our commitment to an even better future for Hawai'i.

"It is my intention and that of my cabinet to make each and every day a day devoted to improving the well-being of our citizens.

"And before I conclude my final State of the State Address, I would like to recognize one special citizen who I have held in high esteem for many years.

"On his way to being named this year's American Volleyball Coaches Association Coach of the Year, UH Women's Volleyball Coach, Dave Shoji, became only the second coach in NCAA history to win 1,000 matches.

"There are now 330 women's volleyball teams in Division I and the Wahine have been ranked in the top 10 in the final polls all but 5 of his 35 years of coaching.

"I appreciate Coach Shoji and his wife Mary for attending today so that I could have this chance to recognize him for the great person that he is and thank him for the message he has given to the youth of Hawai'i, especially the girls, that with hard work and determination they can compete with the best in the country.

"Thank you Coach for the pride you bring to the people of Hawai'i every time you walk onto the court, and for bringing us such joy this year by again taking the Wahine to the Final Four.

"Please join me in expressing our appreciation to Coach Dave Shoji for his decades of teaching and inspiring the young women of Hawai'i.

"Whether you participate in sports or simply enjoy them as a spectator, it is easy to appreciate the many lessons that they teach.

"One of the best known lessons from the world of sports is that in order to assure a successful outcome, you have to play hard for the entire game – all four quarters of football, the last

out in baseball, the final hole in golf or match point in volleyball.

“And while government is no game, the sports lesson applies – everyone in my Administration is committed to work hard until the last minute of our last day.

“I pledge to the people of Hawai‘i all my effort in moving our state into the best possible position before the next Governor is sworn in later this year.

“I cherish the fact that I have been allowed to serve as the Governor of the Great State of Hawai‘i, a place that is so deeply traditional and yet thrillingly young.

“I know you agree that our Aloha State’s greatest days are yet to come.

“I stand before you rededicated to the job ahead!

“Mahalo nui loa, and God bless Hawai‘i and the United States of America.”

Senate President Colleen Hanabusa then rose and stated:

“Thank you, Governor Lingle. On behalf of Speaker Say, the Legislature, and more importantly, the people of the State of Hawai‘i, we thank you for your term of service. My colleagues and I have always commented on the fact that this will be the most difficult legislative session that we will all face, many of us for probably our whole legislative career. This is a time when we must work collaboratively, and for the people of the State of Hawai‘i, collaboratively doesn’t mean that we are always going to agree. Debate is good, discussion is good, and we know, Governor, we’ve had many of those over these years. (You don’t hear her laughing behind me.) But what that means for everyone is the fact that we will then leave no stone unturned, and that is what we must do to meet this challenge. And I know that the Legislature, the Governor and her cabinet are all up to it, because we must be, for you, the people of the State of Hawai‘i.

“I do want to say something that has never been emphasized. The honoring of Coach Shoji and the Governor did mention. But I think it is also very important that in Governor Lingle we saw the first woman governor of the State of Hawai‘i. And as we heard the stories of Coach Shoji’s amazing career, and we all grew up thinking, as a girl, ‘God, we’re better than the boys!’ And as I look up at the robotics team and see so many young girls—remember, remember in the future that you saw the first woman governor of the State of Hawai‘i, and we all owe you a debt of gratitude for that because that propels girls and women ahead.

“So on that note, Governor, again, on behalf of all of us, we thank you, we look forward to working collaboratively with you in this last year, and now I declare this Joint Session adjourned.”

At 10:49 a.m., President Hanabusa declared the Joint Session adjourned.

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 p.m. In consequence thereof and subsequent to its recessing at 9:47 a.m., the following bills were introduced and placed on the calendar for further action on Wednesday, January 27, 2010:

S.B. No. 2642 “A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH SENATORIAL DISTRICT.”

Introduced by: Senator Nishihara.  
S.B. No. 2643 “A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”

Introduced by: Senator Nishihara.  
S.B. No. 2644 “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”

Introduced by: Senator Nishihara.  
S.B. No. 2645 “A BILL FOR AN ACT RELATING TO HEALTHCARE.”

Introduced by: Senators Green, Chun Oakland, Baker, Ige.

S.B. No. 2646 “A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES.”

Introduced by: Senators Hemmings, Bunda, Chun Oakland, Galuteria, Green, Slom, Espero, Tokuda.

S.B. No. 2647 “A BILL FOR AN ACT RELATING TO EMPLOYMENT.”

Introduced by: Senators Tsutsui, Sakamoto, Baker, English, Kim.

S.B. No. 2648 “A BILL FOR AN ACT RELATING TO EDUCATION.”

Introduced by: Senator Tsutsui.  
S.B. No. 2649 “A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS.”

Introduced by: Senators Tokuda, Tsutsui, Baker, English, Fukunaga, Hee, Hooser, Kokubun, Sakamoto, Takamine, Taniguchi.

S.B. No. 2650 “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES.”

Introduced by: Senator Bunda.  
S.B. No. 2651 “A BILL FOR AN ACT RELATING TO BIOFUEL FACILITIES.”

Introduced by: Senators Hooser, Baker, English, Espero, Tsutsui, Kidani, Nishihara, Takamine.

S.B. No. 2652 “A BILL FOR AN ACT RELATING TO EDUCATION.”

Introduced by: Senator Hooser.

S.B. No. 2653 “A BILL FOR AN ACT RELATING TO TAXATION.”

Introduced by: Senators Tsutsui, English.

S.B. No. 2654 “A BILL FOR AN ACT RELATING TO CONSERVATION.”

Introduced by: Senator Hee, by request.

S.B. No. 2655 “A BILL FOR AN ACT RELATING TO SHARK TOURS.”

Introduced by: Senators Bunda, Hee.

S.B. No. 2656 “A BILL FOR AN ACT RELATING TO THE ENVIRONMENT.”

Introduced by:	Senator Hanabusa, by request.	S.B. No. 2671	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
S.B. No. 2657	“A BILL FOR AN ACT RELATING TO INVASIVE SPECIES.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2672	“A BILL FOR AN ACT RELATING TO BIOFUELS.”
S.B. No. 2658	“A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2673	“A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL HOMES.”
S.B. No. 2659	“A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2674	“A BILL FOR AN ACT RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION.”
S.B. No. 2660	“A BILL FOR AN ACT RELATING TO PAYROLL.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2675	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
S.B. No. 2661	“A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2676	“A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.”
S.B. No. 2662	“A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2677	“A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT.”
S.B. No. 2663	“A BILL FOR AN ACT RELATING TO DEFENSES TO THEFT PROSECUTION.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2678	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS.”
S.B. No. 2664	“A BILL FOR AN ACT RELATING TO IDENTITY THEFT.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2679	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”
S.B. No. 2665	“A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2680	“A BILL FOR AN ACT RELATING TO LAND USE.”
S.B. No. 2666	“A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF PLEA.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2681	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”
S.B. No. 2667	“A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2682	“A BILL FOR AN ACT RELATING TO CREATIVE MEDIA.”
S.B. No. 2668	“A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY’S FEES OR INTEREST AGAINST THE STATE.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2683	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS.”
S.B. No. 2669	“A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2684	“A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS.”
S.B. No. 2670	“A BILL FOR AN ACT RELATING TO FOSSIL FUELS.”	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2685	“A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY.”
		Introduced by:	Senator Hanabusa, by request.
		S.B. No. 2686	“A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF

	EMPLOYEES' RETIREMENT SYSTEM RETIRANTS."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2699	"A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES."
S.B. No. 2687	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2700	"A BILL FOR AN ACT RELATING TO THE DENTAL LICENSURE EXAMINATION."
S.B. No. 2688	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2701	"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
S.B. No. 2689	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2702	"A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT."
S.B. No. 2690	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2703	"A BILL FOR AN ACT RELATING TO THE INTERDEPARTMENTAL COUNCIL ON EARLY CHILDHOOD EDUCATION."
S.B. No. 2691	"A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2704	"A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS."
S.B. No. 2692	"A BILL FOR AN ACT RELATING TO THE STATE FISCAL STABILIZATION FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2705	"A BILL FOR AN ACT RELATING TO EDUCATION GOVERNANCE."
S.B. No. 2693	"A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE STATE FISCAL STABILIZATION FUND."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2706	"A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO MAKE THE DEPARTMENT OF EDUCATION A PRINCIPAL DEPARTMENT OF STATE GOVERNMENT."
S.B. No. 2694	"A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2707	"A BILL FOR AN ACT RELATING TO CONTRACTORS."
S.B. No. 2695	"A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2708	"A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD."
S.B. No. 2696	"A BILL FOR AN ACT RELATING TO DISTINGUISHING PUBLICITY RIGHTS TRADE NAMES FROM OTHER TYPES OF TRADE NAMES BY RENAMING THEM AS PUBLICITY RIGHTS NAMES AND SPECIFYING THE REGISTRATION PROCEDURES APPLICABLE TO PUBLICITY RIGHTS NAMES."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2709	"A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS."
S.B. No. 2697	"A BILL FOR AN ACT RELATING TO INSURANCE."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2710	"A BILL FOR AN ACT RELATING TO BOARD MEETINGS."
S.B. No. 2698	"A BILL FOR AN ACT RELATING TO INSURANCE."	Introduced by:	Senator Hanabusa, by request.
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2711	"A BILL FOR AN ACT RELATING TO JOB CREATION."
		Introduced by:	Senator Hanabusa, by request.

S.B. No. 2712	“A BILL FOR AN ACT RELATING TO REMODELING TAX CREDITS.”	S.B. No. 2726	“A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2713	“A BILL FOR AN ACT RELATING TO STANDARD TIMEFRAMES FOR APPLICATION REVIEWS.”	S.B. No. 2727	“A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2714	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	S.B. No. 2728	“A BILL FOR AN ACT RELATING TO TRAUMA.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2715	“A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING.”	S.B. No. 2729	“A BILL FOR AN ACT RELATING TO IMMUNIZATION.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2716	“A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT.”	S.B. No. 2730	“A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2717	“A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE.”	S.B. No. 2731	“A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION LAW.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2718	“A BILL FOR AN ACT RELATING TO DEATH BENEFITS.”	S.B. No. 2732	“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2719	“A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION.”	S.B. No. 2733	“A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE. “
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2720	“A BILL FOR AN ACT RELATING TO WARRANTS ISSUED BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES.”	S.B. No. 2734	“A BILL FOR AN ACT RELATING TO INDUSTRIAL PARKS ON PUBLIC LANDS.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2721	“A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY.”	S.B. No. 2735	“A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS. “
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2722	“A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT.”	S.B. No. 2736	“A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS. “
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2723	“A BILL FOR AN ACT RELATING TO INTEREST ARBITRATION.”	S.B. No. 2737	“A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT SPECIAL FUND.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2724	“A BILL FOR AN ACT RELATING TO PUBLIC SECTOR COLLECTIVE BARGAINING.”	S.B. No. 2738	“A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2725	“A BILL FOR AN ACT RELATING TO CONFIDENTIALITY OF FORENSIC MENTAL HEALTH EXAMINATION REPORTS.”	S.B. No. 2739	“A BILL FOR AN ACT RELATING TO THE LICENSING OF ARCHAEOLOGISTS. “
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
		S.B. No. 2740	“A BILL FOR AN ACT RELATING TO SAINT DAMIEN DE VEUSTER DAY.”
		Introduced by:	Senator Hanabusa, by request.

S.B. No. 2741	“A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO CREATE THE OFFICE OF THE SECRETARY OF STATE.”	S.B. No. 2755	“A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2742	“A BILL FOR AN ACT RELATING TO THE GOVERNANCE OF ELECTIONS.”	S.B. No. 2756	“A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2743	“A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS COMMISSION.”	S.B. No. 2757	“A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2744	“A BILL FOR AN ACT RELATING TO TIP CREDIT.”	S.B. No. 2758	“A BILL FOR AN ACT RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2745	“A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES.”	S.B. No. 2759	“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2746	“A BILL FOR AN ACT RELATING TO CORRECTIONS.”	S.B. No. 2760	“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2747	“A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.”	S.B. No. 2761	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2748	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”	S.B. No. 2762	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2749	“A BILL FOR AN ACT RELATING TO TAX CREDITS.”	S.B. No. 2763	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2750	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX ON INSURANCE PRODUCERS.”	S.B. No. 2764	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2751	“A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX.”	S.B. No. 2765	“A BILL FOR AN ACT RELATING TO THE STATE BUDGET”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2752	“A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION.”	S.B. No. 2766	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Bunda.
S.B. No. 2753	“A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION.”	S.B. No. 2767	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Bunda.
S.B. No. 2754	“A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING.”	S.B. No. 2768	“A BILL FOR AN ACT RELATING TO PAROLE.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani.
		S.B. No. 2769	“A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES.”
		Introduced by:	Senators Espero, Bunda, Galuteria, Kidani.

S.B. No. 2770	“A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY.”		STATE WITHOUT THE PRIOR APPROVAL OF TWO-THIRDS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.”
Introduced by:	Senators Espero, English, Bunda, Galuteria, Kidani, Nishihara.	Introduced by:	Senators Hooser, Galuteria, Nishihara.
S.B. No. 2771	“A BILL FOR AN ACT RELATING TO KALAUPAPA.”	S.B. No. 2783	“A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY.”
Introduced by:	Senators English, Hanabusa.	Introduced by:	Senators Hooser, Gabbard, Nishihara.
S.B. No. 2772	“A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE.”	S.B. No. 2784	“A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY.”
Introduced by:	Senator Hee.	Introduced by:	Senators Hooser, Gabbard, Nishihara.
S.B. No. 2773	“A BILL FOR AN ACT RELATING TO HOMELESS PARK.”	S.B. No. 2785	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR PROJECTS FOR THE BENEFIT OF THE SIXTEENTH SENATORIAL DISTRICT.”
Introduced by:	Senators Espero, Bunda, English, Hemmings.	Introduced by:	Senator Ige.
S.B. No. 2774	“A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”	S.B. No. 2786	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”
Introduced by:	Senator Espero.	Introduced by:	Senators Ihara, Chun Oakland, Hemmings, Slom, Bunda, English, Hooser, Ige, Kim, Nishihara, Sakamoto, Tokuda, Tsutsui.
S.B. No. 2775	“A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P.”	S.B. No. 2787	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
Introduced by:	Senator Fukunaga.	Introduced by:	Senators Kidani, Chun Oakland, Espero, Baker, Gabbard, Galuteria, Hooser, Nishihara, Tsutsui.
S.B. No. 2776	“A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”	S.B. No. 2788	“A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS.”
Introduced by:	Senators Fukunaga, Baker, Ige, Takamine.	Introduced by:	Senators Nishihara, Fukunaga, Bunda, Hee, Ige, Kidani, Sakamoto, Takamine.
S.B. No. 2777	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2789	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Fukunaga, Chun Oakland, Baker, Ige, Takamine.	Introduced by:	Senator Sakamoto.
S.B. No. 2778	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2790	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Fukunaga, Chun Oakland, Baker, Ige, Sakamoto, Takamine.	Introduced by:	Senators Sakamoto, Kidani, Tsutsui.
S.B. No. 2779	“A BILL FOR AN ACT RELATING TO MEDICAL PROCEDURES.”	S.B. No. 2791	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senator Fukunaga.	Introduced by:	Senator Sakamoto.
S.B. No. 2780	“A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS.”	S.B. No. 2792	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senators Hee, Bunda, Fukunaga, Takamine, Tokuda.	Introduced by:	Senator Sakamoto.
S.B. No. 2781	“A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS.”	S.B. No. 2793	“A BILL FOR AN ACT RELATING TO CONTRACTORS.”
Introduced by:	Senators Hee, Bunda, Fukunaga, Hemmings, Takamine, Tokuda.	Introduced by:	Senator Sakamoto.
S.B. No. 2782	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 8 OF THE HAWAII CONSTITUTION, TO PROHIBIT THE CONSTRUCTION OF NEW PETROLEUM, COAL, AND NUCLEAR POWER PLANTS IN THE	S.B. No. 2794	“A BILL FOR AN ACT RELATING TO SMOKING.”
		Introduced by:	Senators Slom, Bunda, Espero, Gabbard, Galuteria.
		S.B. No. 2795	“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”

Introduced by:	Senators Slom, Baker, Bunda, Chun Oakland, Espero, Gabbard, Galuteria, Hemmings, Ige, Kidani, Nishihara, Sakamoto, Tokuda, Tsutsui.	S.B. No. 2807	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT.”
S.B. No. 2796	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.”	Introduced by:	Senators Tsutsui, Chun Oakland, Hooser, Kidani, Kim, Nishihara, Sakamoto, Tokuda, Baker, Bunda, English, Galuteria, Hee, Ihara, Takamine.
Introduced by:	Senators Slom, Bunda, Espero, Gabbard, Hemmings, Sakamoto.	S.B. No. 2808	“A BILL FOR AN ACT RELATING TO SOIL AND WATER CONSERVATION DISTRICTS.”
S.B. No. 2797	“A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION TRUSTS.”	Introduced by:	Senators Baker, Fukunaga, Takamine, Tsutsui.
Introduced by:	Senators Takamine, Chun Oakland, Fukunaga, Hooser, Kidani, Tsutsui.	S.B. No. 2809	“A BILL FOR AN ACT RELATING TO UTILITIES REGULATION.”
S.B. No. 2798	“A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSES.”	Introduced by:	Senators Baker, Espero, Ige, Sakamoto.
Introduced by:	Senators Takamine, Galuteria, Kidani.	S.B. No. 2810	“A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS.”
S.B. No. 2799	“A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH.”	Introduced by:	Senators Baker, Espero, Ige, Nishihara.
Introduced by:	Senators Takamine, Bunda, Gabbard, Slom, Taniguchi.	S.B. No. 2811	“A BILL FOR AN ACT RELATING TO PHARMACIES.”
S.B. No. 2800	“A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER.”	Introduced by:	Senators Baker, English, Espero, Kidani, Fukunaga, Ige, Ihara, Nishihara, Sakamoto.
Introduced by:	Senator Taniguchi.	S.B. No. 2812	“A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES.”
S.B. No. 2801	“A BILL FOR AN ACT RELATING TO SMOKING.”	Introduced by:	Senators Baker, English, Espero, Fukunaga, Tsutsui, Ige, Sakamoto, Takamine, Taniguchi.
Introduced by:	Senator Taniguchi, by request.	S.B. No. 2813	“A BILL FOR AN ACT RELATING TO TARO.”
S.B. No. 2802	“A BILL FOR AN ACT RELATING TO HYBRID BICYCLES.”	Introduced by:	Senator English.
Introduced by:	Senators Tokuda, Espero, Baker, English, Gabbard, Hooser, Sakamoto.	S.B. No. 2814	“A BILL FOR AN ACT RELATING TO SCHOOLS.”
S.B. No. 2803	“A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL.”	Introduced by:	Senator English.
Introduced by:	Senators Tokuda, Baker, Kokubun, Sakamoto, Takamine.	S.B. No. 2815	“A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS.”
S.B. No. 2804	“A BILL FOR AN ACT RELATING TO FIREWORKS.”	Introduced by:	Senators English, Espero, Kidani, Bunda, Nishihara, Takamine, Tsutsui.
Introduced by:	Senators Tokuda, Espero, Hee, Kokubun, Taniguchi, Tsutsui.	S.B. No. 2816	“A BILL FOR AN ACT RELATING TO GOVERNMENT.”
S.B. No. 2805	“A BILL FOR AN ACT RELATING TO CLEAN AND SOBER AND HALFWAY HOME REGULATION.”	Introduced by:	Senators English, Kidani, Bunda, Espero, Galuteria, Nishihara, Takamine, Tsutsui.
Introduced by:	Senators Tokuda, Chun Oakland, Green, Espero, Ige, Kokubun, Sakamoto, Takamine.	S.B. No. 2817	“A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES.”
S.B. No. 2806	“A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.”	Introduced by:	Senators Gabbard, Espero, Bunda, Hee, Kidani, Nishihara, Sakamoto, Takamine.
Introduced by:	Senators Tsutsui, Chun Oakland, Galuteria, Hooser, Kidani, Nishihara, Sakamoto, Tokuda, Baker, Bunda, English, Hee, Ihara, Kim, Takamine.	S.B. No. 2818	“A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION.”
		Introduced by:	Senators Gabbard, Kidani, Kokubun, Espero, Hee, Nishihara, Sakamoto, Takamine.

S.B. No. 2819	“A BILL FOR AN ACT RELATING TO ELECTIONS.”	S.B. No. 2387	Committee on Higher Education, then to the Committee on Ways and Means
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2388	Committee on Higher Education, then to the Committee on Judiciary and Government Operations
S.B. No. 2820	“A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY’S FEES OR INTEREST AGAINST THE STATE.”	S.B. No. 2389	Committee on Higher Education, then to the Committee on Ways and Means
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2390	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2821	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	S.B. No. 2391	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2392	Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
S.B. No. 2822	“A BILL FOR AN ACT RELATING TO ATTORNEYS FEES.”	S.B. No. 2393	Committee on Labor, then to the Committee on Ways and Means
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2394	Committee on Labor
S.B. No. 2823	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	S.B. No. 2395	Jointly to the Committee on Ways and Means and the Committee on Judiciary and Government Operations
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2396	Committee on Judiciary and Government Operations
S.B. No. 2824	“A BILL FOR AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL SELECTION COMMISSION.”	S.B. No. 2397	Committee on Labor, then to the Committee on Ways and Means
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2398	Committee on Ways and Means
S.B. No. 2825	“A BILL FOR AN ACT RELATING TO STATE FUNDS.”	S.B. No. 2399	Committee on Commerce and Consumer Protection
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2400	Committee on Ways and Means

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Friday, January 22, 2010.

S.B. No.:	Referred to:	S.B. No. 2401	Committee on Ways and Means
S.B. No. 2378	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2402	Committee on Ways and Means
S.B. No. 2379	Committee on Ways and Means	S.B. No. 2403	Committee on Economic Development and Technology
S.B. No. 2380	Committee on Health, then to the Committee on Commerce and Consumer Protection	<b>RE-REFERRAL OF SENATE BILLS</b>	
S.B. No. 2381	Committee on Health	The Chair re-referred the following Senate bills that were introduced:	
S.B. No. 2382	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	S.B. No.:	Re-referred to:
S.B. No. 2383	Committee on Labor, then to the Committee on Judiciary and Government Operations	S.B. No. 2053	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means
S.B. No. 2384	Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2139	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
S.B. No. 2385	Committee on Higher Education, then to the Committee on Ways and Means	<b>ADJOURNMENT</b>	
S.B. No. 2386	Committee on Higher Education, then to the Committee on Ways and Means	At 6:00 p.m., the Senate adjourned until 11:00 a.m., Wednesday, January 27, 2010.	

FIFTH DAY

Wednesday, January 27, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:08 a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Joshua Hayashi, Punahou School, after which the Roll was called showing all Senators present with the exception of Senators Ige and Kokubun who were excused.

The President announced that she had read and approved the Journal of the Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 159 to 162) were read by the Clerk and were placed on file:

Gov. Msg. No. 159, dated January 14, 2010, transmitting a Report on Various Unresolved Issues Relating to Aging, prepared by the Department of Health, Executive Office on Aging, and the University of Hawaii, School of Social Work, pursuant to H.C.R. No. 13 (2009).

Gov. Msg. No. 160, dated January 22, 2010, transmitting the Report on Department of Health Transfers to the Department of Human Services for Care and Treatment of Patients; and the Report on Department of Human Service Agreements with the Department of Health to Furnish Outpatient, Hospital and Nursing Home care for Indigents or Medical Indigents.

Gov. Msg. No. 161, dated January 22, 2010, transmitting the Annual Report on Forensic Patient Data, Specific to the Hawaii State Hospital, prepared to the Department of Health pursuant to Act 100, SLH 2009.

Gov. Msg. No. 162, dated December 15, 2009, transmitting a Report on Labeling Issues Relating to the Hawaii-Made Products Law, prepared by the Department of Agriculture pursuant to Act 80, SLH 2009.

INTRODUCTION OF SENATE BILLS

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were deferred:

S.B. No. 2826 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Hooser.

S.B. No. 2827 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FUNDING OF AN UPDATED ENVIRONMENTAL IMPACT STATEMENT AS REQUIRED BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR A LOW-INCOME HOUSING PROJECT."

Introduced by: Senator Hooser, by request.

S.B. No. 2828 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

S.B. No. 2829 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Sakamoto.

S.B. No. 2830 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Sakamoto.

S.B. No. 2831 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senator Sakamoto.

S.B. No. 2832 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Sakamoto.

S.B. No. 2833 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF PENSION OBLIGATION BONDS."

Introduced by: Senators Tsutsui, Baker, English, Tokuda, Bunda, Galuteria, Kidani, Nishihara, Takamine.

S.B. No. 2834 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Tsutsui, Baker, Chun Oakland, English, Hee, Hooser, Kidani, Sakamoto, Tokuda, Galuteria, Ihara, Kim, Takamine, Taniguchi.

S.B. No. 2835 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Tsutsui.

S.B. No. 2836 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senator Tsutsui.

S.B. No. 2837 "A BILL FOR AN ACT RELATING TO LICENSING."

Introduced by: Senator Tsutsui.

S.B. No. 2838 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF PUBLIC LANDS."

Introduced by: Senator Bunda, by request.

S.B. No. 2839 "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION."

Introduced by: Senator Bunda.

S.B. No. 2840 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Senators Bunda, Espero, Ihara, Takamine.

S.B. No. 2841 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Senators Bunda, Espero, Ihara, Takamine.

<p>S.B. No. 2842</p> <p>Introduced by: Senators Bunda, Baker, Chun Oakland, Espero, Fukunaga, Ihara, Gabbard, Ige, Sakamoto, Takamine, Tsutsui.</p>	<p>“A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT.”</p>	<p>S.B. No. 2855</p> <p>Introduced by: Senators Tokuda, Baker, Bunda, Fukunaga, Ige, Kokubun, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO AGRICULTURE.”</p>
<p>S.B. No. 2843</p> <p>Introduced by: Senators Espero, Bunda, Galuteria, Kidani, Nishihara.</p>	<p>“A BILL FOR AN ACT RELATING TO FLAGS.”</p>	<p>S.B. No. 2856</p> <p>Introduced by: Senators Tokuda, Espero, Fukunaga, Ige, Baker, Bunda, Kokubun.</p>	<p>“A BILL FOR AN ACT RELATING TO FIREWORKS.”</p>
<p>S.B. No. 2844</p> <p>Introduced by: Senator Espero.</p>	<p>“A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS.”</p>	<p>S.B. No. 2857</p> <p>Introduced by: Senators Hooser, Baker, English, Espero, Ihara, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTION FEES.”</p>
<p>S.B. No. 2845</p> <p>Introduced by: Senators English, by request, Bunda, Gabbard, Hee, Kidani, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO HIGHWAYS.”</p>	<p>S.B. No. 2858</p> <p>Introduced by: Senators Hooser, English, Espero, Gabbard, Galuteria, Ihara, Nishihara, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO RETAIL WHEELING.”</p>
<p>S.B. No. 2846</p> <p>Introduced by: Senator Galuteria, by request.</p>	<p>“A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION.”</p>	<p>S.B. No. 2859</p> <p>Introduced by: Senators Baker, Espero, Fukunaga, Ige, Sakamoto, Tsutsui, Ihara.</p>	<p>“A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.”</p>
<p>S.B. No. 2847</p> <p>Introduced by: Senators Galuteria, Chun Oakland, Espero, Fukunaga, Ige, Sakamoto, Baker, Bunda, Gabbard, Green, Kim, Kokubun, Takamine, Taniguchi, Tokuda, Tsutsui.</p>	<p>“A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”</p>	<p>S.B. No. 2860</p> <p>Introduced by: Senator Chun Oakland.</p>	<p>“A BILL FOR AN ACT RELATING TO TAXATION.”</p>
<p>S.B. No. 2848</p> <p>Introduced by: Senators Slom, Bunda, Hemmings, Ige, Kidani, Tsutsui.</p>	<p>“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”</p>	<p>S.B. No. 2861</p> <p>Introduced by: Senator Chun Oakland.</p>	<p>“A BILL FOR AN ACT RELATING TO CHILD CARE.”</p>
<p>S.B. No. 2849</p> <p>Introduced by: Senators Takamine, Baker, Hooser, Kim, Kokubun, Taniguchi, Tsutsui.</p>	<p>“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”</p>	<p>S.B. No. 2862</p> <p>Introduced by: Senators Chun Oakland, Fukunaga.</p>	<p>“A BILL FOR AN ACT RELATING TO REAL PROPERTY.”</p>
<p>S.B. No. 2850</p> <p>Introduced by: Senators Espero, Bunda, Hemmings, Kidani.</p>	<p>“A BILL FOR AN ACT RELATING TO FIREWORKS.”</p>	<p>S.B. No. 2863</p> <p>Introduced by: Senator Chun Oakland.</p>	<p>“A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD.”</p>
<p>S.B. No. 2851</p> <p>Introduced by: Senators Espero, Bunda, Kim, Sakamoto, Slom.</p>	<p>“A BILL FOR AN ACT RELATING TO RECIPROCAL BENEFICIARIES.”</p>	<p>S.B. No. 2864</p> <p>Introduced by: Senators Gabbard, Hooser, Sakamoto, Baker, Espero, Hemmings, Ige, Nishihara, Takamine, Taniguchi, Tokuda.</p>	<p>“A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES.”</p>
<p>S.B. No. 2852</p> <p>Introduced by: Senators Fukunaga, Sakamoto.</p>	<p>“A BILL FOR AN ACT RELATING TO TEACHERS.”</p>	<p>S.B. No. 2865</p> <p>Introduced by: Senators Gabbard, Hooser, Baker, Espero, Hemmings, Ige, Sakamoto, Takamine.</p>	<p>“A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS.”</p>
<p>S.B. No. 2853</p> <p>Introduced by: Senator Fukunaga.</p>	<p>“A BILL FOR AN ACT RELATING TO MOTOR CARRIERS.”</p>	<p>S.B. No. 2866</p> <p>Introduced by: Senators Gabbard, Espero.</p>	<p>“A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS.”</p>
<p>S.B. No. 2854</p> <p>Introduced by: Senator Fukunaga.</p>	<p>“A BILL FOR AN ACT RELATING TO PROSTITUTION.”</p>	<p>S.B. No. 2867</p> <p>Introduced by: Senators Hee, Kim.</p>	<p>“A BILL FOR AN ACT RELATING TO GAMING.”</p>

S.B. No. 2868	“A BILL FOR AN ACT RELATING TO CORPORATE TRANSPARENCY.”	Introduced by:	Senator Takamine.
	Introduced by:	Senator Ihara, by request.	
S.B. No. 2869	“A BILL FOR AN ACT RELATING TO LOBBYISTS.”	Introduced by:	Senator Takamine.
	Introduced by:	Senators Ihara, Gabbard, Hemmings, Hooser, Ige, Slom, Takamine, Tsutsui.	
S.B. No. 2870	“A BILL FOR AN ACT RELATING TO LOBBYISTS.”	Introduced by:	Senator Takamine.
	Introduced by:	Senators Ihara, Gabbard, Hemmings, Hooser, Ige, Slom, Takamine, Tsutsui.	
S.B. No. 2871	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH SENATORIAL DISTRICT.”	Introduced by:	Senator Kidani.
S.B. No. 2872	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Introduced by:	Senators Kidani, Chun Oakland, Ihara, Kokubun, Slom, Takamine.
S.B. No. 2873	“A BILL FOR AN ACT RELATING TO CODE OF ETHICS.”	Introduced by:	Senators Kidani, Baker, Galuteria, Ihara, Nishihara, Sakamoto.
S.B. No. 2874	“A BILL FOR AN ACT RELATING TO TAXATION.”	Introduced by:	Senators Kidani, Baker, Chun Oakland, Espero, Galuteria, Hooser, Nishihara, Sakamoto, Tokuda, Bunda, Fukunaga, Ihara, Kim, Slom, Takamine, Taniguchi.
S.B. No. 2875	“A BILL FOR AN ACT RELATING TO GOVERNMENT.”	Introduced by:	Senators Kidani, English, Gabbard, Hooser, Nishihara, Sakamoto, Tsutsui, Espero, Galuteria, Ihara, Kokubun.
S.B. No. 2876	“A BILL FOR AN ACT RELATING TO KAKAAKO.”	Introduced by:	Senators Taniguchi, Galuteria.
S.B. No. 2877	“A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER.”	Introduced by:	Senator Taniguchi.
S.B. No. 2878	“A BILL FOR AN ACT RELATING TO TRUSTEES.”	Introduced by:	Senator Taniguchi, by request.
S.B. No. 2879	“A BILL FOR AN ACT RELATING TO COURT REPORTERS.”	Introduced by:	Senator Taniguchi, by request.
S.B. No. 2880	“A BILL FOR AN ACT RELATING TO COURT REPORTERS.”	Introduced by:	Senator Taniguchi, by request.
S.B. No. 2881	“A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.”	Introduced by:	Senator Takamine.
S.B. No. 2882	“A BILL FOR AN ACT RELATING TO TRANSPORTATION.”	Introduced by:	Senator Takamine.
S.B. No. 2883	“A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES.”	Introduced by:	Senator Takamine.
S.B. No. 2884	“A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.”	Introduced by:	Senator Takamine.
S.B. No. 2885	“A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS.”	Introduced by:	Senator Ige.
S.B. No. 2886	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 23, OF THE HAWAII STATE CONSTITUTION TO SPECIFICALLY RESERVE MARRIAGE TO OPPOSITE-SEX COUPLES.”	Introduced by:	Senators Kim, Gabbard, Hemmings, Sakamoto, Slom, Bunda, Espero.
S.B. No. 2887	“A BILL FOR AN ACT RELATING TO TAXATION.”	Introduced by:	Senator Kim.
S.B. No. 2888	“A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES’ RETIREMENT SYSTEM.”	Introduced by:	Senators Kim, Galuteria, Bunda, Espero, Fukunaga, Gabbard, Hee, Hemmings, Kidani, Nishihara, Sakamoto, Slom, Takamine.
S.B. No. 2889	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Introduced by:	Senators Kokubun, Tokuda, Baker, Espero, Hee, Ihara, Kidani, Takamine, Taniguchi, Tsutsui.
S.B. No. 2890	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”	Introduced by:	Senators Kokubun, Hooser, Baker, Espero, Hee, Ihara, Taniguchi, Tsutsui.
S.B. No. 2891	“A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS.”	Introduced by:	Senators Kokubun, Baker, Espero, Hee, Ihara, Taniguchi.
S.B. No. 2892	“A BILL FOR AN ACT RELATING TO FORECLOSURE.”	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2893	“A BILL FOR AN ACT RELATING TO ARTIFICIAL TRANS FAT.”	Introduced by:	Senator Hanabusa, by request.
S.B. No. 2894	“A BILL FOR AN ACT RELATING TO TIME LIMITATIONS.”	Introduced by:	Senator Hanabusa, by request.

Introduced by:	Senator Hanabusa, by request.	S.B. No. 2649	“A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS.”
S.B. No. 2895	“A BILL FOR AN ACT RELATING TO OCEAN RESOURCES.”		
Introduced by:	Senator Hanabusa, by request.	Referred to:	Jointly to the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2896	“A BILL FOR AN ACT RELATING TO ZIPPER LANES.”		
Introduced by:	Senator Hanabusa, by request.	S.B. No. 2650	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES.”
S.B. No. 2897	“A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”		
Introduced by:	Senator Hanabusa, by request.	Referred to:	Jointly to the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

**ORDER OF THE DAY**

**FIRST READING**

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committee:

S.B. No. 2642	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH SENATORIAL DISTRICT.”	S.B. No. 2651	“A BILL FOR AN ACT RELATING TO BIOFUEL FACILITIES.”
		Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means
Referred to:	Committee on Ways and Means	S.B. No. 2652	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2643	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”	Referred to:	Jointly to the Committee on Education and Housing and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Tourism, then to the Committee on Ways and Means	S.B. No. 2653	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2644	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”	Referred to:	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2654	“A BILL FOR AN ACT RELATING TO CONSERVATION.”
S.B. No. 2645	“A BILL FOR AN ACT RELATING TO HEALTHCARE.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs
Referred to:	Jointly to the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2655	“A BILL FOR AN ACT RELATING TO SHARK TOURS.”
S.B. No. 2646	“A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Commerce and Consumer Protection
Referred to:	Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2656	“A BILL FOR AN ACT RELATING TO THE ENVIRONMENT.”
S.B. No. 2647	“A BILL FOR AN ACT RELATING TO EMPLOYMENT.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Referred to:	Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2657	“A BILL FOR AN ACT RELATING TO INVASIVE SPECIES.”
S.B. No. 2648	“A BILL FOR AN ACT RELATING TO EDUCATION.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2658	“A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE.”
		Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means

S.B. No. 2659	“A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.”	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
	Referred to:	Jointly to the Committee on Judiciary and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means	
S.B. No. 2660	“A BILL FOR AN ACT RELATING TO PAYROLL.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
S.B. No. 2661	“A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.”	Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2662	“A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN.”	Referred to:	Committee on Human Services, then to the Committee on Judiciary and Government Operations
S.B. No. 2663	“A BILL FOR AN ACT RELATING TO DEFENSES TO THEFT PROSECUTION.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2664	“A BILL FOR AN ACT RELATING TO IDENTITY THEFT.”	Referred to:	Committee on Economic Development and Technology, then to the Committee on Judiciary and Government Operations
S.B. No. 2665	“A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2666	“A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF PLEA.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2667	“A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2668	“A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY’S FEES OR INTEREST AGAINST THE STATE.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2669	“A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC.”	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means
		S.B. No. 2670	“A BILL FOR AN ACT RELATING TO FOSSIL FUELS.”
		Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
		S.B. No. 2671	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
		Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Commerce and Consumer Protection
		S.B. No. 2672	“A BILL FOR AN ACT RELATING TO BIOFUELS.”
		Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
		S.B. No. 2673	“A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL HOMES.”
		Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs
		S.B. No. 2674	“A BILL FOR AN ACT RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION.”
		Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs
		S.B. No. 2675	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”
		Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means
		S.B. No. 2676	“A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.”
		Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
		S.B. No. 2677	“A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT.”
		Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means

S.B. No. 2678	“A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Referred to:	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2688	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”
S.B. No. 2679	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”	Referred to:	Jointly to the Committee on Labor and the Committee on Health, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2689	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”
S.B. No. 2680	“A BILL FOR AN ACT RELATING TO LAND USE.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2690	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”
S.B. No. 2681	“A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING.”	Referred to:	Jointly to the Committee on Labor and the Committee on Health, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2691	“A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES’ RETIREMENT SYSTEM BENEFITS.”
S.B. No. 2682	“A BILL FOR AN ACT RELATING TO CREATIVE MEDIA.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.B. No. 2692	“A BILL FOR AN ACT RELATING TO THE STATE FISCAL STABILIZATION FUND.”
S.B. No. 2683	“A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS.”	Referred to:	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2693	“A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE STATE FISCAL STABILIZATION FUND.”
S.B. No. 2684	“A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS.”	Referred to:	Jointly to the Committee on Human Services and the Committee on Health, then jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means
Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means	S.B. No. 2694	“A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”
S.B. No. 2685	“A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY.”	Referred to:	Committee on Labor, then to the Committee on Ways and Means
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2695	“A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS.”
S.B. No. 2686	“A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES’ RETIREMENT SYSTEM RETIRANTS.”	Referred to:	Committee on Ways and Means
Referred to:	Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2696	“A BILL FOR AN ACT RELATING TO DISTINGUISHING PUBLICITY RIGHTS TRADE NAMES FROM OTHER TYPES OF TRADE NAMES BY RENAMING THEM AS PUBLICITY RIGHTS NAMES AND SPECIFYING THE REGISTRATION PROCEDURES APPLICABLE TO PUBLICITY RIGHTS NAMES.”
S.B. No. 2687	“A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”		

<p>Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2697</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2698</p> <p>Referred to: Committee on Health, then to the Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2699</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2700</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2701</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2702</p> <p>Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means</p> <p>S.B. No. 2703</p> <p>Referred to: Jointly to the Committee on Human Services and the Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2704</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.B. No. 2705</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p> <p>S.B. No. 2706</p>	<p>Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p> <p>“A BILL FOR AN ACT RELATING TO INSURANCE.”</p> <p>Committee on Commerce and Consumer Protection</p> <p>“A BILL FOR AN ACT RELATING TO INSURANCE.”</p> <p>Committee on Health, then to the Committee on Commerce and Consumer Protection</p> <p>“A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES.”</p> <p>Committee on Commerce and Consumer Protection</p> <p>“A BILL FOR AN ACT RELATING TO THE DENTAL LICENSURE EXAMINATION.”</p> <p>Committee on Commerce and Consumer Protection</p> <p>“A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION.”</p> <p>Committee on Commerce and Consumer Protection</p> <p>“A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT.”</p> <p>Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means</p> <p>“A BILL FOR AN ACT RELATING TO THE INTERDEPARTMENTAL COUNCIL ON EARLY CHILDHOOD EDUCATION.”</p> <p>Jointly to the Committee on Human Services and the Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>“A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS.”</p> <p>Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>“A BILL FOR AN ACT RELATING TO EDUCATION GOVERNANCE.”</p> <p>Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p> <p>“A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO MAKE THE DEPARTMENT OF EDUCATION A</p>	<p>PRINCIPAL DEPARTMENT OF STATE GOVERNMENT.”</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means</p> <p>S.B. No. 2707</p> <p>“A BILL FOR AN ACT RELATING TO CONTRACTORS.”</p> <p>Referred to: Committee on Commerce and Consumer Protection</p> <p>S.B. No. 2708</p> <p>“A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD.”</p> <p>Referred to: Committee on Labor, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2709</p> <p>“A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS.”</p> <p>Referred to: Jointly to the Committee on Education and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means</p> <p>S.B. No. 2710</p> <p>“A BILL FOR AN ACT RELATING TO BOARD MEETINGS.”</p> <p>Referred to: Committee on Economic Development and Technology, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2711</p> <p>“A BILL FOR AN ACT RELATING TO JOB CREATION.”</p> <p>Referred to: Jointly to the Committee on Economic Development and Technology and the Committee on Labor, then to the Committee on Ways and Means</p> <p>S.B. No. 2712</p> <p>“A BILL FOR AN ACT RELATING TO REMODELING TAX CREDITS.”</p> <p>Referred to: Committee on Tourism, then to the Committee on Ways and Means</p> <p>S.B. No. 2713</p> <p>“A BILL FOR AN ACT RELATING TO STANDARD TIMEFRAMES FOR APPLICATION REVIEWS.”</p> <p>Referred to: Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Energy and Environment, then to the Committee on Education and Housing</p> <p>S.B. No. 2714</p> <p>“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations</p> <p>S.B. No. 2715</p> <p>“A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING.”</p>
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	Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Energy and Environment, then to the Committee on Ways and Means		Government Operations, then to the Committee on Ways and Means
S.B. No. 2716	"A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT."	S.B. No. 2725	"A BILL FOR AN ACT RELATING TO CONFIDENTIALITY OF FORENSIC MENTAL HEALTH EXAMINATION REPORTS."
	Referred to: Committee on Human Services, then to the Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Judiciary and Government Operations
S.B. No. 2717	"A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."	S.B. No. 2726	"A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED."
	Referred to: Committee on Human Services, then to the Committee on Ways and Means		Referred to: Committee on Health, then to the Committee on Judiciary and Government Operations
S.B. No. 2718	"A BILL FOR AN ACT RELATING TO DEATH BENEFITS."	S.B. No. 2727	"A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."
	Referred to: Committee on Human Services, then to the Committee on Ways and Means		Referred to: Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2719	"A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."	S.B. No. 2728	"A BILL FOR AN ACT RELATING TO TRAUMA."
	Referred to: Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means		Referred to: Committee on Health, then to the Committee on Judiciary and Government Operations
S.B. No. 2720	"A BILL FOR AN ACT RELATING TO WARRANTS ISSUED BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES."	S.B. No. 2729	"A BILL FOR AN ACT RELATING TO IMMUNIZATION."
	Referred to: Jointly to the Committee on Human Services and the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations		Referred to: Committee on Health, then to the Committee on Ways and Means
S.B. No. 2721	"A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY."	S.B. No. 2730	"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Judiciary and Government Operations		Referred to: Jointly to the Committee on Labor and the Committee on Economic Development and Technology
S.B. No. 2722	"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."	S.B. No. 2731	"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
	Referred to: Jointly to the Committee on Labor and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means		Referred to: Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2723	"A BILL FOR AN ACT RELATING TO INTEREST ARBITRATION."	S.B. No. 2732	"A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."
	Referred to: Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means		Referred to: Committee on Labor, then to the Committee on Ways and Means
S.B. No. 2724	"A BILL FOR AN ACT RELATING TO PUBLIC SECTOR COLLECTIVE BARGAINING."	S.B. No. 2733	"A BILL FOR AN ACT RELATING TO RECREATIONAL RENAISSANCE."
	Referred to: Jointly to the Committee on Labor and the Committee on Judiciary and		Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
		S.B. No. 2734	"A BILL FOR AN ACT RELATING TO INDUSTRIAL PARKS ON PUBLIC LANDS."
			Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs

S.B. No. 2735	“A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS.”	S.B. No. 2745	“A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2736	“A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS.”	S.B. No. 2746	“A BILL FOR AN ACT RELATING TO CORRECTIONS.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Public Safety and Military Affairs
S.B. No. 2737	“A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT SPECIAL FUND.”	S.B. No. 2747	“A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Ways and Means
S.B. No. 2738	“A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION.”	S.B. No. 2748	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs	Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2739	“A BILL FOR AN ACT RELATING TO THE LICENSING OF ARCHAEOLOGISTS.”	S.B. No. 2749	“A BILL FOR AN ACT RELATING TO TAX CREDITS.”
Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Commerce and Consumer Protection	Referred to:	Committee on Ways and Means
S.B. No. 2740	“A BILL FOR AN ACT RELATING TO SAINT DAMIEN DE VEUSTER DAY.”	S.B. No. 2750	“A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX ON INSURANCE PRODUCERS.”
Referred to:	Committee on Economic Development and Technology	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2741	“A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO CREATE THE OFFICE OF THE SECRETARY OF STATE.”	S.B. No. 2751	“A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX.”
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Referred to:	Jointly to the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2742	“A BILL FOR AN ACT RELATING TO THE GOVERNANCE OF ELECTIONS.”	S.B. No. 2752	“A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION.”
Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2743	“A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS COMMISSION.”	S.B. No. 2753	“A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION.”
Referred to:	Committee on Economic Development and Technology, then to the Committee on Ways and Means	Referred to:	Jointly to the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2744	“A BILL FOR AN ACT RELATING TO TIP CREDIT.”	S.B. No. 2754	“A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING.”
Referred to:	Committee on Labor, then to the Committee on Ways and Means	Referred to:	Committee on Transportation, International and Intergovernmental Affairs
		S.B. No. 2755	“A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”
		Referred to:	Committee on Transportation, International and Intergovernmental

	Affairs, then to the Committee on Judiciary and Government Operations	Referred to:	Committee on Ways and Means
S.B. No. 2756	“A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES.”	S.B. No. 2766	“A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.”
	Referred to: Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Transportation, International and Intergovernmental Affairs
S.B. No. 2757	“A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING.”	S.B. No. 2767	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”
	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	Referred to:	Committee on Higher Education, then to the Committee on Ways and Means
S.B. No. 2758	“A BILL FOR AN ACT RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES.”	S.B. No. 2768	“A BILL FOR AN ACT RELATING TO PAROLE.”
	Referred to: Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Energy and Environment	Referred to:	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2759	“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”	S.B. No. 2769	“A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES.”
	Referred to: Committee on Transportation, International and Intergovernmental Affairs	Referred to:	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2760	“A BILL FOR AN ACT RELATING TO DRIVER LICENSING.”	S.B. No. 2770	“A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY.”
	Referred to: Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	Referred to:	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.B. No. 2761	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	S.B. No. 2771	“A BILL FOR AN ACT RELATING TO KALAUPAPA.”
	Referred to: Committee on Higher Education, then to the Committee on Ways and Means	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Health, then to the Committee on Judiciary and Government Operations
S.B. No. 2762	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	S.B. No. 2772	“A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE.”
	Referred to: Committee on Higher Education, then to the Committee on Ways and Means	Referred to:	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.B. No. 2763	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	S.B. No. 2773	“A BILL FOR AN ACT RELATING TO HOMELESS PARK.”
	Referred to: Committee on Higher Education, then to the Committee on Judiciary and Government Operations	Referred to:	Jointly to the Committee on Human Services and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2764	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	S.B. No. 2774	“A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”
	Referred to: Jointly to the Committee on Higher Education and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	Referred to:	Committee on Health
S.B. No. 2765	“A BILL FOR AN ACT RELATING TO THE STATE BUDGET”	S.B. No. 2775	“A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P.”

	Referred to: Committee on Economic Development and Technology, then to the Committee on Judiciary and Government Operations		Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2776	“A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”	S.B. No. 2785	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR PROJECTS FOR THE BENEFIT OF THE SIXTEENTH SENATORIAL DISTRICT.”
	Referred to: Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	Referred to: Committee on Ways and Means	
S.B. No. 2777	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2786	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”
	Referred to: Jointly to the Committee on Education and Housing and the Committee on Higher Education, then to the Committee on Ways and Means	Referred to: Committee on Education and Housing, then to the Committee on Ways and Means	
S.B. No. 2778	“A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”	S.B. No. 2787	“A BILL FOR AN ACT RELATING TO FIREWORKS.”
	Referred to: Jointly to the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Ways and Means	Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	
S.B. No. 2779	“A BILL FOR AN ACT RELATING TO MEDICAL PROCEDURES.”	S.B. No. 2788	“A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS.”
	Referred to: Committee on Health	Referred to: Committee on Commerce and Consumer Protection	
S.B. No. 2780	“A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS.”	S.B. No. 2789	“A BILL FOR AN ACT RELATING TO EDUCATION.”
	Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	Referred to: Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	
S.B. No. 2781	“A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS.”	S.B. No. 2790	“A BILL FOR AN ACT RELATING TO EDUCATION.”
	Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	Referred to: Committee on Education and Housing	
S.B. No. 2782	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 8 OF THE HAWAII CONSTITUTION, TO PROHIBIT THE CONSTRUCTION OF NEW PETROLEUM, COAL, AND NUCLEAR POWER PLANTS IN THE STATE WITHOUT THE PRIOR APPROVAL OF TWO-THIRDS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.”	S.B. No. 2791	“A BILL FOR AN ACT RELATING TO EDUCATION.”
	Referred to: Committee on Energy and Environment, then to the Committee on Judiciary and Government Operations	Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor	
S.B. No. 2783	“A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY.”	S.B. No. 2792	“A BILL FOR AN ACT RELATING TO EDUCATION.”
	Referred to: Jointly to the Committee on Energy and Environment and the Committee on Tourism	Referred to: Jointly to the Committee on Education and Housing and the Committee on Labor	
S.B. No. 2784	“A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY.”	S.B. No. 2793	“A BILL FOR AN ACT RELATING TO CONTRACTORS.”
	Referred to: Jointly to the Committee on Energy and Environment and the Committee on	Referred to: Committee on Commerce and Consumer Protection	
		S.B. No. 2794	“A BILL FOR AN ACT RELATING TO SMOKING.”
		Referred to: Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	

<p>S.B. No. 2795</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY.”</p> <p>Committee on Labor, then to the Committee on Ways and Means</p>	<p>S.B. No. 2805</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO CLEAN AND SOBER AND HALFWAY HOME REGULATION.”</p> <p>Committee on Human Services, then to the Committee on Ways and Means</p>
<p>S.B. No. 2796</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.”</p> <p>Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2806</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.”</p> <p>Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means</p>
<p>S.B. No. 2797</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION TRUSTS.”</p> <p>Jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means</p>	<p>S.B. No. 2807</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT.”</p> <p>Committee on Ways and Means, then to the Committee on Judiciary and Government Operations</p>
<p>S.B. No. 2798</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSES.”</p> <p>Committee on Labor, then to the Committee on Commerce and Consumer Protection</p>	<p>S.B. No. 2808</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO SOIL AND WATER CONSERVATION DISTRICTS.”</p> <p>Committee on Water, Land, Agriculture, and Hawaiian Affairs</p>
<p>S.B. No. 2799</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH.”</p> <p>Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2809</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO UTILITIES REGULATION.”</p> <p>Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>
<p>S.B. No. 2800</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER.”</p> <p>Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2810</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS.”</p> <p>Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means</p>
<p>S.B. No. 2801</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO SMOKING.”</p> <p>Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means</p>	<p>S.B. No. 2811</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO PHARMACIES.”</p> <p>Committee on Health, then to the Committee on Commerce and Consumer Protection</p>
<p>S.B. No. 2802</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO HYBRID BICYCLES.”</p> <p>Committee on Transportation, International and Intergovernmental Affairs</p>	<p>S.B. No. 2812</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES.”</p> <p>Committee on Commerce and Consumer Protection</p>
<p>S.B. No. 2803</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL.”</p> <p>Committee on Higher Education</p>	<p>S.B. No. 2813</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO TARO.”</p> <p>Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p>
<p>S.B. No. 2804</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO FIREWORKS.”</p> <p>Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations</p>	<p>S.B. No. 2814</p> <p>Referred to:</p>	<p>“A BILL FOR AN ACT RELATING TO SCHOOLS.”</p> <p>Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p>

S.B. No. 2815	“A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS.”	Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
	Referred to:	Committee on Energy and Environment, then to the Committee on Ways and Means	S.B. No. 2825
S.B. No. 2816	“A BILL FOR AN ACT RELATING TO GOVERNMENT.”	Referred to:	Committee on Ways and Means
	Referred to:	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means	
S.B. No. 2817	“A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES.”	Referred to:	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2818	“A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION.”	Referred to:	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2819	“A BILL FOR AN ACT RELATING TO ELECTIONS.”	Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2820	“A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY’S FEES OR INTEREST AGAINST THE STATE.”	Referred to:	Committee on Judiciary and Government Operations
S.B. No. 2821	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2822	“A BILL FOR AN ACT RELATING TO ATTORNEYS FEES.”	Referred to:	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2823	“A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE.”	Referred to:	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2824	“A BILL FOR AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL SELECTION COMMISSION.”		

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Friday, January 22, 2010:

S.B. No.:	Referred to:
S.B. No. 2559	Committee on Energy and Environment, then to the Committee on Judiciary and Government Operations
S.B. No. 2560	Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, then to the Committee on Commerce and Consumer Protection
S.B. No. 2561	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2562	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2563	Committee on Energy and Environment, then to the Committee on Ways and Means
S.B. No. 2564	Committee on Judiciary and Government Operations
S.B. No. 2565	Committee on Judiciary and Government Operations
S.B. No. 2566	Jointly to the Committee on Labor and the Committee on Health
S.B. No. 2567	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2568	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2569	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2570	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2571	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2572	Jointly to the Committee on Education and Housing and the Committee on Higher Education and the Committee on Economic Development and Technology
S.B. No. 2573	Committee on Education and Housing
S.B. No. 2574	Committee on Education and Housing, then to the Committee on Ways and Means

S.B. No. 2575	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2592	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2576	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2593	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2577	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2594	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2578	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2595	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2579	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2596	Committee on Commerce and Consumer Protection
S.B. No. 2580	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2597	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor
S.B. No. 2581	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2598	Committee on Human Services, then to the Committee on Commerce and Consumer Protection
S.B. No. 2582	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2599	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health, then to the Committee on Ways and Means
S.B. No. 2583	Committee on Judiciary and Government Operations	S.B. No. 2600	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2584	Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2601	Committee on Commerce and Consumer Protection
S.B. No. 2585	Jointly to the Committee on Human Services and the Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2602	Committee on Commerce and Consumer Protection
S.B. No. 2586	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2603	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2587	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2604	Committee on Health, then to the Committee on Ways and Means
S.B. No. 2588	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2605	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2589	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2606	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2590	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2607	Committee on Tourism, then to the Committee on Commerce and Consumer Protection
S.B. No. 2591	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2608	Committee on Labor, then to the Committee on Ways and Means
		S.B. No. 2609	Committee on Commerce and Consumer Protection
		S.B. No. 2610	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
		S.B. No. 2611	Jointly to the Committee on Health and the Committee on Transportation,

	International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2629	Jointly to the Committee on Tourism and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2612	Committee on Commerce and Consumer Protection	S.B. No. 2630	Jointly to the Committee on Economic Development and Technology and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2613	Jointly to the Committee on Energy and Environment and the Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2631	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2614	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2632	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2615	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2633	Committee on Education and Housing, then to the Committee on Transportation, International and Intergovernmental Affairs
S.B. No. 2616	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2634	Committee on Energy and Environment, then to the Committee on Ways and Means
S.B. No. 2617	Committee on Judiciary and Government Operations	S.B. No. 2635	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
S.B. No. 2618	Committee on Energy and Environment, then to the Committee on Ways and Means	S.B. No. 2636	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2619	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	S.B. No. 2637	Committee on Tourism, then to the Committee on Ways and Means
S.B. No. 2620	Jointly to the Committee on Economic Development and Technology and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	S.B. No. 2638	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2621	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	S.B. No. 2639	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2622	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Labor	S.B. No. 2640	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2623	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2641	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2624	Jointly to the Committee on Economic Development and Technology and the Committee on Tourism, then to the Committee on Ways and Means		
S.B. No. 2625	Committee on Economic Development and Technology, then to the Committee on Ways and Means		
S.B. No. 2626	Committee on Labor, then to the Committee on Ways and Means		
S.B. No. 2627	Committee on Ways and Means		
S.B. No. 2628	Jointly to the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means		

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 2205	Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2366	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means	Mrs. Stella Moon, wife of Chief Justice Moon, who was presented with a lei by Representative Michael Y. Magaoay; Mrs. Mary Han, mother of Chief Justice Moon, who was presented with a lei by Senator Shan S. Tsutsui; Mr. Josh Wisch, representing United States Congresswoman Mazie Hirono;
S.B. No. 2390	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Commerce and Consumer Protection	Mrs. Jean Ariyoshi, wife of the Honorable George R. Ariyoshi, former Governor of the State of Hawai'i; The Honorable William S. Richardson, former Chief Justice, Hawai'i Supreme Court;
S.B. No. 2408	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Education and Housing	The Honorable Todd Apo, Council Chair, City and County of Honolulu;
S.B. No. 2493	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means	The Honorable Yoshihiko Kamo, Consul General of Japan; The Honorable Bong Joo Kim, Consul General of the Republic of Korea;
S.B. No. 2525	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Education and Housing	The Honorable Leoncio R. Cardenas, Consul General of the Philippines; The Honorable Jan Rumi, Honorary Consul of Morocco;

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

"Today is the last day of bill introduction, and the five bills per day limit is in effect. The deadline to submit bills to the Clerk's office is 6:00 p.m. tonight.

"Also, please remain in this chamber after adjournment of our Senate session for the Joint Session to receive the Chief Justice's State of the Judiciary Address."

Senator Hemmings rose on a point of personal inquiry and said:

"Regarding your request to remain in the chamber: Is the Judiciary Address at high noon?"

Senator Tsutsui rose to make the following announcement:

"On that note then, could I request that the Majority members report to the caucus room during our short recess? Thank you."

Senator Hee rose to make the following introduction:

"I would to introduce two individuals, if I may do so at this time. Seated at the piano are Wesley Park and Mike Irish. Thank you, Madam President."

At 11:14 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with Senate Concurrent Resolution No. 1, to receive the Chief Justice's State of the Judiciary Address.

#### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, was called to order at 12:09 p.m. by the Honorable Colleen Hanabusa, President of the Senate.

At this time, the President welcomed and introduced the following distinguished guests to the members of the Twenty-Fifth Legislature:

The Honorable John Henry Felix, Honorary Consul General of Portugal and Spain; and

Chief Louis M. Kealoha, City and County of Honolulu Police Department.

The President then appointed Senators Brian T. Taniguchi, Gary L. Hooser, and Fred Hemmings, on behalf of the Senate, and Representatives Jon Riki Karamatsu, Blake K. Oshiro, and Lynn Finnegan, on behalf of the House of Representatives, to escort the Honorable Ronald T. Y. Moon, Chief Justice of the Hawai'i Supreme Court, to the rostrum.

Senator Suzanne Chun Oakland, on behalf of the Senate, and Representative Marilyn Lee, on behalf of the House of Representatives, presented Chief Justice Moon with maile and 'ilima lei.

At this time, the President introduced Mr. Danny Kalekini, who delivered the blessing.

The President thanked Mr. Kalekini, then introduced the Honorable Ronald T. Y. Moon, Chief Justice of the Hawai'i Supreme Court, as follows:

"Members, Chief Justice Ronald T.Y. Moon is the first Korean-American to serve as a chief justice in the United States. He is the 17<sup>th</sup> Chief Justice of the State of Hawai'i, and March 2010 will mark his 17<sup>th</sup> year as Chief Justice, making him the longest serving chief justice since statehood.

"I want to share one point that I'm sure the Chief Justice will remember. During my first time that I sat where the members are, listening to the first State of the Judiciary Address, I remember the Chief Justice remarked that his mother Mrs. Han told him to stand on one foot, and when that foot drops it is time to end his speech. I don't know if he remembers that—or it may have been one leg, one or the other—but anyway, when it drops, he is to stop his speech. Members, it's not going to work this time, so be comfortable.

"So members of the 25<sup>th</sup> Legislature, ladies and gentlemen, please join me in extending our warmest aloha and welcome to the Chief Justice of the Hawai'i Supreme Court: the Honorable Ronald T.Y. Moon.

The President then presented the Honorable Ronald T. Y. Moon, Chief Justice of the Hawai'i Supreme Court, to the members of the Twenty-Fifth Legislature.

Chief Justice Moon presented the State of the Judiciary Address as follows:

“Thank you very much. I’d like to say, after my first State of the Judiciary Address, after Mom gave me that advice, I have been practicing and practicing and I can do it for more than two and a half hours.

“May I just introduce my family members here on the stage? My son Scott and his wife Jill, daughter Julie, daughter Jill, Aunt Ruth, and Aunt Violet.

“President Hanabusa, Speaker Say, distinguished members of the Twenty-Fifth Legislature, former First Lady Mrs. Ariyoshi, former Chief Justice Richardson, fellow justices and judges, distinguished members of the federal bench, Judiciary and other State employees, members of the Bar, State Cabinet members, and members of other government agencies, my fellow members of the Wahiawa United Church of Christ, other special guests, family, friends — especially those from Korea — and fellow citizens: Aloha, anyonghashimnikia, and good afternoon.

“As a privileged honorary member, I also extend greetings to the members of the Royal Order of King Kamehameha the First, the Consular Corps of Hawai’i, and the Wahiawa Tai Guk Club, as well as to those Chinese organizations which have bestowed upon me the status of honorary Chinese citizen.

“In 1997, I had the privilege and honor of being the first chief justice invited to deliver a State of the Judiciary Address to a joint session of the Legislature. Today, I stand before you with mixed emotions because, although I am looking forward to joining my fellow retired judges and other judiciary employees at my neighborhood McDonald’s in just 217 days, this is my last State of the Judiciary Address. I, therefore, thank you for this opportunity to share with you the accomplishments as well as the challenges of the third branch of government.

“I also thank the many legislators, past and present, for their support of the Judiciary’s various budget requests and proposals over the years, without which we could not have provided the many services and improved facilities that benefit the people of Hawai’i. Included among these are the Judiciary’s four new courthouses: (1) the Abner Paki Hale, or Kane’ohe district court building, that opened in March 2003; (2) the Kaua’i Judiciary Complex, or Pu’uhonua Kaulike (‘Sanctuary of Justice’), opened in September 2005; (3) the Hilo Judiciary Complex, or Hale Kaulike (‘House of Justice’), in March 2008; and, finally, (4) the much-anticipated opening of the Kapolei Court Complex, including its adjoining Juvenile Detention Facility.

“We greatly appreciate your continued support of the varied specialty courts and treatment programs, such as drug, mental health, teen, and girls courts, and the HOPE program. We also appreciate your approval of increases in the fee schedules for court-appointed attorneys for indigent criminal defendants, parental rights termination cases, and for guardians ad litem. Your steadfast support in these areas has allowed the Judiciary to provide many services that, unquestionably, have made significant and positive impacts on the lives of the beneficiaries of those services, including their families and their communities.

“The implementation of the various specialty courts and treatment programs within the Judiciary underscores how far we have evolved from the traditional core mission of judiciaries across the nation, which had been, simply, to adjudicate or resolve disputes brought before its courts. Over the last several decades, the role of state judiciaries has expanded. Many judiciaries and legislatures across the country have created an effective balance between traditional law enforcement and a

problem-solving, restorative approach that rebuilds lives and communities. As a result, the exercise of judicial power and the breadth of its application in today’s modern judiciary has extended far beyond adjudication to include diversion programs in which rehabilitation and treatment go hand-in-hand. Unfortunately, budget cuts have resulted in fewer services being available, fewer clients being served, and a slow-down in admittance for treatment that could result in program goals not being realized. As the current budget issues continue to threaten the Judiciary’s service-oriented structure, we fear that more cuts may force us to completely abandon the modern, service-oriented model.

“Because of our commitment to share in the responsibility of dealing with the State’s budget deficit, the Judiciary, before the 2009 legislative session, imposed significant restrictions on the use of per diem judges, overtime, hiring, travel, purchase of service contracts, repairs and maintenance, and replacement of aging equipment. At the close of the 2009 session, we experienced budget restrictions that included the elimination of 79 vacant, but essential, staff positions, a lump sum decrease in operating expenses, and a first-time-ever salary cut for Hawaii’s justices and judges, for a total reduction of \$11.5 million. Nevertheless, while in the process of balancing our budget post-session, we continued looking for ways to assist with the State’s economic situation.

“As you know, the Judiciary’s budget comprises just 2.6 percent of the State’s total budget of \$5.3 billion, and about 71 percent of our appropriation is dedicated to payroll and personnel expenses. With less than 30 percent of our budget dedicated to operations, we recognized that any further operational cuts, over and above those already made, would be devastating. However, as I said, we believed it necessary to continue to explore every avenue in the hope of negating, or at least minimizing, any further reductions to our budget base this year. Consequently, since November 6 of last year, the Judiciary implemented a two-day-a-month furlough for all HGEA employees, resulting in an unprecedented, twice-a-month closure of all courts, statewide. The Judiciary anticipates that the savings, projected through the end of the current fiscal year, will amount to \$4.8 million and, if continued at the current two-days-per-month schedule for fiscal year 2011, will yield another \$7.6 million savings.

“Because the Judiciary has no control over its workload, the burden of doing the work with fewer financial resources, fewer people, and in fewer days fall upon our Judiciary employees. I, therefore, take this opportunity to publicly thank all of our judges, administrators, and other Judiciary employees for the sacrifices they have made, their stamina in handling the increased workloads, and their steadfast commitment to continuing to serve the public. I also thank the members of the public for their patience and understanding as they, too, must deal with longer wait-times caused by the semi-monthly court closures and overburdened court staff.

“As I stated earlier, we were compelled to impose significant cuts in order to balance our budget after the 2009 session ended. For example, we cut more than \$3 million from purchase of service, or POS, contracts. These contracts involve the purchase of assessment and/or treatment services for substance abuse, child sex abuse, and mental health, as well as provide emergency shelter services, juvenile client and family services, anger management and victim impact classes, and more. The significant reduction in the availability of these types of services is already impacting our specialty courts and treatment programs. We are concerned that any further reductions of services, or the elimination of these services altogether, will have serious consequences for our citizens in the form of increased domestic violence and other crimes, higher recidivism rates, prison and/or juvenile facility

overcrowding, as well as increased concerns regarding public safety and delayed access to justice. Allow me to spend a few minutes on some specifics.

“Because of the 2009 budget cuts, the treatment capacity of O’ahu’s Adult Drug Court was reduced from 160 to 130 clients, leaving 30 defendants on a wait list and likely headed for prison. Adding just 30 people to our already over-crowded prison system at a cost of \$139 a day each—or \$50,735 per defendant per year—will result in an annual cost to the State of \$1.5 million.

“From a cost-benefit perspective, consider the consequences of further cuts to our budget that could result in additional reductions to our treatment capacity or the closure of O’ahu’s Adult Drug Court altogether. Using the same formula and applying it to the 120 defendants currently enrolled in the program, the cost to the State—and more specifically, the Executive Branch—to incarcerate these defendants would be approximately \$6 million a year, as compared to the total appropriation for the O’ahu drug court program for FY2010 of approximately \$877,000. More importantly, these potential costs to the State will multiply if further cuts mean closing our other adult drug courts on the neighbor islands, as well as our juvenile drug courts statewide, which would cost the State approximately \$26.2 million, as compared to the entire FY2010 appropriation of \$4.7 million for all of our drug court programs (including the family drug court) statewide.

“Clearly, diverting defendants to drug treatment through our various drug court programs has the potential of saving the State millions of dollars, especially when you consider that our statistics indicate that the average recidivism, or re-offense, rate for adult drug court, statewide, ranges from 3.5 to 16 percent. Allow me to explain. The Bureau of Justice Statistics reports that over 50 percent of those released from prison will re-offend within three years. In other words, a majority of those incarcerated without the benefit of the drug court program will return to the courts and prisons, and each re-incarceration costs the State more money.

“Additionally, to graduate from drug court, clients must meet certain requirements, such as obtaining their ‘General Equivalency Diploma’ or G.E.D., be in school or gainfully employed, have a place to live and some form of transportation. Graduates must also pay their court-ordered fines, fees, and restitution. Thus, drug court graduates become productive and meaningful contributors, financially and otherwise, to our society. Clearly, without drug court intervention, the State loses revenues from the fines, fees, and taxes that cannot be collected because the incarcerated-defendant is not gainfully employed. Moreover, incarceration shifts the cost of housing and subsistence from the defendants to the State, and, for the duration of their imprisonment, drains the limited resources we have.

“Similarly, costs to the State increase when probations are revoked. As you know, probationers are expected to follow the terms and conditions of their probation, such as staying drug-free, staying arrest-free, and keeping appointments with their probation officer. Probationers in the First Circuit have learned, through the Judiciary’s Hawai’i Opportunity Probation with Enforcement, or HOPE, program, that probation violations will not be tolerated. The program is premised on the philosophy of immediate and certain punishment for probation violations, usually involving a short jail term proportionate to the severity of the violation. Hawaii’s HOPE program has gained national attention as a model program which has been adopted or is being considered in other states.

“Within six months of the program’s inception in 2004, the rate of positive drug tests fell by 93 percent for HOPE probationers as compared with a fall of 14 percent for

probationers in a comparison group as reported by researchers from Pepperdine University. Just this month, researchers reported that, ‘In a one-year, randomized controlled trial, HOPE probationers were 55 percent less likely to be arrested for a new crime, 72 percent less likely to use drugs, 61 percent less likely to skip appointments with their supervisory officer, and 53 percent less likely to have their probation revoked.’

“Again, from a cost-benefit perspective, it makes sense to spend \$1.82 per day to supervise a HOPE probationer as compared to \$139 a day to incarcerate the same offender. Additionally, as with our drug court graduates, HOPE probationers remain in our community as productive and meaningful contributors to society.

“In the area of domestic violence, victims are—sadly—becoming victimized again; this time by the current economic crisis and an underfunded judicial system that is unable to satisfy the high demand for treatment and service programs that they desperately need. A bad economy means lack of jobs and money. Job layoffs or reduced income caused by reduction in work hours fuels existing tensions in the home over finances and increases the likelihood of violence. Experts agree that domestic violence is more than three times likely to occur when couples are experiencing high levels of financial strain. Consider, for example, statewide statistics regarding court protective orders. In FY2008, 4,532 filings for protective orders were received, just 27 more than the previous year. However, in FY2009, new filings increased by 563 or 12.4 percent, totaling 5,095 protective order requests. The impact has been felt by the family court judges handling these cases, one of whom reported hearing 18 temporary restraining order cases in one morning—the most he has handled in a single court session during his six-years on the bench in the First Circuit. The most prevalent theme from the abuser’s perspective was, ‘I lost my job,’ or ‘I lost my house or can’t pay rent because I lost my job, and so I lost my temper.’

“Domestic violence victims often have complex and difficult legal needs. They face a wide range of issues, such as loss of housing, medical care for injuries, lack of transportation, lack of counseling services, loss of wages, substance misuse, and more. The recent reduction in POS contracts has not only severely impaired the Judiciary’s ability to provide services to domestic violence victims and perpetrators, but increased the wait-time for batterers to receive treatment services from one to two weeks in the best case, and from two to five months in the worst case. This means that untreated batterers are living in our communities, jeopardizing the safety of their victims and the community in general. Further cuts will cripple the Judiciary’s ability to provide these services in the future. In fact, domestic violence service providers in the Third Circuit on the Big Island believe that, because of the 40 percent reduction in their POS contract allocation, they will have a \$75,000 deficit by May if they continue providing services at the current level. This means that the courts will be forced to limit court-ordered services, and there is a real chance that services for victims will not be available on the Big Island.

“Experts agree that children who grow up in a domestic violent environment do poorly in school, are being abused themselves, and have no sense of self-worth. By the time they reach adulthood, they’ve already been in trouble with the law, including being in and out of juvenile court and/or detention facilities, and soon find themselves in and out of prison. Thus, the cycle of violence is passed on from one generation to the next, including the costs to government. How can we break the cycle of violence and eliminate the attendant costs? The answer, I submit, lies in maintaining these programs and services through adequate funding.

“Unfortunately, court closures and increased workloads will continue to have a direct and severe impact on court operations

and, in turn, on the members of the public. Trials will take longer and are already being set further down the road simply due to the shortened work week. Similarly, attorneys and parties are waiting longer for hearings and conferences to be scheduled. Such delays, although inevitable, can have unintended and, possibly, life-threatening consequences.

“Consider, for example, a situation in family court where the domino effect resulting from the loss of one position has increased the waiting period for an adoption hearing from 30 days to as long as 6 months. The waiting period began to enlarge when the vacant position could not be filled due to the hiring freeze. As a result, the duties of processing and scheduling final adoption hearings were transferred to a division that was already operating with two frozen staff positions. The delay, although understandable in the current economic environment, will become nearly intolerable, especially where an adopted child has a special medical need and the adoptive parents can’t enroll the child in their medical insurance plan until they provide the required final adoption papers. Such delays could result in serious consequences to the child’s health and development, or worse, create possible life-threatening consequences.

“Similarly, the inadequate provision of services and diversion options for other children and youth in our family courts will have a devastating impact on their lives. Without early intervention, these children and youth will develop educational and behavioral problems, making it more likely that they will matriculate to the adult criminal justice system.

“In the past, I have spoken to you and your predecessors about the importance of judicial independence and have focused on ‘decisional independence,’ that is, the freedom of judges to render impartial decisions based solely on the evidence adduced in a specific case and the applicable rule of law, without influence, threats, or fear of reprisals. However, from an institutional perspective, we all recognize that the Judiciary is constitutionally dependent on the Legislature for funding. As such, I felt compelled to discuss the extremely negative effects that an underfunded Judiciary has on public safety and the administration of justice, including the shifting of increased economic costs to the Executive branch and the individuals served by the courts.

“The Judiciary is already at the stage where lack of resources is affecting public safety and the administration of justice. Program budget cuts, court closures due to furloughs, prior staff reductions, and hiring freezes have already affected employee workloads and increased the amount of time it takes to process cases and do the work that is necessary to the administration of justice.

“The cruel irony in these difficult economic times is that the demands on our courts intensify, and, unfortunately, no matter how much we are called upon to sacrifice in terms of court programs, salaries, benefits, and the like, nothing compares to the devastating impact that the current situation has and will continue to have on our citizens’ access to justice. But, let me share some positive news.

“As you may know, Hawaii’s Girls Court is one of the first gender-specific, problem-solving courts in the United States. The program was built on the need to pay especially close attention to female juvenile offenders, whose numbers in the criminal justice system have risen at a much faster pace than for boys. Gender-specific programming recognizes the fundamental differences between male and female juvenile offenders as well as their different paths to delinquency. By building on their strengths, Girls Court clients avoid becoming involved in the criminal justice system as adult women, as victims of domestic violence, and as adult-mothers in child protective custody proceedings.

“Amongst Girls Court’s many successes is the story of Anna, who—at the age of 16—was referred to Girls Court in 2006. She had substance abuse and anger management problems; she was failing in school and ran away from home often. At first, Girls Court was an unwanted presence in Anna’s life as she believed the presiding judge and staff simply wanted to control her life when all she wanted was to be left alone. Through intense and, sometimes, difficult individual, family, and group therapy sessions, Anna began to trust enough to share her story.

“Anna’s father died when she was nine years old. The family was devastated and struggled with their grief. Anna’s mother started abusing substances, and eventually, the family became homeless, living on the beach. By age 15, Anna—along with her siblings—had been removed from her mother’s care by child protective services. Almost immediately upon being placed in foster care, Anna started running away. On the streets, Anna was violated and physically victimized. She learned to fight, use drugs to numb her pain, and developed a rough-and-tough attitude.

“While with Girls Court, Anna’s tenacity to survive continued to be her strength, and with the help of the Girls Court judge and staff, Anna and her family were able to work through issues that had been causing them paralyzing emotional pain. She had the unconditional support of her mother, who herself had triumphed in overcoming her substance abuse problems and was clean and sober.

“Anna is now 20 years old and continues to keep in touch with the staff at Girls Court. She has served as a speaker to girls entering the program, sharing her experiences and encouraging them to be open to the process of change. She is working full time as an assistant and activities coordinator in a residential program for adults with mental disabilities. She sees her work in this area as a potential career. She has certainly come a long way.

“It is, indeed, my pleasure to introduce to you Christianna Maglinti and her mother Dawn. Will Anna and Dawn please stand?

“Since 1995, the Judiciary has been working diligently to enhance access to justice for our linguistic minority court users. We firmly believe that if the Judiciary is to be truly accessible to all, we must also be able to service the non-English speaking public, as well as those who have limited English proficiency. In the courtroom environment, we depend on court interpreters to assist us because justice surely cannot be served if, for example, a non-English speaking defendant says in his native language, ‘I was so mad I could have killed him,’ and the interpreter translates, ‘I was so mad; I killed him.’

“Thanks to your support, I am pleased to report that in 2006, the Judiciary implemented a Court Interpreter Certification Program to ensure that court users obtain properly qualified interpreters. In 2007, the program produced the first certified Ilocano court interpreter in the nation and currently has 168 certified interpreters in 30 different languages, including the high-demand Pacific Island languages, such as Chuukese and Marshallese. Because the Judiciary is the only entity in the state that formally screens and tests interpreting skills, many non-judicial agencies and organizations have come to rely on the Judiciary’s list of certified interpreters.

“We also appreciate the support received from the Legislature in 2004, through Act 202, and in 2006 via Act 145, that restructured our appellate court system. I am pleased to report that the new appellate process is working well and has yielded positive results. The movement of the procedural case processing tasks to the intermediate appellate court has enabled the Supreme Court to resume oral arguments on a regular basis

and to address issues of significant public importance, as well as publish a greater portion of its dispositions. Additionally, the age of cases has decreased from 347 days in June 2006 to 246 days in June 2009.

"I do extend my appreciation to my fellow justices and Supreme Court staff for their efforts in clearing the backlog of cases that were retained by the Supreme Court when Act 202 was implemented. I also extend a special thanks to the judges and staff of the Intermediate Court of Appeals for their assistance during the transition and for their continuing good work. Following your review of our formal report, which has been submitted, I am confident you will agree that the new system is working well and hope you will support our efforts to better serve the people of our state by making the current appellate court structure permanent.

"Additionally, despite the continuing reductions to our budget base over the past several years, we have made great strides in the technological arena. For example, in November 2007, we successfully implemented an electronic interface with a collection agency partner to refer and collect delinquent traffic fees and fines. Since the inception of the collection interface, the Judiciary has deposited more than \$10 million into the State's general fund.

"Following the Legislature's direction to establish a task force to examine the State's bench warrant system, the Judiciary—working with the Hawai'i Information Consortium, the Department of Public Safety, the Honolulu Police Department, and others—piloted an electronic bench warrant project in the First Circuit in March 2009. This e-bench warrant system allows the Judiciary to provide law enforcement agencies with updated and secure access to view and print traffic warrants via a web browser that were previously required to be physically retrieved.

"I extend our sincere appreciation to the many participants that helped the Judiciary make the e-bench warrant project a success. The pilot project has garnered such positive reviews that the Hawai'i Information Consortium and the Judiciary will be making the system available to police departments statewide, and will expand the program to felony and misdemeanor warrants when those criminal case types are integrated into our statewide case management system, more commonly known as the Judiciary's Information Management System, or JIMS.

"We are also looking forward to the implementation of electronic filing when the appellate and criminal case types are migrated to JIMS. If all goes well, we anticipate commencing e-filing in the appellate courts in June and in the criminal courts by the end of the year.

"Finally, I am pleased to report that the Kapolei Court Complex, including the new Juvenile Detention Facility, will open this Spring! Throughout the planning and design process, our commitment to the West O'ahu community, to court users island-wide, to the juveniles under the protection of the family court statewide, and to our employees has been steadfast. The larger courtrooms and waiting areas will not only enhance family court operations, but provide a safer environment for our judges, as well as family court practitioners and their clients. The benefits of having a brand new detention facility, including its proximity to the courthouse, are obvious. In short, we anticipate that moving the bulk of our family court operations to Kapolei will improve the quality of services we provide to our many family court users. At the same time, certain operations—like the entire Adult Criminal Division of family court—will remain here in Honolulu.

"In a few months, family court practitioners and the public will be able to file documents at either the Honolulu or Kapolei

locations. The availability of video-conferencing between the courthouse in Honolulu and in Kapolei will negate travel time in certain types of proceedings. Self-help centers to assist self-represented parties will also be available in both locations. Once the move is completed, other judiciary offices currently housed in leased office spaces will move into Ka'ahumanu Hale. Thus, even with all the gloominess surrounding budget cuts, salary reductions, and furloughs, we have much to look forward to with the opening of the new courthouse and detention facility in Kapolei.

"Ladies and gentlemen, I am proud of the many positive contributions made by the Judiciary in spite of our budget situation. And as I said earlier, the Judiciary's self-imposed spending restrictions and cuts in programs and services, as well as its furlough plan, underscores our commitment as a co-equal partner in government to share in the responsibility of dealing with the current economic situation. I must emphasize, however, that the steps we have taken thus far to meet that responsibility cannot be sustained without serious consequences to our mission and, most importantly, without serious consequences to our citizenry.

"The Judiciary is well aware that last month's projections from the Council of Revenues puts the deficit at \$1.2 billion. We fully recognize the enormous and difficult task ahead of you this session. We are hopeful that the measures we have taken thus far, including the furlough program, not only demonstrate that we are partners with you in this crisis, but convince you that the Judiciary will not be able to withstand the devastating effects of any further cuts to its budget this session.

"To the dedicated leaders and members of the Twenty-Fifth Legislature: Again, thank you for the opportunity to deliver this, my last State of the Judiciary Address.

"To the current and past legislatures and to the people of this great state: It truly has been an honor and a privilege for me, during the past nearly 28 years, to serve as a trial judge in the circuit court, as well as associate justice and, for the past almost 17 years, as Chief Justice of the Hawai'i Supreme Court. I am grateful to have been able to personally share, this year and in years past, the many accomplishments as well as challenges of the dedicated men and women of the third branch of government.

"Mahalo and Aloha!"

House of Representatives Speaker Calvin K.Y. Say rose to conclude the session as follows:

"Chief Justice Moon, on behalf of the Hawai'i State House and Senate, I wish to thank you for your service with the State Judiciary. From your years as a judge in Circuit Court to your time as an associate justice with the Supreme Court, and especially during your tenure as Chief Justice, you have guided this state through a bevy of significant and difficult issues. Your leadership has been with both the mandatory objective of jurisprudence and the necessary quality of compassion for the people of Hawai'i.

"Your impending retirement is a bittersweet notion. While the State could certainly benefit from your continued service, you will leave your post with the knowledge that you have made Hawai'i a better place—one that provides its citizens with protection, with opportunity, and with equality. Most importantly, you have helped make Hawai'i a place where there is truly justice for all. Congratulations, Chief Justice Moon, and once again thank you."

At 1:03 p.m., Speaker Say declared the Joint Session adjourned.

INTRODUCTION OF SENATE BILLS		S.B. No.	Bill Title
	On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 p.m. In consequence thereof and subsequent to its recessing at 11:14 a.m., the following bills were introduced and placed on the calendar for further action on Thursday, January 28, 2010:	S.B. No. 2907	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
		Introduced by:	Senator Sakamoto.
		S.B. No. 2908	"A BILL FOR AN ACT RELATING TO TOWING."
		Introduced by:	Senator English, by request.
S.B. No. 2898	"A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES."	S.B. No. 2909	"A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by:	Senators Baker, Chun Oakland, Fukunaga, Green, Ige, English, Hooser, Kim, Sakamoto, Takamine, Tokuda, Tsutsui.	Introduced by:	Senator Taniguchi.
S.B. No. 2899	"A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."	S.B. No. 2910	"A BILL FOR AN ACT RELATING TO REAL PROPERTY."
Introduced by:	Senator Gabbard, by request.	Introduced by:	Senator Taniguchi, by request.
S.B. No. 2900	"A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."	S.B. No. 2911	"A BILL FOR AN ACT RELATING TO THE POWER OF ARREST."
Introduced by:	Senators Green, Baker, Espero.	Introduced by:	Senator Taniguchi.
S.B. No. 2901	"A BILL FOR AN ACT RELATING TO FUNDING OF CHARTER SCHOOLS."	S.B. No. 2912	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 12TH SENATORIAL DISTRICT."
Introduced by:	Senators Kidani, Green, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Hooser, Ige, Ihara, Nishihara, Sakamoto, Takamine, Tokuda, Tsutsui.	Introduced by:	Senator Galuteria.
S.B. No. 2902	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST SENATORIAL DISTRICT."	S.B. No. 2913	"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
Introduced by:	Senator Hanabusa.	Introduced by:	Senators Galuteria, Fukunaga, Bunda, English, Hee, Ihara, Kidani, Kim, Nishihara, Sakamoto, Slom, Takamine.
S.B. No. 2903	"A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE."	S.B. No. 2914	"A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES."
Introduced by:	Senators Hee, Chun Oakland, Gabbard, Galuteria, Green, Hooser, Sakamoto, Tsutsui, Baker, Bunda, English, Espero, Fukunaga, Hanabusa, Ihara, Kim, Takamine, Tokuda.	Introduced by:	Senator Hee.
S.B. No. 2904	"A BILL FOR AN ACT RELATING TO SCHOOL TEACHERS."	S.B. No. 2915	"A BILL FOR AN ACT RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT."
Introduced by:	Senators Hee, Chun Oakland, Galuteria, Sakamoto, Baker, Bunda, English, Espero, Fukunaga, Gabbard, Green, Ihara, Takamine, Tokuda, Tsutsui.	Introduced by:	Senators Hee, Galuteria, Kim.
S.B. No. 2905	"A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY SYSTEMS WITHIN THE DEPARTMENT OF EDUCATION."	S.B. No. 2916	"A BILL FOR AN ACT RELATING TO ETHICS."
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Ihara, Bunda, Fukunaga.
S.B. No. 2906	"A BILL FOR AN ACT RELATING TO PROCUREMENT."	S.B. No. 2917	"A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."
Introduced by:	Senator Sakamoto.	Introduced by:	Senators Ihara, Bunda, Fukunaga, Galuteria, Slom, Takamine, Tokuda.
		S.B. No. 2918	"A BILL FOR AN ACT RELATING TO ELECTIONS."
		Introduced by:	Senator Ihara.
		S.B. No. 2919	"A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL."
		Introduced by:	Senators Tokuda, Baker, Espero, Hee.
		S.B. No. 2920	"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
		Introduced by:	Senators Tokuda, Baker, Kokubun, Sakamoto, Slom, Takamine.
		S.B. No. 2921	"A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."
		Introduced by:	Senator Taniguchi, by request.

S.B. No. 2922	“A BILL FOR AN ACT RELATING TO PUBLIC FINANCE.”	S.B. No. 2937	“A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.”
Introduced by:	Senator Taniguchi, by request.	Introduced by:	Senators Espero, English, Kidani.
S.B. No. 2923	“A BILL FOR AN ACT RELATING TO SOLAR ENERGY.”	S.B. No. 2938	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION.”
Introduced by:	Senator Tsutsui.	Introduced by:	Senators Espero, Kidani, Sakamoto.
S.B. No. 2924	“A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT.”	S.B. No. 2939	“A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS.”
Introduced by:	Senator Tsutsui.	Introduced by:	Senator Hooser.
S.B. No. 2925	“A BILL FOR AN ACT RELATING TO CONTRACTORS.”	S.B. No. 2940	“A BILL FOR AN ACT RELATING TO EDUCATION.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senator Hooser.
S.B. No. 2926	“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.”	S.B. No. 2941	“A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Kim, Bunda, Chun Oakland, Fukunaga, Galuteria, Hee, Hemmings, Kidani, Nishihara, Sakamoto, Slom, Takamine, Tokuda.
S.B. No. 2927	“A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES.”	S.B. No. 2942	“A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.”
Introduced by:	Senator Hanabusa, by request.	Introduced by:	Senators Kim, English, Espero, Hee, Kidani, Nishihara, Tsutsui.
S.B. No. 2928	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTEENTH SENATORIAL DISTRICT.”	S.B. No. 2943	“A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS CONTESTS.”
Introduced by:	Senator Sakamoto.	Introduced by:	Senator Kim.
S.B. No. 2929	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”	S.B. No. 2944	“A BILL FOR AN ACT RELATING TO THE STATE OFFICE OF CAPITAL IMPROVEMENTS.”
Introduced by:	Senator Bunda, by request.	Introduced by:	Senator Kim.
S.B. No. 2930	“A BILL FOR AN ACT RELATING TO NUISANCES.”	S.B. No. 2945	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”
Introduced by:	Senator Chun Oakland.	Introduced by:	Senators Kokubun, Tokuda.
S.B. No. 2931	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH.”	S.B. No. 2946	“A BILL FOR AN ACT RELATING TO STATE SMALL BOAT HARBORS.”
Introduced by:	Senator Chun Oakland.	Introduced by:	Senators Kokubun, Tokuda.
S.B. No. 2932	“A BILL FOR AN ACT RELATING TO DRIVERS LICENSES.”	S.B. No. 2947	“A BILL FOR AN ACT RELATING TO INVASIVE SPECIES.”
Introduced by:	Senators Chun Oakland, Espero.	Introduced by:	Senators Kokubun, Tokuda.
S.B. No. 2933	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2948	“A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION.”
Introduced by:	Senator Chun Oakland.	Introduced by:	Senator Nishihara.
S.B. No. 2934	“A BILL FOR AN ACT RELATING TO MEDICAID.”	S.B. No. 2949	“A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.”
Introduced by:	Senator Chun Oakland.	Introduced by:	Senator Takamine.
S.B. No. 2935	“A BILL FOR AN ACT RELATING TO TAXATION.”	S.B. No. 2950	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”
Introduced by:	Senator English.		
S.B. No. 2936	“A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS.”		
Introduced by:	Senator Espero.		

Introduced by:	Senator Takamine.	S.B. No. 2961	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 3, OF THE HAWAII CONSTITUTION, TO REMOVE THE POWER OF THE BOARD OF EDUCATION TO APPOINT THE SUPERINTENDENT OF EDUCATION, TO ENABLE THE GOVERNOR TO APPOINT THE SUPERINTENDENT AS PROVIDED BY LAW."
S.B. No. 2951	"A BILL FOR AN ACT RELATING TO AGRICULTURE."		
Introduced by:	Senator Takamine.		
S.B. No. 2952	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST SENATORIAL DISTRICT."		
Introduced by:	Senator Takamine.	Introduced by:	Senators Kim, Bunda, Espero, Galuteria, Hee, Hemmings, Kidani, Slom, Tsutsui.
S.B. No. 2953	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH SENATORIAL DISTRICT."		<b>ADJOURNMENT</b>
			At 6:00 p.m., the Senate adjourned until 11:30 a.m., Thursday, January 28, 2010.
Introduced by:	Senator Tokuda.		
S.B. No. 2954	"A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS."		
Introduced by:	Senators English, Baker, Kidani, Kim, Tokuda, Tsutsui, Bunda, Espero, Galuteria, Hanabusa, Ige, Nishihara, Takamine.		
S.B. No. 2955	"A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."		
Introduced by:	Senators Kim, English, Espero, Galuteria, Hanabusa, Kidani, Nishihara, Tokuda, Tsutsui, Bunda, Kokubun, Takamine.		
S.B. No. 2956	"A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."		
Introduced by:	Senators Kim, Espero, Sakamoto, Tokuda, Bunda, Gabbard, Galuteria, Kidani, Takamine, Tsutsui.		
S.B. No. 2957	"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."		
Introduced by:	Senators Kim, Sakamoto, Bunda, Espero, Gabbard, Galuteria, Hee, Hemmings, Kidani, Slom, Tokuda, Tsutsui.		
S.B. No. 2958	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION TO AN APPOINTED BOARD."		
Introduced by:	Senators Kim, Espero, Sakamoto, Tokuda, Bunda, Gabbard, Galuteria, Hee, Kidani, Slom, Tsutsui.		
S.B. No. 2959	"A BILL FOR AN ACT RELATING TO EDUCATION."		
Introduced by:	Senators Kim, Espero, Bunda, Galuteria, Hee, Hemmings, Kidani, Slom.		
S.B. No. 2960	"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."		
Introduced by:	Senators Kim, Kidani, Sakamoto, Bunda, Gabbard, Galuteria, Hee, Takamine, Tsutsui.		

## SIXTH DAY

## Thursday, January 28, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Samuel Kim, Korean Christian Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fifth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 163 to 172) were read by the Clerk and were placed on file:

Gov. Msg. No. 163, dated December 22, 2009, transmitting the Final Report on the Congresswoman Patsy T. Mink Commission, prepared by the Department of Accounting and General Services pursuant to Act 92, SLH 2006.

Gov. Msg. No. 164, dated January 14, 2010, transmitting the Report on the Activities of the Deposit Beverage Container Program, prepared by the Department of Health.

Gov. Msg. No. 165, dated January 21, 2010, transmitting the Department of Agriculture's Transfer of Revolving Fund Monies Annual Report, pursuant to Sections 155-14 and 219-4, HRS.

Gov. Msg. No. 166, dated January 22, 2010, transmitting the Annual Report on all Moneys Deposited Into and Disbursed From the Pesticide Use Revolving Fund, prepared by the Department of Agriculture pursuant to Act 154, SLH 2000.

Gov. Msg. No. 167, dated January 25, 2010, transmitting a Report Relating to Projects Funded by the Rental Housing Trust Fund, prepared by the Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, pursuant to Section 201H-202, HRS.

Gov. Msg. No. 168, dated January 25, 2010, transmitting a Report on State and County Affordable Housing Approval Requirements and Procedures, prepared by the Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, pursuant to S.C.R. No. 87 (2009).

Gov. Msg. No. 169, dated January 19, 2010, transmitting the 2008-2009 Annual Report of the Hawai'i Civil Rights Commission, prepared by the Department of Labor and Industrial Relations pursuant to Sections 368-3, 368-4 and 515-9, HRS.

Gov. Msg. No. 170, dated January 26, 2010, transmitting the Report on the Findings and Recommendations of Effectiveness of the West Hawaii Regional Fishery Management Area, prepared by the Department of Land and Natural Resources pursuant to Section 188F-5, HRS.

Gov. Msg. No. 171, dated January 12, 2010, transmitting a Report on Immunosuppressant Medication, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Act 92, SLH 2007.

Gov. Msg. No. 172, dated January 12, 2010, transmitting a Report on the Enrollment and Financial Status of the Hawai'i RX Plus Program, prepared by the Department of Human

Services, Med-QUEST Division, pursuant to Section 346-319, HRS.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 63 and 64) were read by the Clerk and were placed on file:

Dept. Com. No. 63, from the University of Hawai'i dated January 26, 2010, transmitting the Annual Report on the University of Hawai'i's Continued Participation in the Western Interstate Commission on Higher Education, pursuant to Section 304A-3205, HRS.

Dept. Com. No. 64, from the University of Hawai'i dated January 20, 2010, transmitting its Report Relating to Sustainability, pursuant to Act 225, SLH 2008.

## SPECIAL COMMITTEE REPORTS

Senator Kokubun, for the Senate Ad Hoc Committee on Kulani Correctional Facility, presented a report (Spec. Com. Rep. No. 1) reviewing and assessing the impact on the community from the reduction in government services due to budget restrictions and layoffs and furloughs of certain state employees.

The President ordered the Clerk to file Spec. Com. Rep. No. 1.

Senator Kokubun, for the Senate Ad Hoc Committee on the Department of Agriculture, presented a report (Spec. Com. Rep. No. 2) reviewing and assessing the impact on the community from the reduction in government services due to budget restrictions and layoffs and furloughs of certain state employees.

The President ordered the Clerk to file Spec. Com. Rep. No. 2.

Senator Kokubun, for the Senate Ad Hoc Committee on the State Foundation on Culture and the Arts, presented a report (Spec. Com. Rep. No. 3) reviewing and assessing the impact on the community from the reduction in government services due to budget restrictions and layoffs and furloughs of certain state employees.

The President ordered the Clerk to file Spec. Com. Rep. No. 3.

Senator Kokubun, for the Senate Ad Hoc Committee on Maui Public Health Services, presented a report (Spec. Com. Rep. No. 4) reviewing and assessing the impact on the community from the reduction in government services due to budget restrictions and layoffs and furloughs of certain state employees.

The President ordered the Clerk to file Spec. Com. Rep. No. 4.

## ORDER OF THE DAY

## FIRST READING

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were deferred:

S.B. No. 2898 "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES."

S.B. No. 2899	“A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY.”	S.B. No. 2922	“A BILL FOR AN ACT RELATING TO PUBLIC FINANCE.”
S.B. No. 2900	“A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.”	S.B. No. 2923	“A BILL FOR AN ACT RELATING TO SOLAR ENERGY.”
S.B. No. 2901	“A BILL FOR AN ACT RELATING TO FUNDING OF CHARTER SCHOOLS.”	S.B. No. 2924	“A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT.”
S.B. No. 2902	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST SENATORIAL DISTRICT.”	S.B. No. 2925	“A BILL FOR AN ACT RELATING TO CONTRACTORS.”
S.B. No. 2903	“A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE.”	S.B. No. 2926	“A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.”
S.B. No. 2904	“A BILL FOR AN ACT RELATING TO SCHOOL TEACHERS.”	S.B. No. 2927	“A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES.”
S.B. No. 2905	“A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY SYSTEMS WITHIN THE DEPARTMENT OF EDUCATION.”	S.B. No. 2928	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTEENTH SENATORIAL DISTRICT.”
S.B. No. 2906	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”	S.B. No. 2929	“A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”
S.B. No. 2907	“A BILL FOR AN ACT RELATING TO PROCUREMENT.”	S.B. No. 2930	“A BILL FOR AN ACT RELATING TO NUISANCES.”
S.B. No. 2908	“A BILL FOR AN ACT RELATING TO TOWING.”	S.B. No. 2931	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH.”
S.B. No. 2909	“A BILL FOR AN ACT RELATING TO TAXATION.”	S.B. No. 2932	“A BILL FOR AN ACT RELATING TO DRIVERS LICENSES.”
S.B. No. 2910	“A BILL FOR AN ACT RELATING TO REAL PROPERTY.”	S.B. No. 2933	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2911	“A BILL FOR AN ACT RELATING TO THE POWER OF ARREST.”	S.B. No. 2934	“A BILL FOR AN ACT RELATING TO MEDICAID.”
S.B. No. 2912	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 12TH SENATORIAL DISTRICT.”	S.B. No. 2935	“A BILL FOR AN ACT RELATING TO TAXATION.”
S.B. No. 2913	“A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”	S.B. No. 2936	“A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS.”
S.B. No. 2914	“A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES.”	S.B. No. 2937	“A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.”
S.B. No. 2915	“A BILL FOR AN ACT RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.”	S.B. No. 2938	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION.”
S.B. No. 2916	“A BILL FOR AN ACT RELATING TO ETHICS.”	S.B. No. 2939	“A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS.”
S.B. No. 2917	“A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS.”	S.B. No. 2940	“A BILL FOR AN ACT RELATING TO EDUCATION.”
S.B. No. 2918	“A BILL FOR AN ACT RELATING TO ELECTIONS.”	S.B. No. 2941	“A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”
S.B. No. 2919	“A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL.”	S.B. No. 2942	“A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.”
S.B. No. 2920	“A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.”	S.B. No. 2943	“A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS CONTESTS.”
S.B. No. 2921	“A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES.”		

S.B. No. 2944	“A BILL FOR AN ACT RELATING TO THE STATE OFFICE OF CAPITAL IMPROVEMENTS.”	“Referrals and re-referrals are made in accordance with the referrals and re-referrals on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”
<b>REFERRAL OF SENATE BILLS</b>		
The President made the following committee assignments of bills introduced on Wednesday, January 27, 2010:		
S.B. No. 2945	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”	S.B. No.: Referred to:
S.B. No. 2946	“A BILL FOR AN ACT RELATING TO STATE SMALL BOAT HARBORS.”	S.B. No. 2826 Committee on Ways and Means
S.B. No. 2947	“A BILL FOR AN ACT RELATING TO INVASIVE SPECIES.”	S.B. No. 2827 Jointly to the Committee on Education and Housing and the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2948	“A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION.”	S.B. No. 2828 Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2949	“A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.”	S.B. No. 2829 Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2950	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”	S.B. No. 2830 Jointly to the Committee on Energy and Environment and the Committee on Higher Education and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2951	“A BILL FOR AN ACT RELATING TO AGRICULTURE.”	S.B. No. 2831 Committee on Judiciary and Government Operations
S.B. No. 2952	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST SENATORIAL DISTRICT.”	S.B. No. 2832 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.B. No. 2953	“A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH SENATORIAL DISTRICT.”	S.B. No. 2833 Committee on Labor, then to the Committee on Ways and Means
S.B. No. 2954	“A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS.”	S.B. No. 2834 Committee on Ways and Means
S.B. No. 2955	“A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY.”	S.B. No. 2835 Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2956	“A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION.”	S.B. No. 2836 Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2957	“A BILL FOR AN ACT RELATING TO THE ENVIRONMENT.”	S.B. No. 2837 Committee on Commerce and Consumer Protection
S.B. No. 2958	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION TO AN APPOINTED BOARD.”	S.B. No. 2838 Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2959	“A BILL FOR AN ACT RELATING TO EDUCATION.”	S.B. No. 2839 Jointly to the Committee on Education and Housing and the Committee on Higher Education, then to the Committee on Ways and Means
S.B. No. 2960	“A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.”	S.B. No. 2840 Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2961	“A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 3, OF THE HAWAII CONSTITUTION, TO REMOVE THE POWER OF THE BOARD OF EDUCATION TO APPOINT THE SUPERINTENDENT OF EDUCATION, TO ENABLE THE GOVERNOR TO APPOINT THE SUPERINTENDENT AS PROVIDED BY LAW.”	

At this time, the Chair made the following announcement:

S.B. No. 2841	Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2857	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2842	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2858	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
S.B. No. 2843	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2859	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
S.B. No. 2844	Committee on Health, then to the Committee on Commerce and Consumer Protection	S.B. No. 2860	Committee on Ways and Means
S.B. No. 2845	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2861	Committee on Human Services, then to the Committee on Ways and Means
S.B. No. 2846	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2862	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.B. No. 2847	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2863	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2848	Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2864	Jointly to the Committee on Economic Development and Technology and the Committee on Energy and Environment, then to the Committee on Ways and Means
S.B. No. 2849	Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2865	Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2850	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2866	Committee on Ways and Means
S.B. No. 2851	Jointly to the Committee on Judiciary and Government Operations and the Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2867	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2852	Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2868	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.B. No. 2853	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	S.B. No. 2869	Committee on Judiciary and Government Operations
S.B. No. 2854	Committee on Judiciary and Government Operations	S.B. No. 2870	Committee on Judiciary and Government Operations
S.B. No. 2855	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2871	Committee on Ways and Means
S.B. No. 2856	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Judiciary	S.B. No. 2872	Committee on Education and Housing, then to the Committee on Ways and Means
		S.B. No. 2873	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
		S.B. No. 2874	Committee on Education and Housing, then to the Committee on Ways and Means
		S.B. No. 2875	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and

S.B. No. 2876 Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means

S.B. No. 2877 Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2878 Committee on Judiciary and Government Operations

S.B. No. 2879 Committee on Judiciary and Government Operations

S.B. No. 2880 Committee on Judiciary and Government Operations

S.B. No. 2881 Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2882 Committee on Transportation, International and Intergovernmental Affairs

S.B. No. 2883 Committee on Labor, then to the Committee on Judiciary and Government Operations

S.B. No. 2884 Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2885 Jointly to the Committee on Health and the Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2886 Committee on Judiciary and Government Operations

S.B. No. 2887 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.B. No. 2888 Committee on Labor, then to the Committee on Ways and Means

S.B. No. 2889 Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.B. No. 2890 Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.B. No. 2891 Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.B. No. 2892 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations

S.B. No. 2893 Jointly to the Committee on Health and the Committee on Education and Housing, then to the Committee on Ways and Means

S.B. No. 2894 Committee on Judiciary and Government Operations

S.B. No. 2895 Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations

S.B. No. 2896 Committee on Transportation, International and Intergovernmental Affairs

S.B. No. 2897 Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 2580	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing and the Committee on Higher Education, then to the Committee on Ways and Means

**STANDING COMMITTEE REPORT**

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive the standing committee report on Governor’s Message No. 109 from the Committee on Judiciary and Government Operations. In consequence thereof and subsequent to its recessing at 11:45 a.m., the following committee report was placed on the calendar for further action on Friday, January 29, 2010:

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 1) recommending that the appointment of EDWARD H. KUBO, JR. to the Circuit Court of First Circuit, State of Hawaii, in accordance with Gov. Msg. No. 109, be returned to the full Senate for consideration.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Gov. Msg. No. 109 was deferred until Friday, January 29, 2010.

**ADJOURNMENT**

At 6:00 p.m., the Senate adjourned until 11:30 a.m., Friday, January 29, 2010.

## SEVENTH DAY

Friday, January 29, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 12:11 p.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Will Espero, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Sixth Day.

At this time, Senator Slom introduced former State Senator Gordon Trimble, who was seated in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 173 and 174) were read by the Clerk and were placed on file:

Gov. Msg. No. 173, dated January 26, 2010, transmitting the 2009 Annual Report of the High Technology Development Corporation, pursuant to Section 206M-3.5, HRS.

Gov. Msg. No. 174, dated January 22, 2010, transmitting a Report Relating to State Support for Achieving Renewable Portfolio Standards, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 196-41, HRS.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 65) was read by the Clerk and was placed on file:

Dept. Com. No. 65, from the State Auditor dated January 28, 2010, transmitting a report, "Investigation of Specific Issues of the Department of Business, Economic Development and Tourism," (Report No. 10-01).

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 44 to 73) were read by the Clerk and were referred to committee:

S.C.R. No. 44 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE UNIVERSITY OF HAWAII AT HILO COLLEGE OF PHARMACY'S EFFORTS TO OBTAIN FEDERAL FUNDING TO ESTABLISH THE BIG ISLAND OF HAWAII AS A BEACON COMMUNITY."

Offered by: Senators Green, Takamine.

Referred to: Committee on Higher Education, then to the Committee on Ways and Means

S.C.R. No. 45 "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO GIVE THE SAME LEVEL OF PROTECTION TO WATER FOR AGRICULTURE AS THAT GIVEN TO DOMESTIC CONSUMPTION, THE PROTECTION OF TRADITIONAL AND CUSTOMARY HAWAIIAN RIGHTS, AND THE PROTECTION OF FISH AND WILDLIFE TO ACHIEVE A PROPER ECOLOGICAL BALANCE."

Offered by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment

S.C.R. No. 46 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPA STREET, KAPA'A, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 47 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 48 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 49 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 50 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAAHA LOOP, KAPOLEI, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 51 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 52 "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII."

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

S.C.R. No. 53 "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII."

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| <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 54 "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 55 "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 56 "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 57 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 58 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 59 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 60 "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO TEMPORARILY WAIVE PROPERTY TAXES FOR LAND-INTENSIVE RENEWABLE ENERGY PROJECTS WITH DELAYED INCOME POTENTIAL."</p> | <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 61 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEOHE, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 62 "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HEALTH SYSTEMS CORPORATION TO ADOPT THE COURSE OF ACTION RECOMMENDED IN THE 2009 AUDIT REPORT OF THE HAWAII HEALTH SYSTEMS CORPORATION."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Health, then to the Committee on Ways and Means</p> <p>S.C.R. No. 63 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALLOW VACANT CLASSROOMS TO BE USED BY CHARTER SCHOOLS."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Education and Housing</p> <p>S.C.R. No. 64 "SENATE CONCURRENT RESOLUTION URGING THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND TO JOIN THE DEPARTMENT OF HUMAN SERVICES QUEST PROGRAM IN IMPLEMENTING A HEALTH INSURANCE PUBLIC PURCHASING POOL."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means</p> <p>S.C.R. No. 65 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO SET A REQUIRED MINIMUM NUMBER OF INSTRUCTIONAL DAYS PER SCHOOL YEAR."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Education and Housing, then to the Committee on Ways and Means</p> <p>S.C.R. No. 66 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 2890 HANA HIGHWAY, HANA, HAWAII."</p> <p>Offered by: Senator Hanabusa, by request.</p> <p>Referred to: Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>S.C.R. No. 67 "SENATE CONCURRENT RESOLUTION ESTABLISHING AN ARCHAEOLOGICAL</p> |
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WORKING GROUP TO RECOMMEND  
ARCHAEOLOGICAL PRACTICE GUIDELINES FOR THE  
STATE INCLUDING LICENSING AND PROFESSIONAL  
OVERSIGHT.”

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture,  
and Hawaiian Affairs, then to the  
Committee on Commerce and Consumer  
Protection

S.C.R. No. 68 “SENATE CONCURRENT  
RESOLUTION REQUESTING THE AUDITOR TO  
PERFORM A SUNRISE ANALYSIS OF THE  
REGULATION OF THE PROFESSION OF  
ARCHAEOLOGY.”

Offered by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Water,  
Land, Agriculture, and Hawaiian Affairs  
and the Committee on Commerce and  
Consumer Protection, then to the  
Committee on Ways and Means

S.C.R. No. 69 “SENATE CONCURRENT  
RESOLUTION AUTHORIZING THE SALE OF STATE  
RECLAIMED LAND AT KAALAEA, KOOLAUPOKO,  
OAHU, FOR PRIVATE PROPERTY PURPOSES.”

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture,  
and Hawaiian Affairs, then to the  
Committee on Ways and Means

S.C.R. No. 70 “SENATE CONCURRENT  
RESOLUTION AUTHORIZING THE SALE OF STATE  
RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO,  
OAHU, FOR BEACH ACCESS RIGHT-OF-WAY  
PURPOSES.”

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture,  
and Hawaiian Affairs, then to the  
Committee on Ways and Means

S.C.R. No. 71 “SENATE CONCURRENT  
RESOLUTION AUTHORIZING THE SALE OF STATE  
LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR  
RESIDENTIAL PURPOSES.”

Offered by: Senator Hanabusa, by request.

Referred to: Committee on Water, Land, Agriculture,  
and Hawaiian Affairs, then to the  
Committee on Ways and Means

S.C.R. No. 72 “SENATE CONCURRENT  
RESOLUTION REQUESTING AUTHORIZATION TO  
ENTER INTO A DEVELOPMENT AGREEMENT FOR THE  
DEVELOPMENT OF KEEHI INDUSTRIAL LOTS, ISLAND  
OF OAHU.”

Offered by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Water,  
Land, Agriculture, and Hawaiian Affairs  
and the Committee on Transportation,  
International and Intergovernmental  
Affairs, then to the Committee on Ways  
and Means

S.C.R. No. 73 “SENATE CONCURRENT  
RESOLUTION REQUESTING AUTHORIZATION TO

ENTER INTO A DEVELOPMENT AGREEMENT FOR THE  
DEVELOPMENT OF GENERAL AVIATION LOTS AT THE  
KONA INTERNATIONAL AIRPORT AT KEAHOE,  
ISLAND OF HAWAII.”

Offered by: Senator Hanabusa, by request.

Referred to: Jointly to the Committee on Water,  
Land, Agriculture, and Hawaiian Affairs  
and the Committee on Transportation,  
International and Intergovernmental  
Affairs, then to the Committee on Ways  
and Means

#### SENATE RESOLUTION

The following resolution (S.R. No. 29) was read by the Clerk  
and was deferred:

S.R. No. 29 “SENATE RESOLUTION  
EXPRESSING SUPPORT FOR THE UNIVERSITY OF  
HAWAII AT HILO COLLEGE OF PHARMACY’S  
EFFORTS TO OBTAIN FEDERAL FUNDING TO  
ESTABLISH THE BIG ISLAND OF HAWAII AS A  
BEACON COMMUNITY.”

Offered by: Senators Green, Takamine.

At 12:15 p.m., the Senate stood in recess subject to the call  
of the Chair.

The Senate reconvened at 12:28 p.m.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1 (Gov. Msg. No. 109):

By unanimous consent, action on Stand. Com. Rep. No. 1  
and Gov. Msg. No. 109 was deferred until Wednesday,  
February 3, 2010.

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were  
introduced:

S.B. No.: Re-referred to:

S.B. No. 2637 Jointly to the Committee on Tourism and  
the Committee on Economic  
Development and Technology, then to  
the Committee on Ways and Means

S.B. No. 2696 Committee on Economic Development  
and Technology, then to the Committee  
on Judiciary and Government Operations

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the  
referrals and re-referrals listed on the Order of the Day and on  
the Supplemental Order of the Day that may be distributed to  
your offices later this afternoon.”

Senator Ige rose on a point of personal privilege as follows:

“Members, I just did want to announce that the Senate  
committees will be initiating a Twitter pilot project. The  
Committee on Commerce and Consumer Protection,  
Committee on Higher Education, and Health Committee will be  
initiating a pilot Twitter project where we will be ‘tweeting’  
real-time status on where the committee is during the hearing  
so that—especially for long hearings—the public would be able  
to monitor where the committee is in the agenda so that they  
could show up at the hearing when the measures of most  
interest are. So I did want to announce that, and that I’ll be  
tweeting from our committee this afternoon at 2:45 p.m.

Senators Baker and Tokuda have been experimenting with it as well. We have distributed to all the chairs the guidelines that we'll be using for the Twitter project. So if you have an interest to join us in this session, our staff would be more than happy to help facilitate that. And we do think, you know, for the longest time we've been working on how we can keep the public, in a real-time basis, aware of where we are in the agendas—especially for those A-bracket committees with the four- and five- and six-page agendas—and we really do think that Twitter would be a good opportunity for us to keep the public informed. So I just wanted to announce that and ask all of you, if you're interested, to become followers. Thank you."

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 27, 2010:

S.B. No.:	Referred to:	S.B. No. 2911	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2898	Committee on Health, then to the Committee on Commerce and Consumer Protection	S.B. No. 2912	Committee on Ways and Means
S.B. No. 2899	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.B. No. 2913	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2900	Committee on Labor, then to the Committee on Ways and Means	S.B. No. 2914	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2901	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2915	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.B. No. 2902	Committee on Ways and Means	S.B. No. 2916	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2903	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2917	Committee on Judiciary and Government Operations
S.B. No. 2904	Jointly to the Committee on Labor and the Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2918	Committee on Judiciary and Government Operations
S.B. No. 2905	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.B. No. 2919	Jointly to the Committee on Health and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
S.B. No. 2906	Jointly to the Committee on Judiciary and Government Operations and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2920	Jointly to the Committee on Higher Education and the Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2907	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.B. No. 2921	Committee on Commerce and Consumer Protection
S.B. No. 2908	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	S.B. No. 2922	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2909	Committee on Ways and Means	S.B. No. 2923	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2910	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	S.B. No. 2924	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs
		S.B. No. 2925	Jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Commerce and Consumer Protection
		S.B. No. 2926	Committee on Energy and Environment, then to the Committee on Ways and Means
		S.B. No. 2927	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs
		S.B. No. 2928	Committee on Ways and Means
		S.B. No. 2929	Committee on Commerce and Consumer Protection

S.B. No. 2930	Committee on Health	S.B. No. 2948	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2931	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	S.B. No. 2949	Committee on Labor, then to the Committee on Ways and Means
S.B. No. 2932	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Health	S.B. No. 2950	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2933	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2951	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2934	Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2952	Committee on Ways and Means
S.B. No. 2935	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.B. No. 2953	Committee on Ways and Means
S.B. No. 2936	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.B. No. 2954	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.B. No. 2937	Committee on Judiciary and Government Operations	S.B. No. 2955	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.B. No. 2938	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations	S.B. No. 2956	Jointly to the Committee on Education and Housing and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.B. No. 2939	Committee on Judiciary and Government Operations	S.B. No. 2957	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.B. No. 2940	Committee on Education and Housing, then to the Committee on Ways and Means	S.B. No. 2958	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2941	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.B. No. 2959	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2942	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.B. No. 2960	Committee on Education and Housing, then to the Committee on Ways and Means
S.B. No. 2943	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.B. No. 2961	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.B. No. 2944	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	<b>REFERRAL OF SENATE CONCURRENT RESOLUTIONS</b>	
S.B. No. 2945	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	The President made the following committee assignments of concurrent resolutions offered on Thursday, January 21, 2010; and Friday, January 22, 2010:	
S.B. No. 2946	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No.:	Referred to:
S.B. No. 2947	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 3	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
		S.C.R. No. 4	Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs
		S.C.R. No. 5	Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs

S.C.R. No. 6	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means		Technology, then to the Committee on Ways and Means
S.C.R. No. 7	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.C.R. No. 27	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 8	Jointly to the Committee on Health and the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.C.R. No. 28	Committee on Education and Housing
S.C.R. No. 9	Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 29	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations
S.C.R. No. 10	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Human Services	S.C.R. No. 30	Jointly to the Committee on Human Services and the Committee on Education and Housing
S.C.R. No. 11	Committee on Human Services, then to the Committee on Ways and Means	S.C.R. No. 31	Committee on Human Services
S.C.R. No. 12	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.C.R. No. 32	Committee on Human Services
S.C.R. No. 13	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 33	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 14	Committee on Education and Housing	S.C.R. No. 34	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 15	Committee on Education and Housing	S.C.R. No. 35	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 16	Jointly to the Committee on Education and Housing and the Committee on Health	S.C.R. No. 36	Committee on Judiciary and Government Operations
S.C.R. No. 17	Jointly to the Committee on Education and Housing and the Committee on Human Services and the Committee on Health	S.C.R. No. 37	Committee on Judiciary and Government Operations
S.C.R. No. 18	Committee on Education and Housing, then to the Committee on Ways and Means	S.C.R. No. 38	Committee on Judiciary and Government Operations
S.C.R. No. 19	Committee on Education and Housing	S.C.R. No. 39	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 20	Jointly to the Committee on Education and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means	S.C.R. No. 40	Jointly to the Committee on Health and the Committee on Labor
S.C.R. No. 21	Committee on Education and Housing	S.C.R. No. 41	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 22	Committee on Education and Housing	S.C.R. No. 42	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.C.R. No. 23	Committee on Education and Housing	S.C.R. No. 43	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.C.R. No. 24	Jointly to the Committee on Education and Housing and the Committee on Health, then to the Committee on Ways and Means		
S.C.R. No. 25	Committee on Education and Housing		
S.C.R. No. 26	Jointly to the Committee on Education and Housing and the Committee on Economic Development and		

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Thursday, January 21, 2010; and Friday, January 22, 2010:

S.R. No.:	Referred to:
S.R. No. 1	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.R. No. 2	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations
S.R. No. 3	Committee on Education and Housing

S.R. No. 4	Committee on Education and Housing	S.R. No. 27	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.R. No. 5	Jointly to the Committee on Education and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means	S.R. No. 28	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.R. No. 6	Committee on Education and Housing	<b>RE-REFERRAL OF A SENATE BILL</b>	
S.R. No. 7	Jointly to the Committee on Education and Housing and the Committee on Human Services and the Committee on Health	The Chair re-referred the following Senate bill that was introduced:	
S.R. No. 8	Jointly to the Committee on Education and Housing and the Committee on Health	S.B. No.:	Re-referred to:
S.R. No. 9	Committee on Education and Housing	S.B. No. 2562	Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.R. No. 10	Committee on Education and Housing	<b>ADJOURNMENT</b>	
S.R. No. 11	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	At 12:31 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, February 1, 2010.	
S.R. No. 12	Committee on Water, Land, Agriculture, and Hawaiian Affairs		
S.R. No. 13	Jointly to the Committee on Education and Housing and the Committee on Health, then to the Committee on Ways and Means		
S.R. No. 14	Committee on Education and Housing		
S.R. No. 15	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology, then to the Committee on Ways and Means		
S.R. No. 16	Committee on Education and Housing		
S.R. No. 17	Committee on Education and Housing		
S.R. No. 18	Jointly to the Committee on Health and the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		
S.R. No. 19	Committee on Transportation, International and Intergovernmental Affairs		
S.R. No. 20	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Human Services		
S.R. No. 21	Committee on Human Services, then to the Committee on Ways and Means		
S.R. No. 22	Jointly to the Committee on Human Services and the Committee on Education and Housing		
S.R. No. 23	Committee on Human Services		
S.R. No. 24	Committee on Human Services		
S.R. No. 26	Committee on Judiciary and Government Operations		

## EIGHTH DAY

## Monday, February 1, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:42 a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Honorable J. Kalani English, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Espero, Hanabusa, and Ihara who were excused.

The Vice President announced that he had read and approved the Journal of the Seventh Day.

At this time the following introductions were made to the members of the Senate:

Senator Fukunaga, on behalf of herself and Senator Taniguchi, introduced a group of 3<sup>rd</sup> grade students from Lunanilo Elementary School who were accompanied by their teacher Joy Buckland, and chaperones Mrs. Elsie Kawakami and Mr. Clayton Yanagisako.

Senator Tsutsui rose on a point of personal privilege as follows:

"Mr. President, I request today that the Senate adjourn this morning on a rising vote and observe a moment of silence in memory of former State Senator Nadao Yoshinaga. This Maui boy dedicated his life for the betterment of our state. A proud veteran of the famed 100th Battalion, 442<sup>nd</sup> Regimental Combat Team in World War II, was just the beginning of what became a very distinguished career in public service.

"Senator Yoshinaga was elected into the House of Representatives in 1954 and into the State Senate in 1959. During his career, he was responsible for landmark legislation, such as the Prepaid Health Act, the Arts in Public Places Act, and the creation of the Hawai'i State Commission on Status of Women, just to name a few. 'Najo,' as most of us knew him, was a visionary and he'll be truly missed by all of us. And, at this moment, I'd like to turn the floor over to Senator Fukunaga."

Senator Fukunaga rose and said:

"I'd like to add a few remarks to those of my distinguished colleague from Maui.

"While Senator Yoshinaga was undoubtedly a proud son of Maui, we in Makiki were privileged that he lived in our high density community during his last few years. He participated actively in One Kalākaua's exercise programs, social activities, and even in our community meetings. However, what I want to highlight today is that he was truly Hawaii's first science and tech guru: a man way ahead of the modern computer and internet age. Between the mid-1960s and 70s, he helped to fund the Hawai'i Institute for Marine Biology, Kewalo Basin Research Lab, the Mauna Kea Observatory, the Med School, the Law School, and even RCUH, whose purpose was to cut through red tape to advance scientific inquiry in all branches of learning. In that way, he is as much a part of the hopes and aspirations of today's robotics champs from Wai'alu, McKinley, or Wai'akea High School, or those of the talented dream-spinners like Wai'anae Seariders and Academy for Creative Media grads. That's when he occupied these Senate Chambers.

"When we do observe a moment of silence in his memory, I think we can all listen carefully and hear his voice saying, 'Make Hawai'i the best place in the world.'"

At this time, Senator Fukunaga introduced members of the late Senator Nadao "Najo" Yoshinaga's family and extended 'ohana including his son Alvin, daughter Susan and son-in-law Roger Ward, son Michael, and friends Steve Montgomery and Bob Miller.

At 11:48 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 a.m.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 6) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 6, transmitting H.B. No. 2162, H.D. 1, which passed Third Reading in the House of Representatives on January 29, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2162, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

## STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2001) recommending that S.B. No. 2003 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2003, entitled: "A BILL FOR AN ACT RELATING TO STATE IDENTIFICATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2002) recommending that S.B. No. 2174 pass Second Reading and be referred to the Committee on Labor.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2174, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Labor.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2003) recommending that S.B. No. 2142, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2004) recommending that S.B.

No. 2266 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2266, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 2, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2005) recommending that S.B. No. 2179, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 3, 2010.

At this time, Senator Slom rose on a point of personal privilege and said:

"At the close of last Friday's floor session, there was an announcement made that there was going to be another Judiciary hearing on the nomination of Mr. Ed Kubo for Circuit Court. There was also an announcement made that the Senate will be voting on that confirmation on Wednesday morning. I looked at the announcements for committees, and I did not see any committee hearing that has been scheduled prior to Wednesday for the nomination, again of Mr. Kubo. And it's come to my attention that, in fact, there was an overture to Mr. Kubo to meet privately with the members of the Majority caucus tomorrow at 10:30 behind closed doors to discuss various issues. If that information is correct, Mr. President, I find that very egregious.

"We are a Senate body. We talk about transparency. We talk about hearings and we should have those hearings, either at the Committee level where they are open to the public and fully announced, or we should have them on the Senate floor, which is fine with me. But we should not have them behind closed doors with just some of the members of the Senate present, and no members of the public, and not the full contingent from the Committee.

"So, if my information is incorrect, Mr. President, I would be very happy to have it corrected. If in fact there is a hearing scheduled prior to Wednesday's vote, I'd be very happy to have that information; and I'd also like to confirm that again this Senate body is going to vote on Mr. Kubo's nomination on Wednesday. Thank you, Mr. President."

The Chair responded as follows:

"Yes, the Senate will vote on the confirmation on Wednesday. There is not a Judiciary Committee hearing planned to address the Governor's Message; and of course, any Senator is welcome to meet with Mr. Kubo if he agrees to discuss his nomination."

Senator Hemmings rose on a point of personal privilege and stated:

"If indeed we can address the rumors going around about the nominee, does the nominee have the opportunity to defend himself in a forthright and open manner—which is, as we all know, the hallmark of fairness. And I find it incredible that in times when many people in this country and in this state are talking about transparency and openness in government that this man's nomination is being maligned through innuendo and an anonymous speech where he does not have the opportunity

to defend himself. I would urge the Majority party in the interests of openness in government to conduct all business concerning this nomination in a public manner. And possibly, it may be appropriate if there is the time, as the good Senator from Hawai'i Kai suggested, to have a committee hearing so that the public can be assured that this nominee was treated in an open and fair manner and had a opportunity to address the scurrilous rumors—half-truths as we see them—and most importantly, face his accusers one-on-one. So Mr. President, in the interests of honest democracy, I would suggest that the Majority party conduct a hearing. Thank you."

Senator Taniguchi rose on a point of personal privilege and stated:

"I think what occurred from last week to this week is that there were some additional allegations that were made against Mr. Kubo, and that's, in part, why we did not have a vote and requested delaying the vote on Friday. Part of it was that we wanted an opportunity for him to address some of those concerns, and that we felt that maybe—well, in terms of the procedure of the Senate, because the nomination had already come down to the floor, it would be difficult for us to again have another public hearing. The other thing was that a lot of times when appointees or nominees are questioned by individual members, sometimes it's the interpretation or there's some concern about different stories that are being said by different people. And so part of it for us was that I considered maybe having a caucus, and we did invite Mr. Kubo to attend so that those kinds of questions could be answered and that would at least have—among the Majority members anyway—at least the same opportunity to see him answer the questions and respond to some of these things that came out after our hearing in Judiciary. So that was the attempt.

"Mr. Kubo has declined to speak before the caucus, and so we, I think, have an opportunity now, if members do have questions, for them to contact Mr. Kubo and get those questions answered. I don't believe I'll be raising those additional concerns, but I will try to talk to Mr. Kubo about them in the intervening time, either today or tomorrow, before our vote on Wednesday.

"So that's what happened. That's the situation. I don't think there's any attempt to cover up. Actually, it's an attempt to provide him with another opportunity to answer some of the questions that came up after the hearing. Thank you."

Senator Slom rose on a point of personal privilege and stated:

"Just a brief follow-up. Again, my point of personal privilege has to do with transparency and about allowing all of the Senators and all of the public to hear information at the same time, and I think that would have been very easy to do. And as I mentioned, the Senate President had mentioned that that was what was going to be done on Friday. So, to leave it to individual Senators to have individual meetings or just the Majority party behind closed doors I think defeats the whole purpose, not just for this nomination, but for anything that we do in the future. And I think that all of my colleagues should be very concerned about that and should speak up about it. Thank you, Mr. President."

Senator Taniguchi rose on a point of personal privilege and stated:

"Just a response, a quick response: We have our caucus and I think the Minority has their caucus, and they can invite whoever they want at any time to answer to whatever questions their caucus may have. I don't see it's a matter of transparency necessarily; it's a matter of that they can also have their own caucus if they're so concerned. Thank you."

Senator Hee rose on a point of personal privilege and stated:

“Regarding Mr. Kubo, I don’t know about any Majority caucus, and if there is one, I don’t suspect that there’s anything nefarious about the Majority calling this caucus or any other caucus in the future.

“I do know about Mr. Kubo to the extent that questions have arisen, and I intend to meet with Mr. Kubo. I had a brief conversation with him on Friday, and I believe Cherie has scheduled a subsequent meeting either today or tomorrow. I don’t think it’s a secret in the caucus when we had a discussion. For me, it has to do with disclosure. And, not surprisingly, having served as Judiciary chairman in the 80’s as well as more recently, lawyers’ questions. So I want to ask the nominee how he ‘lawyered’ the question because the question is: Has he been admonished, has he been reversed, has he been criticized in writing by any court? It’s a real simple question. Evidently, his answer was ‘no’ when asked by the Judicial Selection Commission.

“Now, until the caucus met last week, I was prepared to vote for him. Evidently, he has something in writing that was presented by the Chairman of Judiciary. But maybe he made a mistake and he forgot, and maybe if he had to do it over again, he would include it. That’s a fair statement. That’s a fair response. But in fact the Chairman of Judiciary has since disclosed that there are two other cases in writing admonishing the nominee. Well, that’s a serious matter, and those are the things that trouble me with this nominee. So in the spirit of transparency, those are the questions that I will ask him. If he has legitimate answers, so be it. If he doesn’t, that’s the way it is. That’s why we have the advise and consent process. It has nothing to do with anything other than that; and if you folks wish to know how the discussion goes, I invite you to call me after I’ve had my opportunity to meet with the nominee. Thank you.”

Senator Kim rose on a point of personal privilege and stated:

“Mr. President, I’ve been getting a number of e-mails from people that are in support of Mr. Kubo, and many of the e-mails are stating some false information. One of them is stating that supposedly Mr. Souza has called most of us. Well, I just want to go on record to say that he has not called me, he has not come to my office, I do know him, and I’m not sure who else in this body has been contacted other than the Senator from Hawai’i Kai. But certainly the statements that most of us have been contacted, I think, is perhaps not an accurate one; and I would like to ask that when people send us this kind of e-mails, that they put in information that they know is true and not false ones. I’ve been accused in the past for voting against someone because when he was a prosecutor he had prosecuted my sister, and that was false. So this kind of false information is certainly not appreciated by me. Thank you.”

Senator Hemmings rose in rebuttal and on a point of personal privilege and stated:

“I think this has been a healthy debate that needs to be fully aired. Thank you for allowing me to proceed, Mr. President.

“I think this discussion on this floor today provides enough evidence of why we need a more open and honest debate on this issue, and most especially in a formal setting where the public, the nominee, and all legislators can make informed decisions. We need to know who’s making the accusations that have been discussed on this floor and some of the disguised questions that possibly could be more indictments than questions. And then, quite frankly, regarding the previous speaker’s allegations about violating the written orders as mandated by the court—we need answers to that too, because if the nominee is for whatever reasons not forthcoming, then that is an element that all of us should know about. So, what we’re

doing here is advise and consent, and what is best for the people of Hawai’i and the judicial branch of government and justice itself, and a good man who’s served our nation well and our state well has not only the right, but also should have the privilege to defend himself in an open and honest manner with all 25 senators.

“So, once again, Mr. President, I’d urge the Majority party--there’s no rush on this nomination—to have another committee hearing despite the paperwork it may involve or whatever floor action it would take to do it. And let’s do this fairly in front of the public so that we all can make informed and honest decisions. Thank you, Mr. President.”

Senator Hee rose on a point of personal privilege and stated:

“I will be very happy to—and by this announcement—we will e-mail to every member of the Senate the three cases that were provided by the staff of the Judiciary Committee where the nominee was evidently criticized by the court. In addition, my staff is more than happy to also e-mail to each member the salient question by the Judicial Selection Commission which asks all nominees to disclose any cases where the nominee may have been criticized by the court, which evidently, according to the Judiciary Committee, he responded in the negative. He did respond to me on Friday that he said ‘no’ and that he did say that if he had to do it over again, he would’ve included it. Of course, the issue here is: We were under the impression—at least I was under the impression—it was one case. It turns out it was evidently three cases in writing.

“I agree with the previous speaker. I wish that we could continue this longer, but unfortunately, the Constitution requires us as a Senate to act on the nominee no later than Wednesday, or, as all of you know, it’s an automatic approval by no action by the Senate, and I don’t think any nominee would like to proceed under a cloud like that. Thank you.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

#### ADJOURNMENT

At 12:08 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 2, 2010, on a rising vote, observing a moment of silence in memory of Senator Nadao “Najo” Yoshinaga.

## NINTH DAY

## Tuesday, February 2, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:37 a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Ms. Lou Ann Ha'aheo Guanson, Pacific Justice and Reconciliation Center, after which the Roll was called showing all Senators present with the exception of Senators Hanabusa, Ihara, and Taniguchi who were excused.

The Vice President announced that he had read and approved the Journal of the Eighth Day.

At this time, Senator Hemmings introduced Vincent Furtado, a Hawai'i Job Corps shadow from Waimanalo, to the members of the Senate.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 74) was read by the Clerk and was deferred:

S.C.R. No. 74 "SENATE CONCURRENT RESOLUTION AFFIRMING THE PARENTAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION AND URGING THE UNITED STATES CONGRESS TO PROPOSE THIS CONSTITUTIONAL AMENDMENT TO THE STATES FOR RATIFICATION."

Offered by: Senator Gabbard.

## SENATE RESOLUTION

The following resolution (S.R. No. 30) was read by the Clerk and was deferred:

S.R. No. 30 "SENATE RESOLUTION AFFIRMING THE PARENTAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION AND URGING THE UNITED STATES CONGRESS TO PROPOSE THIS CONSTITUTIONAL AMENDMENT TO THE STATES FOR RATIFICATION."

Offered by: Senator Gabbard.

## STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2006) recommending that S.B. No. 2175 pass Second Reading and be referred to the Committee on Labor.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2175, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Labor.

Senators Espero and English, for the majority of the Committee on Public Safety and Military Affairs and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2007) recommending that S.B. No. 2053 pass Second Reading and be referred to the Committee on Judiciary and Government Operations and the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2053, entitled: "A BILL FOR AN

ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations and the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2008) recommending that S.B. No. 2177, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2009) recommending that S.B. No. 2178, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2010) recommending that S.B. No. 2201, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 4, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2011) recommending that S.B. No. 2289 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto, Chun Oakland, and Baker, for the majority of the Committee on Education and Housing and the majority of the Committee on Human Services and the majority of the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2012) recommending that S.B. No. 2436, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second

Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 2266:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2266, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ihara, Taniguchi).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 2828	Committee on Education and Housing, then to the Committee on Ways and Means

**ADJOURNMENT**

At 11:45 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 9:30 a.m., Wednesday, February 3, 2010.

## TENTH DAY

## Wednesday, February 3, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Dr. David Hockney, Olivet Baptist Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Ninth Day.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 175) was read by the Clerk and was placed on file:

Gov. Msg. No. 175, dated January 11, 2010, transmitting a Report on the Hawaii Bioenergy Master Plan, prepared by the Department of Business, Economic Development, and Tourism pursuant to Act 253, SLH 2007.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1 (Gov. Msg. No. 109):

At this time, the Chair made the following announcement:

"Members, pursuant to Senate Rule 37 (5), the final question on appointments by the Governor which require the confirmation or consent of the Senate must be stated in the affirmative. Therefore, those casting Aye votes are voting to confirm, and those casting No votes are voting to reject the nomination.

"The Committee on Judiciary and Government Operations made no recommendation on Governor's Message No. 109. Therefore, the Chair will first entertain a motion to file Standing Committee Report No. 1, then we will move on to the final vote on this matter."

At 9:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:42 a.m.

Senator Sakamoto moved that Stand. Com. Rep. No. 1 be received and placed on file, seconded by Senator Slom and carried.

Senator Sakamoto then moved that the Senate consent to the nomination of EDWARD H. KUBO, JR. to the Circuit Court of the First Circuit, State of Hawaii, term to expire in ten years, seconded by Senator Slom.

Senator Taniguchi rose in support of the nominee with reservations as follows:

"As you may recall, your Committee on Judiciary and Government Operations had its initial hearing on this Governor's Message on January 21. At that time, we received many testimonies in strong support of Mr. Kubo from a cross-section of people. I believe that he has done a great deal of good in our community, but we are charged with determining if he would make a good judge or not, and we did receive two written testimonies in opposition from two assistant U.S. attorneys.

"Because of scheduling conflicts, we had to continue the hearing to the following week. This gave the Committee a chance to do more research on the objections raised. The case

that we were looking into—*U.S. v. Sanders*—was one that involved Mr. Kubo not returning to a juried case after a massive power outage in downtown Honolulu. The judge in that case dismissed the case against the prosecution because Mr. Kubo was absent, and a panel of about 30 people was waiting to be selected as jurors. At a later court hearing to reconsider the dismissal, another judge ordered Mr. Kubo to write a letter of apology to each juror. About a year and a half later, the original trial judge terminated the case. Mr. Kubo did not disclose this case to the Judicial Selection Commission, but later disclosed it to the Hawai'i State Bar Association.

"Your Committee also came across a case—*U.S. v. Wilson*—in which the Ninth Circuit Court found Mr. Kubo's remarks regarding forensic evidence to be inappropriate and his closing argument to be improper speculation as to what the deceased victim might have said to the jury. In both these instances, however, the court found that Mr. Kubo's remarks were not so gross as to prejudice the defendant and not so gross as to materially affect the fairness of the trial.

"At the second day of our hearing on January 28, Mr. Kubo was allowed to finish any further remarks he had to make because of the interruption the week before, and he used the opportunity to refute some of the testimony of the two assistant U.S. attorneys. I questioned Mr. Kubo about the Sanders and Wilson cases, and it was his position that he was not required to disclose these cases to the Judicial Selection Commission. I asked him if he thought he should have disclosed the information about the two cases, and he would not say that he probably should've. We then voted, and as you recall, Madam President, your Judiciary Committee deadlocked on whether to consent to the nomination.

"At that time, I voted not to consent to Mr. Kubo's nomination, not only because he failed to disclose the cases that he should have, but more importantly because it didn't seem to me that Mr. Kubo would even reconsider disclosing them in the application had he the opportunity to do so. If we voted on Mr. Kubo's nomination on Friday, as previously scheduled, I would probably have voted against Governor's Message No. 109. With the delay in the vote, I did get an opportunity to talk to him again yesterday. I questioned him about his views on the disclosure of the two cases, and while he felt his decision not to in both cases was defensible, he did admit that maybe he should have done so. I believe he was sincere, and this was satisfactory to me.

"Madam President, as a former Judiciary Chair yourself, you're quite aware of the challenges that come with having to evaluate people in these situations. I did not know Mr. Kubo prior to this nomination. I must say that I've struggled mightily to find the right answer in this case, but I feel confident now that we need to give Mr. Kubo a chance. Thank you."

Senator Slom rose in support of the nominee as follows:

"What a difference a day makes, or perhaps two days. As my colleague from Kaimuki reminded me, it's like the tide—it ebbs and flows, goes in and goes out. You know, we had two full hearings on the nominee. There was ample publicity, ample notice, and ample opportunity for anyone who had anything to say about the nominee, pro or con, to come forward in person to submit information. As the Judiciary Chairman mentioned, two people in fact did submit testimony, but neither of them chose to appear either in the first hearing or the second hearing. And so, the Committee was deprived of an opportunity to question them directly to find out details that we would've liked to ask of these two witnesses. And I think it's really important, no matter what the hearing, when we're

talking about looking at the qualifications of an individual that anyone that has some material to bring forward—has something that they feel is material—that in fact they appear in person or that they avail themselves of the opportunity to be questioned in the open. The other day, I rose on a point of personal privilege also suggesting that after the hearings were finished, I thought it was improper to have separate hearings behind closed doors with only some members of the State Senate. When we're looking at a matter this important, I think it is incumbent upon us to be as transparent as possible, to open up to everyone—including the public and the media—the questions and answers that take place. For example, I have a great deal of respect for the Judiciary Chairman, but I don't know if his version just uttered was what the nominee actually said to him yesterday. I would like to hear it myself because I did hear the answer to the question about disclosure in the hearing, not once but twice, and that differs from the version we were just given. It's so much easier if we can hear from the people directly, and that everyone has an opportunity to ask the questions that concern them. And don't let me be misunderstood; this is no way reflects upon a person's opportunity to criticize or disagree. That is part of our Constitution, that is part of our responsibility, and as the President knows, I have been known to disagree on a number of occasions.

“But let's look at this issue of disclosure, first of all. The nominee said that he believed, under the specific questions from both the Judicial Selection Commission and the Hawai'i Bar Association, that the action taken by Judge Manuel Real did not rise to the level of disclosure. And in addition to that, all of that information was easily accessible by anyone—the Commission, the media, the public. And in fact, it was disclosed that the reason that the nominee did not attend a judicial function was because of a massive power blackout that affected all of downtown Honolulu. As I mentioned in Committee, I had the actual story: 17½ hours of blackout, federal building completely shut down, police keeping people off the sidewalks, stopping all traffic for that period of time. And that was not brought out, even in some media reports. I was sad to see that they said that the nominee simply went to lunch and skipped the judicial proceeding. Further, I brought up information showing that the judge that made those statements, Judge Manuel Real, had himself been the subject of several judicial misconduct charges by various courts. He's a California judge. He's still on the bench.

“Did what happened to the nominee—specifically, an order to write letters of apology to those who had been selected for jury but had not been empanelled as yet—did that rise to the level of judicial misconduct? In the eyes of the judicial community here, no; the answer was no. Did it rise to the level of judicial negligence? Again, to the eyes of the judicial community here, the answer was no. So, when someone says there was a failure to disclose, to me that is a subjective personal opinion. It's a valid opinion—and maybe other people can arrive at that—but it gives the hint that there was an attempt to not provide full information, and that was not the case. Had that been the case, either the Judicial Selection Commission could've come back and said so, or the Hawai'i Bar Association could've come back and said, ‘Wait; upon further deliberation and of new information, we will change our qualification for the nominee.’ Neither did that; neither did any of the more than 150 testifiers—all four county prosecutors, all four county mayors, the Office of State Public Defender, a number of labor unions, and some very prominent attorneys in our community. In other words, they had the opportunity to come forward and say, ‘Oh wait a minute, we didn't know about that,’ or, ‘We just learned about this,’ or, ‘We think it is more serious.’ None of them, not one of them, came forward; and neither of the two disgruntled U.S. attorney employees

chose to come forward. So many of us were left with the impression if nothing had come up during the hearing or the subsequent hearing or subsequent to that, why was there a continual drumbeat against this nominee?

“But, we don't have to wonder anymore and we don't have to investigate anymore because it seems that cooler heads have prevailed, and that people looked at the whole man and all of the qualifications. Unlike the Judiciary Chairman, I've had the honor and privilege of knowing the nominee for many years. He's not perfect—I haven't found a perfect nominee yet—but on the body of evidence of what he has done in his capacity as U.S. attorney, what he has done in terms of community leadership, what he has done involving women and felons and the less fortunate as has been expressed by many, many people who have come forward and still others who have sent in their testimony, we would be foolish not to confirm this man for this job. We are lucky to have him. We are lucky that he has a passion for public service. And what we've seen during the past week, Madam President, is that the nominee truly is the peoples' judge. I don't recall—perhaps you do, but I don't recall any demonstration in support of a judge nominee in the past. And the reason that it took place is because the people feel so very strongly that this humble, local man can serve justice for all of us, and that his record of accomplishment and experience has been one that we want to continue. And we are lucky for an individual going from the highest law enforcement position in the State of Hawai'i to a judgeship on the circuit court. We are fortunate to have individuals like this who are willing to serve.

“I'm just hopeful that in the future any further nominees will be totally judged on information that is brought forth during regular, open hearings, even if there are additional hearings as you Madam President had suggested last Friday there were going to be; that we do it openly for the public, for all Senators, and for the media so that we can all judge the judge. It is unfortunate, I think, that there were a lot of rumors that circulated in and out of this building, on a personal level. We don't have any place for rumors and anonymity when there are character attacks. Likewise, the fact of whether the nominee is really a Republican or Democrat has no impact, or should not, particularly if we're talking about the judicial system. We have to remove politics from this process, and we can start by confirming the nominee today. A lot of people talked about loyalty and loyalty is extremely important is a beneficial characteristic. But when loyalty goes before the facts and before information and before the issues at hand, then it becomes destructive rather than constructive. We are fortunate that so many people did come forward and added their testimony; people even traveling from the neighbor islands on their own dime to do this. And we are fortunate that we live in a country and in a state where open democracy still is the rule rather than the exception.

“So Madam President, I am very happy to give my full support for the nominee and urge my colleagues to do so, but I certainly understand if they have reservations, whatever those reservations may be. But as I say in the future, let's make sure that we totally, completely, and openly vet a candidate. And in this candidate, we'll find no one better to help us in our judicial system. So Madam President, I call for a Roll Call vote. (The Chair so ordered.) Thank you.”

Senator Sakamoto rose in support of the nominee as follows:

“I agree with many of the points the Senator from Hawai'i Kai made. To add to his comment, Mr. Kubo also aided injured warriors and the men and women who fought for our country.

“In addition to supporting Mr. Kubo's nomination, I'd like to comment on the process in which we have arrived. Madam President, I'm thankful that we as a body have deliberated in

hearings, on the floor, and in individual meetings. We practiced ponopono, which is the Hawaiian word for today. It means mental clearing, restoring balance within the individual and the family. In keeping with ho'oponopono, I differ in opinion to the previous speaker who spoke about transparency—that everything needs to be transparent. I believe if we were to debate issues in our community and our families in the open, we sometimes or oftentimes do not say what should be said—undermining the intent of transparency.

“The discussion on Mr. Kubo’s nomination provided an opportunity to ask questions and raise issues. At the end of the day, I hope people were able to come to the proper conclusion. I’m thankful that this body has allowed ho'oponopono to occur. In closing, I ask my colleagues to vote in support of Mr. Kubo.”

Senator Nishihara rose in support of the nominee with reservations as follows:

“I’ve given this measure a great deal of thought, as many of you have. In the public’s eye, Mr. Kubo deserves to be appointed and confirmed by this body. He and his family have been subjected to a great deal of stress and uncertainty. That is the process whether one likes it or not. We have an obligation to the public to hold hearings on judicial nominations, bruising or otherwise. Our duty is to seriously consider each nominee and to give each the courtesy and respect; to look at the person’s record; without regard to party affiliation; regardless of which side of the representation, prosecutorial or defensive; and gender or any other physical or social attributes that could be raised as issues. The selection of a judge, in my opinion as a non-lawyer but as a legislator, is at the essence is the person being considered have the following attributes: Is he or she fair and impartial in dealing with the issue before himself or herself? Will he or she be of an open mind to all arguments as posed before the court, able to forgo any biases that could cloud decision-making? Will the decisions of previous court decisions that are pertinent to the case before him or her reflect what is fair and just? Will anyone who is facing the court truly have his or her day? Will justice be rendered with compassion, along with consequences that do not diminish the nature and the severity of the offense? Will that person who seeks to sit in judgment of others be above reproach in dispensing decisions that can alter lives?”

“I do not look for perfect individuals. I do look for people who can recognize their own imperfections and do good work despite those imperfections every day that they sit on the bench. I don’t want to expect individuals who in their native intelligence display smugness or airs of absolute certainty, devoid of doubt or self-reflection. I don’t want individuals who think that their position makes them supreme over the public.

“Although I still have reservations after having spoken to Mr. Kubo yesterday, they do not rise to justify my rejection of his appointment. I would hope that having heard this, he will demonstrate and be true to our confidence in his performance in carrying out the duties expected of him as a judge in the circuit courts. Thank you, Madam President.”

Senator Hee rose in support of the nominee as follows:

“Let me begin by thanking the nominee for a couple of occasions. One such occasion was on Friday, when he was in my office. I had the opportunity to have a telephone conversation with him as I was out of the building at the time. And then more recently yesterday; he and his wife met with me in one of the conference rooms, and I appreciated that visit.

“Like most of you on the floor, as colleagues and for the Majority party, I have shared with you on occasion how I have viewed the process over the time as Chair of Judiciary, which really began in 1987. I said at the time, and I think that it’s relevant now, is that the experience of confirmation has taught

me that too oftentimes lawyers who aspire to be judges ‘lawyer’ questions. They look at a question and as a lawyer, they ‘lawyer’ the question. And I think to most of us it may seem like, ‘Well, what does that mean?’ Well, they see the question and they produce an answer, and sometimes the answer is not what either the framers of the question intended or those of us who review the fitness of a lawyer to sit in judgment of others would interpret the question. I have concluded over the years that the framers of the question probably by design left the question broad to allow the applicant the opportunity to interpret the question. On other occasions, and on most occasions, most nominees who come before the Senate for advise and consent don’t bring with them a body of work by which to be judged. That’s not the case with Mr. Kubo; he brings an extensive body of work. But for most of the nominees who most of whom either come from private sector, some of whom may have sat for a time in district court, there isn’t a body of work to be judged by. And so the reliance on the questionnaire is much more important because the questionnaire beyond the question itself allows the members of the Senate to see character, integrity, and other kinds of characteristics which may help us to evaluate the nominee.

“I recall in 1988, a nominee went before the Judiciary Committee, which at the time I was Chair; and at the end of the hearing, which was in the evening, after the hearing went back. I can’t remember if it was the office I presently reside in or the office that the member of the Senate who represents Kawanakoa School resides in, but it was one of those, and I remember when I got back, there was a note under the door. And I opened the note and it said, ‘Contempt of court.’ That’s all it said. So I called the nominee who was walking back to a colleague’s office and when the phone was answered, I said, ‘I have a note,’ and the nominee said to me, ‘Contempt of court,’ and I said, ‘Yeah, how did you know?’ He said, ‘We’ll be right back.’ So we sat in the office and he explained the contempt of court, which he never disclosed and, but for the note, I would never have known. Upon reflection of the discussion, it didn’t, in my judgment, color his fitness to serve, but it did necessitate a follow-up public hearing to disclose that, and so we had the follow-up public hearing. Then after that follow-up public hearing, I received a phone call, and the phone call said, ‘Rule 11 violation.’ As you might imagine, I didn’t know what contempt of court was as a non-lawyer because it could be you had your tie on crooked or it could be you turned your back on the judge. So I did a quick study on Rule 11, which was sanctioned by a federal judge, and learned that Rule 11 is the most serious of offenses before a court that could be brought by a lawyer. And so we had another meeting because Rule 11 was not disclosed. And then we had another hearing so that publicly the members could understand that the nominee failed to disclose to this body a sanction which the federal judge at the time characterized as, ‘The highest mockery brought before this court in all my time on the bench, and the lawyer made a jackass of the proceedings.’ Unbeknownst to me, at that public hearing two judges appeared—the one who found the nominee in contempt of court and a federal judge who wished to explain what Rule 11 meant. Both judges appeared voluntarily; they were not asked by me or any other member. Both judges were in violation of the Canons of Ethics No. 3: A judge shall not appear voluntarily before any proceeding, shall not. The judge who found him in contempt of court tried to explain to the body that he actually found the clients in contempt of court and not the nominee. That’s not true, and all of us know that’s not true. But lucky for us, we found the court reporter, a retired woman in Hawai’i Kai, who still had the proceedings, which was distributed to each member and the judge, upon which the judge was asked to read to each member the findings of contempt of court. With respect to the federal judge, he explained that a Rule 11 was really a minor violation. What eventually came out by a discussion of how many Rule 11s this

judge had sanctioned in all of his time, which is in excess of 40 years, was less than one per year, and even he admitted under questioning that Rule 11, indeed, was a serious offense.

"This is why disclosure is important, so that we understand the background and fitness, integrity, and character of the nominee. This is why when the Baker case and the Wilson case were brought forward, they became important, only because it gave us an opportunity to evaluate and weigh the fitness of the nominee. We have had other nominees that have come before us. There was one more recently of a nominee who failed not once but twice to disclose sanctions and admonishments and in one case a reversal by the Intermediate Court of Appeals on prosecutorial misconduct. On the other case, he had eight counts of prosecutorial misconduct found by the ICA, but the case was not reversed. But nonetheless, it gave the nominee an opportunity to disclose to this body admonishments and sanctions that were brought to bear on his conduct as a jurist.

"Where the rubber meets the road with this nominee is that that while he may not have disclosed the Wilson case and he may not have disclosed the Baker case, he does have, in addition to the nondisclosures, a body of work to evaluate him. And that is why I started by thanking him for giving me the opportunity to meet with him. I continue to disagree with him, and reasonable people can disagree. We agree that he should have disclosed, and in hindsight, he freely said that he would have disclosed. That in and of itself is something different than my experiences with the nominee who insisted with prosecutorial misconduct, he couldn't recall. He simply couldn't recall. He could not recall, which calls into question his mental fitness to preside over others. It is different from the first confirmation, the Rule 11 candidate, who simply said, 'I will not appear before you anymore.' This nominee is different. I asked this nominee why he declined to appear before the Majority caucus. His answer was he felt it was intimidating and that the questions may come too fast and furious. I disagree with him, respectfully, but I'm different. I like them coming fast and furious. It's just we're different.

"I asked the nominee about the two former U.S. assistant attorneys, and he gave me his explanation. Unlike one of the previous speakers, my chief clerk, former prosecutor Keith Kaneshiro, called both U.S. assistant attorneys to give them the opportunity to explain their disagreement; and they did. And I asked the nominee yesterday about the two. I have also spoken to a U.S. attorney who the nominee demoted, and the U.S. assistant attorney who was demoted spoke in strong support of the nominee.

"I asked the nominee about his body of work. I asked him, 'What is it that you are most proud of?' And he said to me, 'The ongoing case of American Savings Bank, white collar crime in which an elderly woman allegedly had her money taken by bank personnel.' I asked the nominee what was his second most white collar crime that he was most proud of. He said the case that was brought to conclusion regarding fraud on Honolulu International Airport Contracts; people went to jail. I asked the nominee, 'What is it that you are most proud of?' And he said, 'Going into the community to fight ice.' The three cases weren't what I was looking for, so I asked him the question directly. 'Where does it rise on your scale of accomplishments of your prosecution of illegal immigrants who are taking the jobs of union workers on construction projects, and the imprisonment of one of the largest contractors who is very active with campaign contributions?' And he looked at me and he said, 'It doesn't rise very high.' This nominee, unlike every other nominee that I have been involved with, looked me straight in the eye, and whether I agree or disagree, gave me his explanation. That is very unusual, and while I may disagree with his disclosure, I agree that he didn't hide it and that if he had the opportunity, he said he would do it over. But

for his body of work, I'm not sure I would have been satisfied with that answer because the fact is he chose not to disclose it. Whether it was conscious or unconscious, it wasn't disclosed.

"There's a side part of this process that has troubled me. One of my colleagues has had an ongoing electronic conversation with the president of the Hawai'i Bar Association. And I think all of you have received that ongoing electronic conversation. And in her last electronic conversation, the president of the Hawai'i Bar—and I'm going to quote her—said, 'I simply want good judges and have a lot of aloha for Ed Kubo, and hope you will give him the benefit of the doubt.' That troubles me because I don't believe the Bar properly vetted this candidate. If she's listening, I'm not sure what she also understands that either hasn't been said or what has been brought to light. I do know this (and I feel very strongly about this): If there is any doubt on any nominee to sit in judgment of others, that that doubt should rest on the side of the people and not the nominee. What puts to bed the doubt on disclosure is the body of work of this nominee, and that is why I will vote in support. Thank you."

Senator Ihara rose in opposition to the nominee as follows:

"First, I would like to acknowledge the outstanding service Mr. Kubo has provided to our nation and state as the former Hawai'i U.S. attorney. I appreciate his extensive involvement in our community, and I wish him well if he is confirmed today.

"Madam President, I was not so troubled by the nondisclosure issues being discussed today, but I believe a fundamental value in our system of democracy is the respect of law, and in the judiciary branch of government there is no higher value than the respect of law. I believe the nominee failed to demonstrate respect for the law in an incident that occurred in his judicial confirmation process. I believe his actions were inadvertent, but since he indicates they were intentional, I must respectfully disagree.

"During his confirmation hearing, the nominee responded to testimony opposing his confirmation by recounting his role as the testifier's employer, and in the process revealed that the testifying employee was under the care of a psychiatrist or psychologist. When asked if revealing this medical information was proper, the nominee stated that it was appropriate because the Judiciary Committee is the trier of fact, and judging the credibility of the testifier's accusations was relevant to understand his accuser's state of mind. The nominee further explained the medical information was also public information he heard from other U.S. attorneys outside the office.

"Madam President, in this state we have a constitutional right to privacy and state laws that prohibit employers from revealing medical information without the employee's consent. And the nominee has acknowledged that he was not aware of any waiver of the employee's right to privacy, implied or otherwise. Even if the accusations against the nominee were false, I believe that this does not justify revealing private medical information that only the employer, employee, and his doctors knew were true. Even if the medical information was public knowledge because it came from reliable sources, it was the employer, the nominee, and no one else who confirmed the information as fact.

"But let's say Mr. Kubo's justification was valid, and he relayed only public knowledge that his critic had received certain medical care. In this case, I believe it would be inappropriate for other judicial nominees to share public knowledge about their critic's state of mind, even if that information was reliable but unsubstantiated, as he had done in this case, saying that his critic was under the care of a psychiatrist or a psychologist. I believe the nominee did not

provide due respect to the law in revealing this private medical information to defend himself during his confirmation hearing. I understand the quandary he might feel this situation poses. He told me that his statements might have been inartful, but claims it was appropriate to reveal the employee's private medical information.

"Madam President, this incident happened in the course of seeking approval for his own judicial nomination, and I believe the nominee's actions are unbecoming of a judge for the State of Hawai'i. For these reasons, I must fulfill my constitutional duty by opposing the confirmation of this nominee. Thank you, Madam President."

Senator Slom rose in rebuttal and said:

"Anyone that was in the Committee at that time knows that the nominee was responding to a question from the Committee, and that question had to do more with what was not in the written testimony but was an incident of public knowledge having to do with a threat upon the life of the nominee. My inclination was to believe that the nominee was actually saying this to put in perspective the fact that maybe what was said—and let's make sure we understand what was said, because it had nothing to do with jurisdiction, judicial action, negligence, or anything else. The comment from the witness who did not appear the two times was, 'If I had a grenade, I would frag him.' Now, the nominee could've taken the position he should've been arrested for terroristic threatening. I don't know if any of us would've gone into a federal building and said that to a federal employee, let alone the U.S. attorney; I don't know if we'd still be walking freely. But my belief was that he said that to indicate that was part of the explanation for why those statements were made, and that you shouldn't judge him more seriously; he was, after all, an American serviceman veteran.

"I would concur, however, that when we're talking about medical information or personal information, perhaps it should not be discussed. But it was in the context of a question and an incident, and I think that the nominee asked, answered, and I think used the appropriate means of explaining the full context, because oftentimes we're told, 'This is what somebody said,' but we don't know what the full context was. So, I hope that makes it clear.

"And one final item: The good Senator from Hau'ula brought up material about some alleged e-mails between somebody here and between the Bar Association, making the statement that probably all of the colleagues received it. I didn't receive any of that; I would like to have that for my files, too. Thank you, Madam President."

The motion was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Hanabusa, Kim, Kokubun, Nishihara, Takamine, Taniguchi, Tokuda). Noes, 1 (Ihara).

At this time, Senator Taniguchi introduced Judge Kubo and his family to the members of the Senate.

At 10:34 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:42 a.m.

### THIRD READING

S.B. No. 2179, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2179, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO COUNTIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Hemmings, Kim, Taniguchi, Tsutsui).

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

"The Joint Session to receive the University of Hawai'i President's address will convene at 12:00 noon. Please report back to this chamber by 11:45 a.m."

At 10:44 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives to receive the State of the University of Hawai'i System Address, in accordance with Senate Concurrent Resolution No. 2.

### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, was called to order at 12:09 p.m. by the Honorable Colleen Hanabusa, President of the Senate.

At this time, the President welcomed and introduced the following distinguished guests to the members of the Twenty-Fifth Legislature:

The Honorable Linda Lingle, Governor of the State of Hawai'i, who was presented with a lei by Senator Norman Sakamoto;

The Honorable Ronald T. Y. Moon, Chief Justice of the Hawai'i Supreme Court, who was presented with a lei by Representative Cindy Evans;

Ms. Jennifer Sabas, representing United States Senator Daniel Inouye;

Mr. Mike Kitamura, representing United States Senator Daniel Akaka;

Ms. Amy Asselbye, representing United States Congressman Neil Abercrombie;

Major General Jan-Marc Jouas, U.S. Pacific Air Forces;

Ms. Janie Nielsen, U.S. Army Pacific;

The Honorable Hajime Kido, Deputy Consul General of Japan;

The Honorable Paul Raymond Cortes, Consul of the Philippines; and

Dr. Kenneth Mortimer, former President of the University of Hawai'i System.

The Chair then appointed Senators Jill N. Tokuda, Gary L. Hooser, and Sam Slom, on behalf of the Senate, and Representatives Jerry L. Chang, Blake K. Oshiro and Lynn Finnegan, on behalf of the House of Representatives, to escort M.R.C. Greenwood, President of the University of Hawai'i System, to the rostrum.

Senator Russell S. Kokubun and Representative Michael Y. Magaoo presented President Greenwood with lei.

The Chair then presented to the members of the Twenty-Fifth Legislature and guests M.R.C. Greenwood, President of the University of Hawai'i System.

President Greenwood presented the State of the University Address as follows:

“President Hanabusa, Speaker Say, Governor Lingle, distinguished members of the Legislature, state Cabinet members and members of other government agencies, special guests from our education, labor, business and military communities, and to the people of Hawai‘i, good afternoon and aloha.

“I wish to also extend greetings to our University of Hawai‘i guests, administrators and campus chancellors, faculty, staff and students, and now I would like to ask the members of the UH Board of Regents and our Emeriti Regents to please stand and be recognized.

“First, let me thank you, the Hawai‘i State Legislature, for affording me the privilege and honor of being the first University of Hawai‘i president to address a joint session of the Legislature. I sincerely appreciate this opportunity to share with you the accomplishments of the university and to reflect on our path ahead at this critical juncture.

“I am grateful for the warm welcome I have received here in Hawai‘i, and for the wise counsel and guidance I have received from many of you here.

“Thank you also for all that you have done to support the University of Hawai‘i, our mission and aspirations. Without your efforts, and the efforts of those before you, we would not be the strong and vibrant institution we are today.

“I come before you today to focus our attention on what it means for this state to have a sole system of public higher education and the role of such an institution.

“We have a world-renowned research campus, new and exciting options for baccalaureate and applied advanced degrees, seven strong and successful community colleges, and our research and education centers here in Hawai‘i. Our system is vital to the state’s future. I want to make it clear that the University of Hawai‘i System is part of the solution to our current economic problem.

“Indeed, education is the key to a better future for our society. For generations, this was the basis for what our society calls ‘the American dream.’ Public higher education provides a critical foundation in our rapidly changing global environment.

“The best universities provide the infrastructure and the environment to inspire collaboration both within and outside their institutional boundaries.

“Creative knowledge generation is a contact sport, and while much is now virtual, the spirit of debate and discovery changes lives and worlds.

“Great universities stimulate innovation and transform markets. For example, while a faculty member at UH Mānoa, Dr. Norm Abramson pioneered a method of data packet transmission, still known globally as the Aloha protocol, which was essential in creating the modern Internet. Another UH Mānoa researcher, Dr. Dorsey Stuart, a former research dean at the John A. Burns School of Medicine, developed a technology, along with his graduate research associate, that forms the basis for the Digene HPV test—the only test for the human papillomavirus accepted in the United States and Europe—that was essential to the company’s recent sale for \$1.6 billion. This test allows doctors to save hundreds, if not thousands of women’s lives.

“These ideas, and others like them, started in universities around the world, have spawned great industries and reshaped our economy. Individuals, businesses, state and federal

government gained wealth, and the work of large segments of the market was revolutionized.

“On the other hand, sometimes out of universities come ideas that at the time may be dismissed as too academic. One of those ‘radical’ ideas was that women were as smart as men and could do the jobs just as well as men.

“When I graduated from college, fewer than 5 percent of medical school students were women; vet schools and law schools had even less. Today, my granddaughter and all young women make up more than 50 percent of students in these bastions of higher education. Those who persisted in this notion that women should be treated equally prevailed. While I could argue that we still have a way to go with equal pay for equal work, I again point out that this ‘theory’ of equality was rooted and has matured in our universities, permanently changing society.

“Another ‘academic’ concept introduced even earlier was that access to education and a better future should be possible for the general population—not just the well off. Thus, land grant institutions, such as UH, emerged to teach a broader spectrum of the population not only the great books and languages of Western civilization, but also the agricultural and mechanical arts. The idea that public, state-based universities should directly aid businesses is not new. It started when land grant universities were established with a mandate to work directly with farmers and other evolving industrial business sectors. It advanced with the founding of the uniquely American community colleges with open doors and low tuition that ensured anyone with the desire could attain post-secondary education and training. Subsequently, many institutions were further shaped by public policies, such as the federal GI bill and Title IX, the groundbreaking legislation resulting from the work of Hawai‘i’s own Patsy Mink.

“As we advance the nation’s international goals, we also look to education as a tool to advance democracy. In the future, all great universities will be global universities. UH already is. Secretary of State Hillary Clinton acknowledged this in her recent speech here at the East-West Center. She cited the transformative influence of a University of Hawai‘i alumna who spent years working on rural development, micro-finance and women’s welfare. She recognized that educating women in particular could revolutionize how money and power are distributed and provide a ladder to success for those to come. Her ideas did not make her personally wealthy, but they changed many lives for the better. This alumna was none other than Ann Dunham, the mother of President Barack Obama.

“They demonstrate that you cannot put a price on the value of innovative ideas; you cannot command that great ideas appear; you cannot quantify what it means to have a well-educated public. However, states can make it easier for universities to adapt in order to accomplish these aims.

“They demonstrate that we should appreciate what makes public universities great, and realize what our world might be without them. We should appreciate and honor the numerous individuals who make public universities what they are—faculty, students, administrators, staff and alumni who are our greatest and most valuable assets, enduring and resilient.

“So, while I talk today about the important role UH plays and the significant return on your investment it provides, especially in the midst of this recession, I urge you to think of these individuals and all those who have directly helped UH in our recently completed Centennial Campaign. This campaign attracted 90,000 donors—50,000 of them new—and raised \$336 million largely for students and faculty. Would the members of the UH Foundation Board, present and past, please stand?

“This legislature itself is a perfect example. Nearly 70 percent of members are UH alumni. And, I should also point out that all four of our congressional delegates are UH alums. Would all the members of the legislature who attended or are alums of UH please stand? And now would all UH alumni please stand?”

“Nearly two-thirds of all jobs in the country need some postsecondary education, and it is estimated that by 2015, 44 percent of Hawaii’s jobs will require some form of education and/or training beyond high school, with many jobs requiring a baccalaureate degree or higher. Of course, all will require periodic retraining and continuing education. Returning to a learning environment over the span of one’s working life is the norm, and it will become more so as we prepare for the economic necessities that come with improved life spans and productivity.

“Our competitor economies understand this and several have been steadily increasing resources so their citizens have access to advanced education, putting them ahead especially in science and technology fields.

“The level of degree attainment in leading developed nations—including Canada, Japan, and Korea—is rapidly increasing. Their younger populations are significantly better educated than their older populations. Unfortunately this is no longer true in the United States, including Hawai‘i. We must change this.

“Hawai‘i has a unique integrated system of public higher education unlike any other state. This is an extraordinary asset that we must tailor to the 21st century. Let me underscore the advantages of our unique system with a few student examples.

“Malia Davidson dropped out of college then returned after having children. She finished at Maui Community College, then obtained a UH Mānoa bachelor’s degree through the University of Hawai‘i Center—Maui. Her struggles were immense. For example, her son passed away a few months before her graduation. Nevertheless, she commuted from Maui to O‘ahu, earning a master’s degree from UH Mānoa. Malia says, ‘It is the aloha at UH that perpetuates a sense of belonging, the ability to move ahead and look back regardless of the challenge, to understand one’s kuleana in the grand picture of life.’ Today, Malia Davidson is the statewide director for the Liko A‘e Native Hawaiian Scholarship Program based out of Maui Community College. This program disburses approximately \$1 million a year to serve Native Hawaiians with scholarship support.

“Sarah Naeole, a student on Moloka‘i, never had to leave her island to pursue higher education. As a mother of three with a full time job, she was in no position to relocate her family and move away from the very community in which she wished to apply her education. Through our Moloka‘i Education Center, she earned her associate degree. Inspired by the positive experience she had with the distance-education courses there, she moved on to a bachelor’s degree distance-education program through UH West O‘ahu. Sarah is now director of administration and compliance at the Bay Clinic in Hilo.

“Dane Runsewe, president of the Student Congress at Kapi‘olani Community College, lived in dozens of different foster homes, group homes, shelters, rehab centers, and hospitals across the mainland and Hawai‘i. On his own in Hawai‘i, Dane attended night school at McKinley High School to get his high school diploma, and is financing his way through Kapi‘olani Community College with scholarships, financial aid and work.

“He says, ‘I am only a success because of my education thus far. With an associate degree from KCC, the doors are all open

for me. I hope I can continue to make the University of Hawai‘i System proud.’

“Last summer, Kaua‘i Community College held its first graduation of students from Ni‘ihau in its Facilities Engineering Program. Seven men and one woman graduated. The men in this graduating class were the first men from Ni‘ihau ever to receive any college credential.

“Three times a week, students from the UH John A. Burns School of Medicine’s Homeless Outreach and Medical Education Project load up their van and head out to provide free medical care at O‘ahu shelters. On holidays, special events are planned to ensure that homeless children enjoy festivities, and they are not excluded from conversations at school about how they celebrated Halloween and Christmas. Medical student volunteers run and manage clinics at shelters in Kaka‘ako, Wai‘anae and Kalaeloa.

“And we also transform what you eat—please recognize our national champion student culinary team from Kapi‘olani Community College.

“These stories vividly illustrate that higher education does have the power to change the trajectory of a life. They also show that our students and campuses give back to the community in service.

“I’ve been privileged to have made my career as an educator and researcher, and to have served five institutions. I care passionately about higher education, as it transformed my own life. I would not be here today if it had not been for supportive friends, talented faculty, and most importantly, for the kindness of anonymous benefactors that helped me finance my undergraduate career. If it had not been for a state regents scholarship program and a forward looking National Defense Education Act loan forgiveness program, it is not likely that I could have gone on to graduate school. If it had not been for federal, state and foundation competitive research funding, I would never have been eligible for the great honor of serving this university and the state.

“The concept that public education benefits the entire state and not just the individual student today is more important than ever. History has taught us that when new groups of students enter the innovation space, new concepts and products emerge. We must ensure that this generation has every opportunity to reach their aspirations. Without them, we will all see a diminished quality of life here in Hawai‘i.

“Both the university and the state have had to make very difficult choices in this troubled economy. We needed to adjust very rapidly, and as we stabilize, we must also move forward wisely, but confidently.

“Those of us within the University of Hawai‘i know that we must continue to earn the public’s confidence as the sole provider of public higher education in Hawai‘i, and one way to do this is by demonstrating a responsible management of resources entrusted to us by the state. We have worked hard to leverage our unique capabilities as a system and become more efficient administratively. For example:

- UH implemented the first electronic procurement and purchasing card systems in the state, as well as online systems for most human resources processing, student employment and streamlined inventory management.
- UH implemented a new integrated statewide student information system that replaced 10 separate older systems, and we are now implementing new open-source systems for financial management and research administration.

- UH has deployed statewide interactive video, and now open-source, web-based learning technologies, to provide Hawai'i with a remarkable capability for broad and cost-effective access to higher education on all islands. In addition, use of online learning technologies is allowing us to accommodate our burgeoning enrollment without a proportionate increase in classrooms.

"In addition, all of our campuses have initiated sustainability and energy reduction programs.

"These initiatives have saved millions of dollars and produced greater efficiencies, transparency and accountability.

"We all know what is at stake, so I would like to focus more on what we are doing for ourselves and what we must further do together to ensure that the University of Hawai'i will be here to serve the state and its citizens for another 100 years and beyond.

"An important way that we have been proactive rather than reactive is in our strategic planning. The University of Hawai'i has been engaged for a number of years in a serious systematic assessment of our institution's strengths and weaknesses—academic, organizational and operational, and the needs of the state. We have developed a strong strategic plan that clarifies and articulates our priorities, and ensures that they are in the state's best interest as we collectively plan our preferred future. We are finding new ways to manage costs and to secure additional and diverse revenue streams to get us there. And, we measure our progress.

"We are focusing our attention on three broad strategic objectives that will serve the state well into the future. They are:

- Increasing the number of educated citizens in the state of Hawai'i;
- Contributing to the workforce and the economy; and
- Advancing the University of Hawaii's reputation for excellence and its ability to build the state's capacity.

"President Obama has asked Congress to create the American Graduation Initiative to help bring the United States back to being a world leader in the number of citizens with higher education.

"Today, I announce that we will create the Hawai'i Graduation Initiative to increase the number of college graduates by 25 percent by the year 2015. The Hawai'i Graduation Initiative will focus on access, affordability, and student success. Simply put, we want more local students to attend and graduate from UH.

"Our goal is to remove barriers that prevent Hawai'i residents from getting the higher education they desire and the graduates the state needs. One of the great strengths of the University of Hawai'i is that we are an integrated system of higher education. We will do even more to capitalize on the synergy of our 10-campus system.

"Be assured, the University of Hawai'i is committed to increasing Hawaii's 'educational capital' by increasing the participation and success of students, particularly Native Hawaiian, lower-income students, and those from underserved regions.

"We are committed to supporting the access and success of Native Hawaiians. We are making headway and we are fortunate to have partners along this path. For example, the community colleges through the Achieving the Dream initiative and with support from OHA and Kamehameha Schools have

increased Native Hawaiian student enrollment by over 50 percent and are working to ensure these students succeed.

"Increasing our educational capital also means helping students to overcome affordability barriers to higher education. We have made great strides in helping our students receive the aid they are eligible for and we have quadrupled our financial aid reserves for Hawai'i residents. This year, more than 13,000 students were awarded the Federal Pell Grant, far exceeding our 2009 goal of increasing Pell grant recipients. With the dedicated work of our staff, we have awarded nearly \$50 million in financial assistance to our students this year.

"Increasing our educational capital means strengthening the pipeline every step of the way. It means that it is necessary to increase the college going rates from public and private high schools, which we are doing. A good example, and one of Hawai'i P-20's many initiatives, is Step Up, a campaign to raise awareness about the importance of a rigorous high school curriculum for students who hope to succeed in college, in careers, and as citizens in the 21st century. Step Up is a partnership among the UH, DOE, Hawai'i P-20, businesses and community organizations.

"I had a chance to meet Joshua Labajo, a freshman at Waiialua High School where he is already taking geometry and honors classes in preparation for college. Joshua hopes to major in electrical engineering, and along with his classmates, is now encouraging other high school freshmen to sign a Step Up pledge.

"We will continue our work with the Hawai'i DOE to better prepare students to enter and succeed in college.

"We will work through Hawai'i P-20 to create an electronic portal so that intermediate and high school students and their parents can see what classes they need to take to enroll at our colleges, can apply automatically, and learn about financial assistance.

"We will also create dual enrollment tracks in technical fields so that students can move smoothly from the DOE into technical programs within the community colleges.

"We will launch a spectacular private partner pilot initiative thanks to the generosity of a wonderfully insightful friend of our state, Mr. Jim Lally. Our new scholarship program has been initiated at Kaua'i Community College. It targets students who otherwise could not go to college and helps them go to our Kaua'i campus. Then, it guarantees that they will continue to receive support through their bachelor's degree as they succeed.

"The University of Hawaii's second strategic objective is to continue to contribute positively to the workforce and the economy.

"As has been true in times past, difficult economic conditions tend to drive up college enrollments. This year, we enrolled the largest number of students in the history of the University of Hawai'i—58,000 students.

"Many of these students are entering the fields in which the state still has a critical workforce shortage, including teaching, nursing, computing, engineering, social work and hospitality. We are addressing these shortages and attracting additional private support to do so.

"In this 21st century, there will be new types of jobs. It is already the norm that people will have five to seven jobs or careers in a lifetime, and they will need education to transition from one career to the next.

"At the University of Hawai'i, we create opportunities for adults returning to school. No longer is the average age of the college-going population 18 to 20 years. At West O'ahu, the

average student age is now 30. We must be prepared to address the educational and training needs of adults who are entering college for the first time, who are returning to complete their education after some years, and who are seeking a fresh start through retraining.

“UH stands well ahead of many other universities in terms of our coordination and efficiency as one system. We have excellent systemwide academic collaboration, and expanding online programs that serve both new and returning students.

“But we do much more. UH adds money, jobs and talented people to the state’s economy. We accomplish this by:

- Increasing external research and training funding—which directly creates jobs and brings money into our state—over \$414 million this past year;
- Addressing research needs specific to state and region;
- Enabling a quick response to business and industry training need;
- Promoting ‘spin-offs,’ licenses, and invention disclosures;
- And finally, for every dollar the state spends, we leverage at least an additional \$5.34 of spending in the state.

“But there is always room for improvement.

“While we have successful examples of technology transfer, I believe we can do even more. Today we need an approach that incorporates innovation as well as technology transfer. We must help new businesses emerge and older ones innovate. We must manage, not control, technology transfer for the good of the state. Our federal research and training enterprise has quadrupled in the past decade, and we must stay ahead of this curve.

“Therefore, within the next 60 days, I will appoint a Presidential Advisory Group of Experts to study our successes, our challenges and our opportunities, with an eye toward understanding how the best universities achieve their impact. I will ask the group to advise us on the steps the university should take to create a 21st century capability for innovation and technology transfer, to support a multi-billion dollar industry for Hawai‘i in research, spin-offs and related services.

“The university’s third broad objective, one that will have far-reaching impact, is to advance the University of Hawai‘i’s national reputation for excellence and its ability to build the state’s capacity.

“The state of Hawai‘i needs and deserves a 21st century public university, one with superior facilities to attract and retain the best faculty for high quality teaching and research, and one with educational and administrative processes that deliver services efficiently and effectively. Your help with our new cancer center helps us gain a new facility and advances cancer care in the state, and your support to advance the next great telescope, the TMT, will bring in at least a billion dollars to our state.

“But we have a very big problem. Decades of inadequate investment in our facilities are hindering the University of Hawai‘i in this regard. This limits what our faculty and students can achieve, reduces federal investment in our institution, and as the Gartley Hall situation demonstrates, even threatens the health and safety of our students, faculty and staff. This must change.

“Infrastructure improvements also have a bearing on the university’s ability to recover costs to maintain support for extramurally funded research. As I reported to the House Finance Committee recently, federal indirect cost rates (earned overhead) are negotiated, and the UH rate of 36.7 percent is

very low. For comparison, the University of Washington’s rate is 58 percent. Many factors influence indirect cost rates, but the level of investment in facilities is a major component. Thus, the poor condition of our facilities, particularly at Mānoa, has a far-reaching effect on our ability to leverage external funds, add to the economy, create jobs and produce the research and student opportunities we expect of a 21st century university.

“Let me also point out that monies spent on repairs, maintenance and construction are a triple bottom line. They lead directly to jobs for Hawai‘i’s construction workers. They provide the support to allow our faculty and staff to compete for additional funding, and they allow us to help ourselves for the future by better leveraging the external funds that we are awarded for research and training.

“No other state investment will have so many immediate benefits while paving the way for long term growth of research, education and training.

“In short, we must renovate to innovate. We must energize and optimize our workforce, and this is one investment we can monitor, enhance and see as a lasting legacy.

“Our goals are to rebuild infrastructure, bring indirect cost rates in line with peer institutions, and increase creation of small businesses based on UH technology developments.

“The university has achieved truly extraordinary growth in extramural funding, earning more than \$400 million in contracts and grants for research and training last fiscal year and more than \$270 million in the first half of this year alone. If the current rate of growth can be sustained for the remainder of the decade, it would yield the state a billion dollars in 2020.

“Make no mistake that we will need additional funding in the future to achieve growth and support the faculty and staff who make all this possible. But we know the challenges you face this session, and that’s why our operating budget request is modest and we have focused on general obligation bond support for shovel-ready capital renovations and improvements. Our immediate goals are to improve our campus environments for students, enhance our volume of federal and private support, and spur job creation to help stimulate the local economy.

“We believe that providing general obligation bond support right now is so important that we wish to ‘think outside of the box’ and look to a new emergency partnership with the State of Hawai‘i. We do not have the revenue streams to support revenue bonds in this recession, but if it will aid in securing a GO bond, the university will stretch our limited resources and pledge to pay a share of the interest on a GO bond for a period of 5-7 years in order to get these jobs on the street as fast as possible and begin the process of renovating and building to insure that we can innovate and optimize.

“In addition, we urge you to give us the flexibility we need to operate efficiently and effectively as a 21st century knowledge-based institution, which will allow us to focus our limited resources on education, research and service. We will accept this greater flexibility with a commitment to responsibility and full accountability.

“In conclusion, our message is clear. UH is an investment that yields superior returns in both financial and human capital. We are a state that in the past had the foresight to build this unique system of 10 campuses and additional centers working together throughout our islands and communities.

“It took a century of hard work to enable the UH System to serve so many citizens of our ‘ohana. We have educated the diverse groups that have come to call Hawai‘i home. We have embraced, and are strengthening, our unique responsibility to

the indigenous people of Hawai'i, the Native Hawaiians. We need to be sure we can pass this centennial legacy on. We need a new partnership with the state, a vibrant partnership that will lead to a preferred future, a future that so many in Hawai'i are looking for. With your help, we can help ourselves meet this challenge and be the innovative, forward-looking university Hawai'i so richly deserves.

"I look forward to working with you. Thank you."

Speaker Say then rose and stated:

"President Greenwood, on behalf of the State House and Senate, thank you very much for your remarks today. We realize that in times of fiscal constraint, the challenges to higher education and Hawaii's university system are formidable. However, we must also remember that if we sacrifice Hawaii's future for the requirements of today, we sacrifice greatness for the sake of mediocrity. Visionaries see opportunity in the face of adversity; so, too, must you see this time as an opportunity to maximize efficiency while preserving quality education and research. Look beyond how to do the same with less, and instead, look toward how to do more with less and do it better. We know that you are up to the challenge, so aloha.

"If there is no other business before us, I declare this joint session adjourned."

At 12:51 p.m., Speaker Say declared the Joint Session adjourned.

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 2634	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.B. No. 2651	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

#### ADJOURNMENT

At 12:51 p.m., the Senate adjourned until 11:30 a.m., Thursday, February 4, 2010.

## ELEVENTH DAY

## Thursday, February 4, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:39 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Pastor Garret Shon, Hope Chapel Kapolei, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Ihara, and Hee who were excused.

The President announced that she had read and approved the Journal of the Tenth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 176 and 177) were read by the Clerk and were placed on file:

Gov. Msg. No. 176, dated January 11, 2010, transmitting the 2009 Annual Report of the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 227D, HRS.

Gov. Msg. No. 177, dated January 14, 2010, transmitting the Report on Inmates Mental Health Services at Oahu Community Correctional Center, Halawa Correctional Facility, and Women's Community Correctional Center, pursuant to Act 213, SLH 2007; and the Report on Mental Health Services for Committed Persons, pursuant to Act 144, SLH 2007, prepared by the Department of Public Safety.

## DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 66 and 67) were read by the Clerk and were placed on file:

Dept. Com. No. 66, from the State Auditor dated February 3, 2010, transmitting a report, "Study of Proposed Mandatory Health Insurance Coverage for Colorectal Cancer Screening," (Report No. 10-02).

Dept. Com. No. 67, from the Office of Hawaiian Affairs transmitting a Report on Transfer of Funds, pursuant to Act 140, Section 10, SLH 2009.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 to 9) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 7, transmitting H.B. No. 2017, which passed Third Reading in the House of Representatives on February 3, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was deferred.

Hse. Com. No. 8, transmitting H.B. No. 2027, H.D. 1, which passed Third Reading in the House of Representatives on February 3, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2027, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," passed First Reading by title and was deferred.

Hse. Com. No. 9, transmitting H.B. No. 2028, which passed Third Reading in the House of Representatives on February 3, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2028, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed First Reading by title and was deferred.

## STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2013) recommending that the Senate consent to the appointment of LAWRENCE M. REIFURTH to the Intermediate Court of Appeals, State of Hawaii, in accordance with Gov. Msg. No. 119.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2013 and Gov. Msg. No. 119 was deferred until Friday, February 5, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2014) recommending that S.B. No. 2368 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2368, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2015) recommending that S.B. No. 2028 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2028, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2016) recommending that S.B. No. 2032, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2017) recommending that S.B. No. 2033 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2033, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2018) recommending that S.B. No. 2331, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2331, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and English, for the majority of the Committee on Energy and Environment and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2019) recommending that S.B. No. 2235 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2235, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL HOMES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2020) recommending that S.B. No. 2231 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2231, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2021) recommending that S.B. No. 2234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2022) recommending that S.B. No. 2233, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2023) recommending that S.B. No. 2286, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second

Reading and was placed on the calendar for Third Reading on Monday, February 8, 2010.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2177, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Hee, Ihara).

S.B. No. 2178, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Hee, Ihara).

S.B. No. 2201, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Hee, Ihara).

At this time, Senator Galuteria rose on a point of personal privilege as follows:

"Colleagues, let me set the tone by beginning with, 'I am honored to be here today with you.' Now, to our Republican colleagues, I saved that for the caucus last year, but this year I include you. Thank you so much, and when I look upon this body, I feel philanthropy in the air. Philanthropy. It's a giving time, and let me just say that this is a can of Spam [*holds up prop*]. And this year, my office is spearheading the 21<sup>st</sup> Annual Food Bank Drive.

"So I rise today to ask for your kokua. I feel confident that you will participate in one way, shape, or form; and I want to express my gratitude and my aloha in advance. My heart is full. As a matter of fact, let me just share a wise saying that was given to me: friends, a dog wags its tail with its heart. I am that dog today. Thank you so much.

"I look forward to taking Senator Kidani's record and obliterating it, hopefully. Fourteen thousand dollars plus—oh my God—but I know that you folks will help us achieve that, and I'm honored to be here with you to achieve that goal.

"With all seriousness, friends, tomorrow we kick off the Senate campaign. I'll be hosting a breakfast at 8:30 tomorrow, and my staff has been in touch with yours to encourage participation and attendance. Join us if you can. Members of the Food Bank will be there as well. In addition, information has been distributed amongst you with some stunning facts about hunger in Hawai'i. Please consider both. I look forward to your generosity and philanthropy, colleagues. Thank you so very much. Thank you, Chair."

Senator Espero rose and said:

"Last night, one of the great politicians and public servants of our state passed—Mayor Frank Fasi.

"I had the privilege of working with Mayor Frank Fasi from 1986 to 1994, when he appointed me to head O'ahu's

neighborhood board system at the young age of 26. And I believe my colleague from Kalihi across the way there was also a member of the City Council at the time, and my other colleague from Liliha worked with Councilman Gill.

“But Mayor Fasi, whether you liked him or not, was certainly a man who did great things for our county, from the Honolulu Municipal Building, the greening of City Hall (one of his great escapades), open markets, the child care facility next door, The Bus. And he was at the forefront of the discussion for rail, an item that was brought up in the 70s; and hopefully, if Governor Lingle is listening, we will be able to move this project forward real soon. Governor, it is the right thing to do.

“But today I just want to recognize the great accomplishments of Mayor Frank Fasi for our county. He definitely epitomized the word ‘maverick,’ a word used commonly today by people whether they’re on the nation or local scene, but he is an individual. I know that our government, our residents, will not forget, and I’d like to ask that we do adjourn on a moment of silence. Thank you, Madam President.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 a.m.

#### **ADJOURNMENT**

At 11:50 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 5, 2010, on a rising vote, observing a moment of silence in memory of the Honorable Frank Fasi, former mayor of the City and County of Honolulu.

## TWELFTH DAY

## Friday, February 5, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:34 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Brickwood Galuteria, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

The President announced that she had read and approved the Journal of the Eleventh Day.

At this time, the following introductions were made to the members of the Senate:

At this time, Senator Espero recognized and congratulated the East-West Center on its 50<sup>th</sup> Anniversary. Representing the East-West Center were Dr. Charles E. Morrison, President; Puongpun Sananikone, Chairman of the Board of Governors; Karen Knudsen, Director of External Affairs; and Carleen Gumapac, Corporate Secretary.

Senator English, a former East-West Center grantee with the Institute of Culture and Communications, also congratulated the East-West Center on its 50<sup>th</sup> anniversary.

At 11:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 178 and 179) were read by the Clerk and were placed on file:

Gov. Msg. No. 178, dated February 4, 2010, transmitting a Report on Land Dispositions Made of Public Lands for Calendar Year 2009, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 179, letter dated February 4, 2010, requesting immediate consideration and passage of Senate Bill No. 2676 making an emergency appropriation of \$900,000 out of the Aloha Tower Fund for fiscal year 2009-2010 to pay for the settlement of a claim.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2024) recommending that S.B. No. 2264 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2264, entitled: "A BILL FOR AN ACT RELATING TO QUEST HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2025) recommending that S.B. No. 2455, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2455, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2026) recommending that S.B. No. 2614 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2614, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE SPEEDING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2027) recommending that S.B. No. 2172, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2028) recommending that S.B. No. 2113 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2113, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR INFUSION INTO THE RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Baker, for the majority of the Committee on Education and Housing and the majority of the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2029) recommending that S.B. No. 2124, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Tokuda, for the Committee on Education and Housing and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2030) recommending that S.B. No. 2257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Tokuda, for the Committee on Education and Housing and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2031) recommending that S.B. No. 2115 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2115, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2032) recommending that S.B. No. 2721, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2721, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2033) recommending that S.B. No. 2112 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2112, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE SENIOR RESIDENCE AT IWILEI, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2034) recommending that S.B. No. 2327 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2327, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2035) recommending that S.B. No. 2121 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2121, entitled: "A BILL FOR AN ACT RELATING TO THE EARLY LEARNING COUNCIL," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2036) recommending that S.B. No. 2294, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2037) recommending that S.B. No. 2500, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2500, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2038) recommending that S.B. No. 2385 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2385, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2039) recommending that S.B. No. 2386 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2386, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2040) recommending that S.B. No. 2449 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2449, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 8, 2010.

#### **ORDER OF THE DAY**

#### **ADVISE AND CONSENT**

Stand. Com. Rep. No. 2013 (Gov. Msg. No. 119):

Senator Taniguchi moved that Stand. Com. Rep. No. 2013 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate consent to the nomination of LAWRENCE M. REIFURTH to the office of Associate Judge, Intermediate Court of Appeals, State of Hawaii, for a term of ten years, seconded by Senator Takamine.

Senator Taniguchi rose in support of the nominee as follows:

“Madam President, I rise to speak in support of Lawrence Reifurth, gubernatorial nominee for Associate Judge of the Intermediate Court of Appeals.

“Your Committee on Judiciary and Government Operations heard from Mr. Reifurth, and we are convinced that he will serve well in his capacity as Associate Judge. Testimony received was overwhelmingly in support of Mr. Reifurth, including testimony from the Attorney General. We also received information from the Hawai‘i State Bar Association that Mr. Reifurth is qualified to serve as the Associate Judge. For these reasons, I am asking my colleagues to support the consent of Larry Reifurth as Associate Judge of the Intermediate Court of Appeals, State of Hawai‘i. Thank you, Madam President.”

Senator Slom rose in support of the nominee as follows:

“First, Madam President, I must apologize to you and to our colleagues and to those in the gallery. We had no drama whatsoever in this hearing and it went rather quickly. We did learn of the experience and background of the nominee—his experience as Insurance Commissioner, his experience at DCCA, his background in commercial and civil law, which I think will be extremely helpful in his new position. We tried desperately, Madam President, to find skeletons in the closet. We harangued the testifiers, but we could find nothing in that closet. The only thing that was of possible controversy was his love in excess of Chicago pizza, but we limited that to his times in Chicago. So fortunately, with his new duties, we’ll have him here more often and that will not be an issue. He is a man of integrity, a man of honesty. As I mentioned, his community service is very important, and besides that, he knows how to write, and write clearly—all of the things that we look for in a highly qualified judge. I urge my colleagues also to support his nomination. Thank you.”

Senator Baker rose in support of the nominee as follows:

“Madam President, colleagues, I’ve had the good fortune to work with Mr. Reifurth as the Director of the Department of Commerce and Consumer Affairs. He’s been very forthcoming in working with the Committee, he’s been an excellent leader of that department, and has demonstrated an ability to work with all kinds of folks to come to resolution and get the job done. While I’m very disappointed that he’s leaving before his term as the Director of DCCA is over, I know that he will bring a wealth of experience to the Intermediate Court of Appeals. He brings the government-side of law, which I believe is the expertise of the position that he’s replacing at the ICA. That perspective is very important, I think and that we have a balance in the Judiciary. And although he’s not a woman—and I would certainly have preferred more women appointees to the bench—that was not something he could control, and I know that he’s going to do an excellent job in his new position. I wish him well and will be supporting his nomination.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

At this time, Senator Taniguchi introduced Judge Reifurth, who was accompanied by his wife May Nakamoto and daughter Taylor.

At 11:53 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

#### ADJOURNMENT

At 11:59 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, February 8, 2010.

## THIRTEENTH DAY

## Monday, February 8, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:48 a.m. with the President in the Chair.

The Divine Blessing was invoked by Rabbi Peter B. Schaktman, Temple Emanu-El, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

The President announced that she had read and approved the Journal of the Twelfth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Sakamoto, on behalf of himself and Senator Kim, introduced a group of 4<sup>th</sup> grade students from Moanalua Elementary School who were accompanied by teachers Doris Boushey, Robb Taone, Joseph Boll, and Colleen Diorec; and chaperones Mark Kido, Wendy Hadano, Jasmin Maeva, Kelley Tour, and Angelina Evangelista.

Senator Taniguchi also recognized Robb Taone, who had been his daughter's Summer Fun leader many years ago.

Senator Green recognized Ms. Dorothy Schaktman, Rabbi Schaktman's mother, who was visiting from Buffalo, New York.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 180 to 235) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 180, submitting for consideration and confirmation to the Contractors License Board, the nomination of GERALD YAMADA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of MELANIE BILBAENO VALLEJOS DDS, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of LINDSEY JOHN KIMURA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of NORMAN G.Y. HONG, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of HOWARD K.C. LAU, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of RHONDA C. SCOTT, term to expire June 30, 2014, was

referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Hawaii Medical Board, the nomination of FEREYDOUN DON PARSA MD, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Hawaii Medical Board, the nomination of DANNY MORITO TAKANISHI JR., term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 188, submitting for consideration and confirmation to the State Board of Nursing, the nomination of MATTHEW J. BISHOP, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 189, submitting for consideration and confirmation to the State Board of Nursing, the nomination of STEPHEN A. KULA PHD, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 190, submitting for consideration and confirmation to the State Board of Nursing, the nomination of CECILIA P.S. MUKAI PHD, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Psychology, the nomination of FRANCES PAULETTE HACKBARTH, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of CARLITO P. CALIBOSO, term to expire June 30, 2016, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Real Estate Commission, the nomination of FRANCES ALLISON TORRE GENDRANO, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of JENNY C. WELLS, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of ELWOOD ICHIRO KITA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Board of Directors of the Hawaii Housing Finance and Development Corporation (HFD), the nomination of ALLAN LOS BANOS JR., term to expire June 30, 2014, was referred to the Committee on Education and Housing.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the

nomination of JULIE M.E. TAOMIA, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 198, submitting for consideration and confirmation to the Stadium Authority, the nomination of ALAN S. TAMAYOSE, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 199, submitting for consideration and confirmation to the Stadium Authority, the nomination of KENNETH B. MARCUS ESQ., term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Stadium Authority, the nomination of KATHRYN WHANG INOUYE, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 201, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of NATHAN E. SAY, term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of NATHAN E. SAY, term to expire June 30, 2014, was referred to the Committee on Human Services.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of FLORDELINE B. VILA, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 204, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOAN M. BELLARD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 205, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANNEMARIE L. KALAMA, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 206, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANNEMARIE L. KALAMA, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 207, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOSEPH CURTIS TYLER III, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 208, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOANN W.L. YUEN, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 209, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOANN W.L. YUEN, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of TAMAH-LANI S.K. NOH, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of MARCIANO D. AQUINO, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 212, submitting for consideration and confirmation to the Board of Health, the nomination of KEVIN D. CASSEL, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, the nomination of KATHLEEN A. CLARK, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, the nomination of KATHLEEN A. CLARK, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of CRYSTAL LEE AGUINALDO, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of THOMAS E. DORSEY PHD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of BRENDA K. VIADO CRC, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 218, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of GORDON M. DURANT, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 219, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of TIN MYAING THEIN, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of ELIZABETH KENT, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of JAMES LEE WEANDER, term to expire June 30, 2010, was referred to the Committee on Labor.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of JAMES LEE WEANDER, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, the nomination of GUY SEICHI MORIGUCHI, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of THOMAS T. WATTS, term to expire

June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of DANE K. ODA, term to expire June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Harbors Modernization Group, the nomination of EDWARD W. ENOS JR., term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Commission on Transportation, the nomination of PETE G. PASCUA JR., term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Commission on Transportation, the nomination of LESTER H. FUKUDA, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of KELVIN M. BLOOM, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of PATRICIA ANN EWING, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of CHARLENE "CHA" MAE KU'UPUAALA THOMPSON, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of JOHN S. K. HOAG ESQ., term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of SUE ANN M.M. HASEGAWA, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of WILLIAM D. BALFOUR JR., term to expire June 30, 2010, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of WILLIAM D. BALFOUR JR., term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 10 to 12) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 10, returning S.B. No. 1311, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1311, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, February 9, 2010.

Hse. Com. No. 11, transmitting H.B. No. 1853, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1853, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed First Reading by title and was deferred.

Hse. Com. No. 12, transmitting H.B. No. 1900, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed First Reading by title and was deferred.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 75 and 76) were read by the Clerk and were deferred:

S.C.R. No. 75 "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION."

Offered by: Senators Kim, Chun Oakland, Espero, Hooser, Kidani, Sakamoto, Bunda, Galuteria, Hee, Hemmings, Kokubun, Nishihara, Slom, Takamine.

S.C.R. No. 76 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS."

Offered by: Senator English.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 31 and 32) were read by the Clerk and were deferred:

S.R. No. 31 "SENATE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION."

Offered by: Senators Kim, Chun Oakland, Espero, Hooser, Kidani, Sakamoto, Bunda, Galuteria, Hee, Hemmings, Kokubun, Nishihara, Slom, Takamine.

S.R. No. 32 "SENATE RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT

MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS.”

Offered by: Senator English.

#### STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2041) recommending that S.B. No. 2332, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2332, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY AND RENEWABLE ENERGY,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2042) recommending that S.B. No. 2147, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2147, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE USE OF AIR CONDITIONERS,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2043) recommending that S.B. No. 2081, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2081, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LITTER CONTROL,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2044) recommending that S.B. No. 2232, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2232, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE FUELS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2045) recommending that S.B. No. 2383 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2383, entitled: “A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2046) recommending that S.B. No. 2626 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2626, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SERVICE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2047) recommending that S.B. No. 2107, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2107, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2048) recommending that S.B. No. 2755, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2755, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 2757, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2757, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2050) recommending that S.B. No. 2461, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2461, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2051) recommending that S.B. No. 2187, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2187, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2052)

recommending that S.B. No. 2119 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2119, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2053) recommending that S.B. No. 2096, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2096, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2054) recommending that S.B. No. 2109, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2055) recommending that S.B. No. 2117, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2056) recommending that S.B. No. 2130, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2057) recommending that S.B. No. 2279, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2058) recommending that S.B. No. 2797, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2059) recommending that S.B. No. 2205, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2060) recommending that S.B. No. 2025, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2025, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2061) recommending that S.B. No. 2139, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2062) recommending that S.B. No. 2054, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2054, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2063) recommending that S.B. No. 2026, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2026, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and English, for the majority of the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and

Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2064) recommending that S.B. No. 2052, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2052, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2065) recommending that S.B. No. 2387 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2387, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2066) recommending that S.B. No. 2389 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2389, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### THIRD READING

S.B. No. 2286, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, S.B. No. 2286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2449:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2449, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

At 11:57 a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 a.m.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2624 and S.B. No. 2955.

Senator Fukunaga noted:

"The purpose of the request is that we were unable to schedule these bills in time to meet the lateral deadline. A hearing is being scheduled for them on Wednesday afternoon at 1:30 p.m. in conference room 016."

The Chair granted the waiver.

Senator Hee rose on a point of personal privilege and said:

"Over the weekend and I believe this morning, there's been misinformation by the media on a bill that moved out of the

Water, Land, Agriculture, and Hawaiian Affairs Committee last week. It's on foie gras, which evidently involves the method of force feeding ducks and geese by inserting a metal tube and stuffing their livers with food to mimic overfeeding before migration. The Committee passed a bill relating to force feeding—evidently the article's title and in one case the article indicated that the bill proposes a total ban on the sale of goose liver. Well, that's not true. What it does is—in fact, the bill itself in its description says it does ban the sale of the goose's liver if in fact it was produced through an inhumane method. There are farms that evidently produce foie gras in a more humane way, and I guess the Department of Agriculture (DOA), in their infinite wisdom, couldn't figure out how to enforce such a provision, but it became clear during the Committee that what they (DOA) needed to do was get a certified receipt from the farm. It does not ban the consumption of the goose or duck liver for those who choose to eat it, but it does ensure that the product is produced through a humane and acceptable way in a civilized society. Thank you."

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

"For the members' information, as indicated in the memo sent to your offices this morning, a revised list of Senate Leadership and Standing Committee assignments will be distributed to all offices and will be posted on the Legislature's website. The Clerk is directed to place the same in the Journal."

The following revised Senate leadership assignments were announced by Senate President Hanabusa:

Majority Leader:

Senator Gary L. Hooser

Majority Floor Leader:

Senator Norman Sakamoto

Majority Caucus Leader:

Senator Shan S. Tsutsui

Majority Technology Leader:

Senator David Y. Ige

Majority Policy Leader:

Senator Les Ihara, Jr.

Majority Whips:

Senator Suzanne Chun Oakland

Senator Jill N. Tokuda

President Emeritus:

Senator Robert Bunda

Minority Leader:

Senator Fred Hemmings

Minority Floor Leader:

Senator Sam Slom

#### COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair

Senator David Y. Ige, Vice Chair

Senator Will Espero

Senator Josh Green, M.D.

Senator Les Ihara, Jr.

Senator Norman Sakamoto

Senator Fred Hemmings

#### ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Carol Fukunaga, Chair

Senator Rosalyn H. Baker, Vice Chair

Senator Clayton Hee  
 Senator David Y. Ige  
 Senator Sam Slom

EDUCATION AND HOUSING

Senator Norman Sakamoto, Chair  
 Senator Michelle N. Kidani, Vice Chair  
 Senator Suzanne Chun Oakland  
 Senator Brickwood Galuteria  
 Senator Shan S. Tsutsui  
 Senator Fred Hemmings

ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair  
 Senator J. Kalani English, Vice Chair  
 Senator Josh Green, M.D.  
 Senator Gary L. Hooser  
 Senator Les Ihara, Jr.  
 Senator Russell S. Kokubun  
 Senator Fred Hemmings

HEALTH

Senator David Y. Ige, Chair  
 Senator Josh Green, M.D., Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Will Espero  
 Senator Clarence K. Nishihara  
 Senator Fred Hemmings

HIGHER EDUCATION

Senator Russell S. Kokubun, Chair  
 Senator Norman Sakamoto, Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Dwight Y. Takamine  
 Senator Brian T. Taniguchi  
 Senator Jill N. Tokuda  
 Senator Sam Slom

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
 Senator Les Ihara, Jr., Vice Chair  
 Senator Josh Green, M.D.  
 Senator Fred Hemmings

JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair  
 Senator Dwight Y. Takamine, Vice Chair  
 Senator Robert Bunda  
 Senator Mike Gabbard  
 Senator Clarence K. Nishihara  
 Senator Sam Slom

LABOR

Senator Dwight Y. Takamine, Chair  
 Senator Brian T. Taniguchi, Vice Chair  
 Senator Robert Bunda  
 Senator Clayton Hee  
 Senator Sam Slom

PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Will Espero, Chair  
 Senator Robert Bunda, Vice Chair  
 Senator J. Kalani English  
 Senator Mike Gabbard  
 Senator Brickwood Galuteria  
 Senator Michelle N. Kidani  
 Senator Fred Hemmings

TOURISM

Senator Clarence K. Nishihara, Chair  
 Senator Brickwood Galuteria, Vice Chair  
 Senator Michelle N. Kidani  
 Senator Shan S. Tsutsui  
 Senator Sam Slom

TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS

Senator J. Kalani English, Chair  
 Senator Mike Gabbard, Vice Chair  
 Senator Will Espero  
 Senator Clarence K. Nishihara  
 Senator Sam Slom

WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Senator Clayton Hee, Chair  
 Senator Jill N. Tokuda, Vice Chair  
 Senator Robert Bunda  
 Senator Carol Fukunaga  
 Senator Russell S. Kokubun  
 Senator Dwight Y. Takamine  
 Senator Fred Hemmings

WAYS AND MEANS

Senator Donna Mercado Kim, Chair  
 Senator Shan S. Tsutsui, Vice Chair  
 Senator Suzanne Chun Oakland  
 Senator J. Kalani English  
 Senator Carol Fukunaga  
 Senator Brickwood Galuteria  
 Senator Clayton Hee  
 Senator Gary L. Hooser  
 Senator Michelle N. Kidani  
 Senator Russell S. Kokubun  
 Senator Jill N. Tokuda  
 Senator Fred Hemmings

**ADJOURNMENT**

At 12:01 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 9, 2010.

## FOURTEENTH DAY

Tuesday, February 9, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:41 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Alan Urasaki, Pacific Buddhist Academy, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

The President announced that she had read and approved the Journal of the Thirteenth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 236 to 238) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 236, submitting for consideration and confirmation to the Contractors License Board, the nomination of RANDALL B.C. LAU, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 237, informing the Senate that on February 9, 2010, the Governor withdrew the nomination of DANE K. ODA to the Hawai'i Paroling Authority, under Gov. Msg. No. 225, dated February 5, 2010, was placed on file.

In compliance with Gov. Msg. No. 237, the nomination listed under Gov. Msg. No. 225 was returned.

Gov. Msg. No. 238, dated February 1, 2010, transmitting the Hawaii Coastal Zone Management Program Report, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Section 205A-3, HRS, was placed on file.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 68) was read by the Clerk and was placed on file:

Dept. Com. No. 68, from the Office of Elections, dated February 8, 2010, transmitting a Report Relating to Office of Election Budget Provisions, pursuant to Act 162, SLH 2009.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 77 and 78) were read by the Clerk and were deferred:

S.C.R. No. 77 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senator Hee.

S.C.R. No. 78 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF DEPARTMENT OF TAXATION CONTRACTS."

Offered by: Senators Kim, Kidani, Kokubun, Tokuda, Tsutsui, Baker, Chun Oakland, Espero, Galuteria, Hee, Hemmings, Hooser, Nishihara.

## SENATE RESOLUTION

The following resolution (S.R. No. 33) was read by the Clerk and was deferred:

S.R. No. 33 "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senator Hee.

## STANDING COMMITTEE REPORTS

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2067) recommending that S.B. No. 2371, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2371, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2068) recommending that S.B. No. 2343, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE FOR MAMMOGRAMS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Ige and Chun Oakland, for the majority of the Committee on Health and the majority of the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2069) recommending that S.B. No. 2031, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CASE MANAGERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2070) recommending that S.B. No. 2772, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2772, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2071) recommending that S.B. No. 2669, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2072) recommending that S.B. No. 2020 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2073) recommending that S.B. No. 2098 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2098, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE CAUCUSES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2074) recommending that S.B. No. 2064 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2064, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2075) recommending that S.B. No. 2078, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2076) recommending that S.B. No. 2226, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENIOR CITIZENS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2077) recommending that S.B. No. 2607, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2078) recommending that S.B. No. 2817, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2079) recommending that S.B. No. 2407, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2407, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2080) recommending that S.B. No. 2357, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2357, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2081) recommending that S.B. No. 2361, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTE STREAM REDUCTION," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Government Operations.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2082) recommending that S.B. No. 2356, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was

adopted and S.B. No. 2356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAF BLOWERS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2083) recommending that S.B. No. 2809, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2084) recommending that S.B. No. 2372, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUNRISE REVIEWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2085) recommending that S.B. No. 2544, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2086) recommending that S.B. No. 2420, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2087) recommending that S.B. No. 2563 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2088) recommending that S.B. No. 2926, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2089) recommending that S.B. No. 2067, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2067, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID ELIGIBILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2090) recommending that S.B. No. 2049, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tokuda and Sakamoto, for the Committee on Higher Education and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2091) recommending that S.B. No. 2649, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2092) recommending that S.B. No. 2267, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2267, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2093) recommending that S.B. No. 2274, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2094) recommending that S.B.

No. 2326 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2326, entitled: "A BILL FOR AN ACT RELATING TO WAGES, HOURS, AND WORKING CONDITIONS OF EMPLOYEES OF CONTRACTORS PERFORMING SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the majority of the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2095) recommending that S.B. No. 2466, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2466, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN FARMERS' MARKET NUTRITION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2096) recommending that S.B. No. 2528, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2097) recommending that S.B. No. 2833, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF PENSION OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Takamine and Taniguchi, for the Committee on Labor and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2098) recommending that S.B. No. 2061, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2099) recommending that S.B. No. 2022, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2022, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second

Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2100) recommending that S.B. No. 2799, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2101) recommending that S.B. No. 2842, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2842, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2102) recommending that S.B. No. 2887, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2103) recommending that S.B. No. 2408, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Education and Housing.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading and was referred to the Committee on Education and Housing.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2104) recommending that S.B. No. 2170 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2170, entitled: "A BILL FOR AN ACT RELATING TO FORCE FEEDING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2105) recommending that S.B. No. 2533 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2533, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF

PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2106) recommending that S.B. No. 2502 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2502, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2107) recommending that S.B. No. 2540, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2108) recommending that S.B. No. 2699, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2109) recommending that S.B. No. 2812, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2110) recommending that S.B. No. 2596, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2111) recommending that S.B. No. 2015, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senators English and Hee, for the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2112) recommending that S.B. No. 2375, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2113) recommending that S.B. No. 2524, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2524, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2114) recommending that H.B. No. 2162, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2115) recommending that S.B. No. 2018 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2018, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2116) recommending that S.B. No. 2016 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2016, entitled: "A BILL FOR AN ACT RELATING TO LIFE SETTLEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep.

No. 2117) recommending that S.B. No. 2017 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CLAIMS ADJUSTERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2118) recommending that S.B. No. 2602 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2602, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senators Kokubun and Sakamoto, for the Committee on Higher Education and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2119) recommending that S.B. No. 2432 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2432, entitled: "A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2120) recommending that S.B. No. 2759 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2759, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2121) recommending that S.B. No. 2754 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2754, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 10, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM MONDAY, FEBRUARY 8, 2010

S.B. No. 1311, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 1311, S.D. 1, seconded by Senator Kokubun.

Senator Hee noted:

"This bill will finally allow the Hawai'i Institute of Marine Biology to stop the erosion that has been occurring from the sides because of jurisdictional arguments between the City and the State Department of Land and Natural Resources. The dock has already been condemned and the sides have been falling for years. This is a remedy that will once and for all, presuming that HIMB is a priority for the University of Hawai'i system, to fix what has been an environmental issue because the erosion has caused adverse impacts to the coral reefs that are adjacent to the island."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1311, S.D. 1, and S.B. No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was placed on the calendar for Final Reading on Wednesday, February 10, 2010.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2748.

Senator Fukunaga noted:

"The purpose of the waiver is to hear S.B. No. 2748 prior to the lateral deadline, and your Committee on Economic Development and Technology will be holding a public hearing on S.B. No. 2748 at 1:30 p.m. in conference room 016 tomorrow."

The Chair granted the waiver.

Senator Hee rose on a point of personal privilege as follows:

"You know, as all of us know, the Senator who lives in Lanikai has indicated this will be his last session as a long-time senior member, not only of the Minority Party, but of the Senate. This may come as somewhat of a surprise to some of you, but he and I have had many heart-to-heart talks since his announcement and I have tried to persuade him to reconsider. He has given no indication that he's the least bit interested in reconsidering and has adamantly restated his intention. I suggested to him that with his announcement that there will be an influx of constituents who will move into his district, in part because of his announced resignation, or announced retirement, from this august body. Being the person he is, he demanded the proof. I have brought the proof. These are new constituents of my friend whom I speak of; these are coqui frogs that were caught in Waimanalo. Here's the proof. New constituents have moved in. They've actually started to breed because they're multiplying in this plastic jar.

"I raise this out of levity because of the seriousness of the Department of Agriculture and what I believe to be the dereliction of its director. Those of you who participated in the Committee on Ways and Means, we offered to unshackle her and unbridle her and allow her to run free and share with the Committee on Ways and Means how we can help to stem the tide of invasive species, as an example. She declined, of which the Chair of Ways and Means, in her inimitable way, suggested to her that in fact the director was not necessary in that she had nothing to offer but the budget presented by the Governor. The Department of Agriculture has the largest cut, and I think most of us understand that it's 43 percent. I see no way that the stemming the tide of new constituents to all of our districts will be abated, and in fact, it's really quite sad that Waimanalo now has new residents that will take up the high-pitched voice of why many people choose not to drink beer in Hilo at night. They can't be heard. So, as you allow me to do a late introduction of the new constituents of Waimanalo—I would like to announce that I have asked the Department of Agriculture to share with us throughout the session new constituents such as fire ants and other invasive species as they arrive. And we call upon all of the members of the Senate to

think real hard as we put the agricultural budget together. Thank you, Madam President.”

Senator Hemmings rose on a point of personal privilege as follows:

“I share the great concern expressed by the previous speaker. Upon my announcement of not seeking reelection, I too am very concerned that this last bastion of conservative representation—one of the last bastions—of the 25<sup>th</sup> Senatorial District is indeed being invaded by Democrats’ coqui frogs.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

#### **RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 2655	Committee on Water, Land, Agriculture, and Hawaiian Affairs

#### **ADJOURNMENT**

At 11:52 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 10, 2010.

## FIFTEENTH DAY

## Wednesday, February 10, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Fred Hemmings, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

The President announced that she had read and approved the Journal of the Fourteenth Day.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 239) was read by the Clerk and was placed on file:

Gov. Msg. No. 239, dated February 4, 2010, transmitting the Annual Report on Dental Health Activities, Expenditures, and Recommendations, prepared by the Department of Health pursuant to Section 321-63, HRS.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 13) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 13, transmitting H.B. No. 2633, which passed Third Reading in the House of Representatives on February 9, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2633, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES," passed First Reading by title and was deferred.

## STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2122) recommending that S.B. No. 2378, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2123) recommending that S.B. No. 2781, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2781, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2124) recommending that S.B. No. 2362, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OUTREACH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2125) recommending that S.B. No. 2363, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2363, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OUTREACH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2126) recommending that S.B. No. 2610 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2610, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2127) recommending that S.B. No. 2393, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2393, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2128) recommending that S.B. No. 2881, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2129) recommending that S.B. No. 2884, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2884, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE

BARGAINING COST ITEMS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2130) recommending that S.B. No. 2691, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2691, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES’ RETIREMENT SYSTEM BENEFITS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Sakamoto, for the Committee on Energy and Environment and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2131) recommending that S.B. No. 2613, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2613, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2132) recommending that S.B. No. 2278, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2278, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2133) recommending that S.B. No. 2775, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2775, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2134) recommending that S.B. No. 2664 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2664, entitled: “A BILL FOR AN ACT RELATING TO IDENTITY THEFT,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2135) recommending that S.B. No. 2710, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2710, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BOARD MEETINGS,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2136) recommending that S.B. No. 2111, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2111, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,” passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2137) recommending that S.B. No. 2188 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2188, entitled: “A BILL FOR AN ACT RELATING TO DENTISTRY,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2138) recommending that S.B. No. 2272, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2272, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR NURSES,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2139) recommending that S.B. No. 2491, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2491, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TELEMEDICINE,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2140) recommending that S.B. No. 2470, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2470, S.D. 1, entitled: “A BILL FOR AN ACT RELATION TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Gabbard, for the Committee on Education and Housing and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep.

No. 2141) recommending that S.B. No. 2709, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2142) recommending that S.B. No. 2452, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2452, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2143) recommending that S.B. No. 2434, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the majority of the Committee was adopted and S.B. No. 2434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2144) recommending that S.B. No. 2349, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2145) recommending that S.B. No. 2277, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2146) recommending that S.B. No. 2256, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2147) recommending that S.B. No. 2534, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Espero and Sakamoto, for the Committee on Public Safety and Military Affairs and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2148) recommending that S.B. No. 2135, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Baker, for the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2149) recommending that S.B. No. 2145, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Economic Development and Technology and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2150) recommending that S.B. No. 2620, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2151) recommending that S.B. No. 2405, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2405, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2152) recommending that S.B. No. 2290, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B.

No. 2290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2153) recommending that S.B. No. 2293 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2293, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2154) recommending that S.B. No. 2478, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2155) recommending that S.B. No. 2211, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2211, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2156) recommending that S.B. No. 2103, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and English, for the majority of the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2157) recommending that S.B. No. 2105, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2158) recommending that S.B. No. 2435, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2435, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2159) recommending that S.B. No. 2889 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2889, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2160) recommending that S.B. No. 2116, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2161) recommending that S.B. No. 2276, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2162) recommending that S.B. No. 2859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2163) recommending that S.B. No. 2954, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2954, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2164) recommending that S.B.

No. 2863, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2863, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2165) recommending that S.B. No. 2440 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2440, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2166) recommending that S.B. No. 2182 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2182, entitled: "A BILL FOR AN ACT RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2167) recommending that S.B. No. 2897, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2897, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2168) recommending that S.B. No. 2169, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FINS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Hee and Fukunaga, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2169) recommending that S.B. No. 2146, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the majority of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2170) recommending that S.B. No. 2391, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2171) recommending that S.B. No. 2780, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2780, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2172) recommending that S.B. No. 2951, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2951, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### FINAL READING

S.B. No. 1311, S.D. 1, H.D. 1:

Senator Hee moved that S.B. No. 1311, S.D. 1, H.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Ihara requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1311, S.D. 1, and S.B. No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Tokuda).

### THIRD READING

S.B. No. 2018:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2018, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2016:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2016, entitled: "A BILL FOR AN ACT

RELATING TO LIFE SETTLEMENTS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2017:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2017, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE CLAIMS ADJUSTERS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2602:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2602, entitled: “A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2432:

On motion by Senator Kokubun, seconded by Senator Sakamoto and carried, S.B. No. 2432, entitled: “A BILL FOR AN ACT RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2759:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2759, entitled: “A BILL FOR AN ACT RELATING TO DRIVER LICENSING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2754:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2754, entitled: “A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Senator Hee rose on a point of personal privilege as follows:

“Today, the honorable Richard Borreca... I don’t see him here so maybe he chummed the water, and then the shark came to bite and he disappeared. In any event, he wrote about frivolous bills and he named yours truly as introducing a frivolous bill—and he also named my friend who’s retiring from the Senate, but not as the frivolous bill but as one who joins me in introducing frivolous bills. And in this case his honor said: ‘The attempts at adult supervision were not enough to forestall Senator Clayton Hee’s call for a rigorous examination of banning the sale of foie gras produced by force-fed geese.’ Well, the Committee on Water, Land, Agriculture, and Hawaiian Affairs heard this bill—Mr. Borreca may be interested and maybe he’s not interested in understanding that such a ban presently is in place in the countries of Denmark, Finland, Germany, Luxembourg, Israel, Norway, Poland, Sweden, Switzerland, the United Kingdom, and the Czech Republic. Maybe the ‘rigorous examination,’ as his honor has written in today’s paper, doesn’t meet his standard, but I would invite him to stick a plastic straw down his throat—let alone a metal tube—and then come to the same conclusion. You know, I feel like I’m back in the 80’s when

Cayetano and Abercrombie used to make these profound criticisms back at those who criticize us.

“The other point of personal privilege is this: The other day—I can’t remember if it was yesterday or two days ago—before the Committee on Education, the interim superintendent said to a question I posed to her with regard to closing/consolidating elementary schools as a reasonable means of an alternative to saving taxpayers’ money, raising taxes, and having longer school hours for the students, the interim superintendent showed her wisdom, as someone who’s applying for the job, by looking back at the question and saying to me, ‘Senator, if we close an elementary school, we only save a half million dollars.’ Even if that were true, that’s a half million less to tax others. But it’s not true. There are 180 elementary schools in the State of Hawai’i. The average number of employee—which includes classified (which are janitors, cafeteria workers, secretaries) and educational officers (which include principals and vice principals and teachers)—the average number of employees at the 180 elementary schools is 58.55. If each employee were paid \$30,000, the average cost per school just for personnel is \$1.756 million. If the employee average were \$50,000, the average would be \$2.927 million. If the average were \$80,000, the average cost would be \$4.683. Those are A Funds. If you add 40 percent more in benefits, the cost for \$30,000 goes to 2.45 from 1.756; for \$50,000, goes from 2.9 to 4.0; and for \$80,000, 4.6 to 6.5. The average school teacher’s salary, according to HSTA, is about \$53,000. Those are the ones who make up the most live bodies in a school. So, we looked at what the average number of employees at the 180 schools; it was 58. So, we took a figure of \$50,000. So the average cost—personnel cost—at \$50,000 is \$2.9 million; with benefits at 40 percent, it’s 4.06. The interim superintendent, who’s applying to be superintendent, could reasonably argue that if you close the school, you still need to pay the employees. Unfortunately, the applicant for superintendent does not make the leap of faith, which really is not a leap; and that is, you redeploy those resources. Let me give you an example: There’s a development on prime ag land called Ho’opili, proposed to be developed by Jimmy Schuler and D.R. Horton. In the development are planned five elementary schools—five. So, if you closed or consolidated schools that have, as in some cases in my district, 75 students K-6, 113 students combination 5-6, if you closed those schools or consolidated so that you would have a larger number of pupils which would enhance education, that redeployment would save the cost of hiring 58 more employees times 5 in Ho’opili and save the taxpayer \$4.06 million if each school at Ho’opili were limited to 58 employees.

“I’m not a big fan of closing schools, but I recognize that during this time, what we have heard from the Board of Education and what we have heard from the Department of Education and what we have heard from the applicant herself is not how to do it, but why it can’t be done. And the day has come before this Legislature that more research needs to be done and less acceptance of scurrilous numbers provided by the Board of Education and the applicant for superintendent of education. You would not save a half million, but what you would do is redeploy those resources and save the cost of hiring additional employees of whom your grandchildren and their children will be saddled with the debt in the long-term. In the short-term, every retiree will be asked to pay a little more for students that they no longer have direct relationship to as parent-student. Thank you.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

**REFERRAL OF HOUSE BILLS**

The President made the following committee assignments of House bills received on Thursday, February 4, 2010; Monday, February 8, 2010; and Wednesday, February 10, 2010:

H.B. No.:	Referred to:
H.B. No. 1853	Committee on Education and Housing
H.B. No. 1900	Committee on Public Safety and Military Affairs
H.B. No. 2027, H.D. 1	Committee on Commerce and Consumer Protection
H.B. No. 2028	Committee on Commerce and Consumer Protection
H.B. No. 2633	Committee on Commerce and Consumer Protection

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Tuesday, February 2, 2010; Monday, February 8, 2010; and Tuesday, February 9, 2010:

S.C.R. No.:	Referred to:
S.C.R. No. 74	Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 75	Committee on Economic Development and Technology
S.C.R. No. 76	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 77	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 78	Committee on Ways and Means

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions offered on Friday, January 29, 2010; Tuesday, February 2, 2010; Monday, February 8, 2010; and Tuesday, February 9, 2010:

S. R. No.:	Referred to:
S.R. No. 29	Committee on Higher Education
S.R. No. 30	Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.R. No. 31	Committee on Economic Development and Technology
S.R. No. 32	Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 33	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.:	Re-referred to:
S.B. No. 2460	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology and the Committee on Ways and Means

**ADJOURNMENT**

At 11:50 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, February 11, 2010.

## SIXTEENTH DAY

## Thursday, February 11, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Gary L. Hooser, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

The President announced that she had read and approved the Journal of the Fifteenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kidani, on behalf of Senator Espero, introduced a group of students from Friendship Christian School who were accompanied by teacher and assistant pastor Craig Calizo.

Senator Chun Oakland introduced a group of 3<sup>rd</sup> and 5<sup>th</sup> grade students from Soto Academy who were accompanied by their teachers Rose Ann Nakamoto and Debra Brockett.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 240 to 244) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 240, submitting for consideration and confirmation, the nomination of LISA M. GINOZA to the office of Associate Judge, Intermediate Court of Appeals, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 241, submitting for consideration and confirmation, the nomination of ROBERT M. BROWNING to the office of Circuit Judge, First Circuit Court, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 242, submitting for consideration and confirmation, the nomination of KAULANA PARK to the office of Chairman, Department of Hawaiian Home Lands, term to expire December 31, 2010, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 243, submitting for consideration and confirmation, the nomination of AARON FUJIOKA to the office of Administrator, State Procurement Office, term to expire August 25, 2013, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 244, dated February 1, 2010, transmitting the Hawaii Health Systems Corporation's Annual Internal Audit Report for Calendar Year 2009, pursuant to Section 323F-22, HRS, was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 14 to 20) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 14, transmitting H.B. No. 134, H.D. 2, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 134, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 15, transmitting H.B. No. 939, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 939, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 16, transmitting H.B. No. 1684, H.D. 2, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1684, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed First Reading by title and was deferred.

Hse. Com. No. 17, transmitting H.B. No. 1992, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1992, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed First Reading by title and was deferred.

Hse. Com. No. 18, transmitting H.B. No. 2254, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2254, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER SECURITY," passed First Reading by title and was deferred.

Hse. Com. No. 19, transmitting H.B. No. 2360, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2360, entitled: "A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 20, transmitting H.B. No. 2721, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed First Reading by title and was deferred.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 and 80) were read by the Clerk and were deferred:

S.C.R. No. 79 "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN."

Offered by: Senators Ihara, Chun Oakland, Espero, Green, Baker, Bunda, English, Fukunaga, Galuteria, Hemmings, Hooser, Ige, Kidani, Kim, Nishihara, Sakamoto, Slom, Tokuda.

S.C.R. No. 80 "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 34 and 35) were read by the Clerk and were deferred:

S.R. No. 34 "SENATE RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Bunda, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim, Nishihara, Slom, Tokuda.

S.R. No. 35 "SENATE RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Espero, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim.

#### STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2173) recommending that S.B. No. 2423 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2174) recommending that S.B. No. 2488, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2488, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2175) recommending that S.B. No. 2559, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2559, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2176) recommending that S.B. No. 2662, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2662, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2177) recommending that S.B. No. 2044, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2044, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF DOMESTIC VIOLENCE SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2178) recommending that S.B. No. 2101, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2179) recommending that S.B. No. 2087, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2180) recommending that S.B. No. 2522, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2181) recommending that S.B. No. 2485, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOKAUEA ISLAND," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2182) recommending that S.B. No. 2523, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2183) recommending that S.B. No. 2525, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Education and Housing.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2525, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Education and Housing.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2184) recommending that S.B. No. 2545, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2545, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators English and Espero, for the Committee on Transportation, International and Intergovernmental Affairs and the majority of the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2185) recommending that S.B. No. 2213, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2186) recommending that S.B. No. 2299, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2187) recommending that S.B. No. 2829, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2188) recommending that S.B. No. 2110, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senators Sakamoto and English, for the Committee on Education and Housing and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2189) recommending that S.B. No. 2575, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2190) recommending that S.B. No. 2281, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2281, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2191) recommending that S.B. No. 2474 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2474, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2192) recommending that S.B. No. 2911, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2911, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2193) recommending that S.B. No. 2843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2194) recommending that S.B. No. 2768, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2195) recommending that S.B. No. 2365, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2196) recommending that S.B. No. 2202, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2197) recommending that S.B. No. 2702, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee, Kokubun, and Sakamoto, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the majority of the Committee on Higher Education and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2198) recommending that S.B. No. 2903, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2199) recommending that S.B. No. 2942, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2942, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2200) recommending that S.B. No. 2075 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2075, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2201) recommending that S.B. No. 2088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING OF EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2202) recommending that S.B. No. 2089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHY START," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2203) recommending that S.B. No. 2417 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2417, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2204) recommending that S.B. No. 2099, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2099, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2205) recommending that S.B. No. 2076 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2076, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 12, 2010.

#### ORDER OF THE DAY

##### THIRD READING

S.B. No. 2699, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Tokuda).

S.B. No. 2812, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2596, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2015, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2375, S.D. 1:

On motion by Senator English, seconded by Senator Hee and carried, S.B. No. 2375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2524, S.D. 1:

On motion by Senator Hee, seconded by Senator Bunda and carried, S.B. No. 2524, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 2162, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2162, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure with reservations as follows:

"I am very happy to see that we have been cutting our expenditures for the Legislature and for the attached agencies. In 2007, the total amount was \$39 million. For this session in 2010, it's \$34.0116 million. And I see reductions—particularly the Senate has, I think, done a better job than the House—and that's all laudable, but I think the point that needs to be made is it's still costing the taxpayers \$34 million plus just to have us meet even if we didn't do anything (which sometimes might be a good thing) and I think that we still need to cut further and to look at other options, including a unicameral legislature. Thank you, Madam President."

The motion was put by the Chair and carried, H.B. No. 2162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Tokuda).

Senator Green rose on a point of personal privilege as follows:

"Just very briefly: I got a report on some preliminary data from a Dr. Kelly Withy from the medical school who was commissioned, essentially, to do a study of the health care provider shortage statewide. And I'm going to invite her at some point to give a presentation to all of us, but I thought some things stood out. It's a very good report. This is a result of us increasing the fees on medical licenses, and that money is going to basically creating an on-going study of where we're short or where we have too many providers. Some things jump out: On Big Island, where we would need 78 general internal medicine physicians, we have 27. Where we would need 28 pediatricians to take care of our children, we have 19. We have 6 cardiologists, whereas we need 16 to take care of the hearts of our residents on the Big Island. For those who have cancer on the Big Island, we have 3 oncologists, where we would need 7. To deliver our babies, there are 13 OB/GYNs, where we need 28.

"Similarly on Kaua'i: For general internal medicine, the demand would be 30 physicians; we have 16 available. For cardiologists, there's one full-time cardiologist equivalent available, whereas they need six if you have a heart attack. Or cancer physician, whereas they would need three, they have one.

“On Maui, the numbers are similar. General internal medicine, to give us good primary preventative care, we would like to have 62 physicians—they’re general medicine specialists—we have 27. We have only half as many cardiologists as we would need. We could use 12; we have 6. And again, if we were going to deliver babies on Maui, which we do every day, 22 OB/GYNs would be necessary, whereas we have 14.

“The numbers are similar for O’ahu; the numbers, of course, are larger because of our population. For family practice, for example, we have 164 family doctors on O’ahu; 285 would be a proper number. General internal medicine: We have 264 doctors; 425 would be a good number to find illness, to find hypertension, to define diabetes in our population. We have only half as many stomach doctors as we need, 29 out of 57; and orthopedic surgeons, we’re 13 short.

“Finally, if you look at statewide numbers, and I’ll wrap it up here, the estimates are pretty daunting. We are 260 general internal medicine physicians short. We’re 118 family doctors short; general surgeons, 60 short; orthopedic surgeons, 30 short; we’re 40 OB/GYNs short; and for a small state, these numbers are profound. And I’ll just close with probably one of the scariest numbers that Senator Baker and I were discussing, and that is that of the physicians statewide, 43 per cent of the physicians are 55 years or older, which is a common retirement age for many physicians across the country. So, 43 percent.

“The good news, however, is we have this report—it’s going to continue to be available to us—and we have some measures that are also available to us to deal with these issues. One is about health enterprise zones, which is one way to possibly lure physicians into rural areas and underserved areas. We also have the loan repayment proposal that is in conference committee, but because of revenue shortages we were unable to move. But these are some provisions, and there are many discussions about so many solutions to the health care crisis and health care shortage that I think we should continue to take them up and to address these very good numbers. Thank you, Madam President.”

Senator Espero rose on a point of personal privilege as follows:

“First I’d like to thank the senator from Mililani for introducing our guest from Friendship Christian School.

“I just got back from a ceremony on the North-South Road, now to be called the Kualaka’i Road or Kualaka’i Parkway in Kapolei and Ewa. This is a \$155 million project, which will be opening today, and this is a key transportation infrastructure project, not only for the region but for the state as well. Along Kualaka’i Parkway in the coming years, I see at least \$400 million worth of projects to be built, and possibly over \$500 million when you look at UH West O’ahu, the Ray Kroc Center, and the Dubard Lowe shopping center, which will be the second largest shopping center, bigger than Pearlridge.

“Now I bring up transportation infrastructure because this is an integral part that had to be completed, and was completed, for the district. There’s one more project that is now in the hands of Governor Lingle, and that is the rail transit project, the largest public works project in the state. And I know that the Governor will do her due diligence, will do her review and evaluation. But Governor, this is also a big project for West O’ahu and even the whole island and our whole state economy, and I ask you, Governor, to do the right thing. Do your due diligence, but let’s get the rail transit project moving. Thank you.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

“The deadline for filing standing committee reports on Senate bills that need to pass Second Reading before moving laterally to the final Senate committee is 10:00 p.m. this evening.”

#### ADJOURNMENT

At 11:54 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 12, 2010.

## SEVENTEENTH DAY

## Friday, February 12, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Pastor Rick Hirakawa, Kahikuonalani United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Kokubun, Taniguchi, and Tokuda who were excused.

The President announced that she had read and approved the Journal of the Sixteenth Day.

At this time, Senator Baker, on behalf on herself and Senator English, introduced two Maui County teachers: Annie Kemper from Kihei and Alison Grogan from Lana'i.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 245 to 249) were read by the Clerk and were placed on file:

Gov. Msg. No. 245, dated February 8, 2010, transmitting the Annual Report of the Hawaii Correctional Industries, "Building Great Products and Services Through the Building of Great People," prepared by the Department of Public Safety pursuant to Section 354D-3.5, HRS.

Gov. Msg. No. 246, dated February 8, 2010, transmitting a Report on Services for Children of Incarcerated Parents, prepared by the Department of Public Safety pursuant to Act 240, SLH 2008.

Gov. Msg. No. 247, dated February 8, 2010, transmitting the Department of Public Safety's Overtime Costs Report pursuant to Act 162, Section 161, SLH 2009.

Gov. Msg. No. 248, dated February 8, 2010, transmitting a Report on the Return of Out-of-State Inmates and on Inmate Reentry Into the Community, prepared by the Department of Public Safety pursuant to Act 8, Special Session of 2007.

Gov. Msg. No. 249, informing the Senate that on February 12, 2010, the Governor withdrew the nomination of FEREDYOUN DON PARSA MD to the Hawaii Medical Board, under Gov. Msg. No. 186, dated February 5, 2010.

In compliance with Gov. Msg. No. 249, the nomination listed under Gov. Msg. No. 186 was returned.

## DEPARTMENTAL COMMUNICATIONS

The following communication (Dept. Com. No. 69) was read by the Clerk and was placed on file:

Dept. Com. No. 69, from the Department of Health dated February 9, 2010, transmitting a Report on the Status of the Environmental Health Education Fund, pursuant to Section 321-27, HRS.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 21 to 26) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 21, transmitting H.B. No. 1190, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1190, H.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed First Reading by title and was deferred.

Hse. Com. No. 22, transmitting H.B. No. 1862, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1862, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed First Reading by title and was deferred.

Hse. Com. No. 23, transmitting H.B. No. 1863, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1863, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed First Reading by title and was deferred.

Hse. Com. No. 24, transmitting H.B. No. 2077, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2077, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 25, transmitting H.B. No. 2397, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2397, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 26, transmitting H.B. No. 2618, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2618, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed First Reading by title and was deferred.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 81 to 88) were read by the Clerk and were deferred:

S.C.R. No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE FINANCIAL VIABILITY AND EFFECTIVENESS OF REQUIRING THE SUBSTITUTE CAREGIVER IN A COMMUNITY CARE FOSTER FAMILY HOME TO BE A CERTIFIED NURSE AIDE WHEN A THIRD CLIENT IS CARED FOR IN THE HOME."

Offered by: Senators Nishihara, Bunda, Chun Oakland, English, Galuteria, Ige, Kidani, Kim.

S.C.R. No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE FOR THE DEVELOPMENT OF A SYSTEM TO ASSIST WITH MISSING OR LOST SENIOR CITIZENS."

Offered by: Senator Chun Oakland.

S.C.R. No. 83 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO OPPOSE PROPOSALS TO CREATE A FEDERAL INSURANCE OFFICE."

Offered by: Senators Baker, Bunda, Chun Oakland, Espero, Fukunaga, Galuteria, Green, Hemmings, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Slom, Takamine, Taniguchi.

S.C.R. No. 84 "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE."

Offered by: Senator Chun Oakland.

S.C.R. No. 85 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE MENTAL HEALTH TRANSFORMATION STATE INCENTIVE GRANT AWARDED TO THE STATE OF HAWAII."

Offered by: Senators Chun Oakland, Ige.

S.C.R. No. 86 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO ENACT LEGISLATION TO RESTRICT TO APPROPRIATE LEVELS THE SALARIES OF EXECUTIVES AT FINANCIAL INSTITUTIONS THAT RECEIVED FEDERAL BAILOUT FUNDS."

Offered by: Senators Baker, Bunda, Chun Oakland, English, Espero, Gabbard, Galuteria, Green, Hooser, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Tsutsui.

S.C.R. No. 87 "SENATE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES."

Offered by: Senator Chun Oakland.

S.C.R. No. 88 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES."

Offered by: Senators Espero, Baker, Chun Oakland, English, Fukunaga, Galuteria, Green, Hooser, Ihara, Kidani, Kokubun, Nishihara, Takamine, Taniguchi.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 36 to 38) were read by the Clerk and were deferred:

S.R. No. 36 "SENATE RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES."

Offered by: Senators Espero, Baker, Chun Oakland, English, Fukunaga, Galuteria, Green, Hooser, Ihara, Kidani, Kokubun, Nishihara, Takamine, Taniguchi.

S.R. No. 37 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO OPPOSE PROPOSALS TO CREATE A FEDERAL INSURANCE OFFICE."

Offered by: Senators Baker, Bunda, Chun Oakland, Fukunaga, Galuteria, Green, Hemmings,

Ige, Ihara, Kim, Kokubun, Nishihara, Slom, Takamine, Tsutsui.

S.R. No. 38 "SENATE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES."

Offered by: Senator Chun Oakland.

#### STANDING COMMITTEE REPORTS

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2206) recommending that S.B. No. 2844 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2844, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2207) recommending that S.B. No. 2102, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Ige and Kokubun, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2208) recommending that S.B. No. 2390, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2209) recommending that S.B. No. 2910 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2210) recommending that S.B. No. 2807, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2807, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Espero and Baker, for the Committee on Public Safety and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2211) recommending that S.B. No. 2137, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2212) recommending that S.B. No. 2162, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Kokubun, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2213) recommending that S.B. No. 2388, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2388, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2214) recommending that S.B. No. 2603, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2215) recommending that S.B. No. 2490, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2216) recommending that S.B. No. 2729, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2729, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO IMMUNIZATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2217) recommending that S.B. No. 2931, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2218) recommending that S.B. No. 2350, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2350, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2219) recommending that S.B. No. 2873 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2873, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2220) recommending that S.B. No. 2291, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2291, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and Chun Oakland, for the majority of the Committee on Education and Housing and the majority of the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2221) recommending that S.B. No. 2083, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2222) recommending that S.B.

No. 2584, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-HELP HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2223) recommending that S.B. No. 2960 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2960, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2224) recommending that S.B. No. 2576, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2225) recommending that S.B. No. 2595, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2226) recommending that S.B. No. 2592, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2227) recommending that S.B. No. 2451, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2228) recommending that S.B. No. 2217, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2217, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2229) recommending that S.B. No. 2828, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2230) recommending that S.B. No. 2543, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2543, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2231) recommending that S.B. No. 2625, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2232) recommending that S.B. No. 2858, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL WHEELING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2233) recommending that S.B. No. 2558, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2558, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2234) recommending that S.B. No. 2782 pass Second Reading and be

referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2782, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 8 OF THE HAWAII CONSTITUTION, TO PROHIBIT THE CONSTRUCTION OF NEW PETROLEUM, COAL, AND NUCLEAR POWER PLANTS IN THE STATE WITHOUT THE PRIOR APPROVAL OF TWO-THIRDS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2235) recommending that S.B. No. 2815, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2815, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and English, for the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2236) recommending that S.B. No. 2934 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2934, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2237) recommending that S.B. No. 2650, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2238) recommending that S.B. No. 2861, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2861, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2239) recommending that S.B. No. 2798, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B.

No. 2798, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2240) recommending that S.B. No. 2414, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2241) recommending that S.B. No. 2236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Hee, for the majority of the Committee on Energy and Environment and the majority of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2242) recommending that S.B. No. 2441, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2243) recommending that S.B. No. 819, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 819, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KUPUNA CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2244) recommending that S.B. No. 2806, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2806, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2245) recommending that S.B. No. 2244, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM HOURLY WAGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2246) recommending that S.B. No. 2472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Hee, for the Committee on Commerce and Consumer Protection and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2247) recommending that S.B. No. 2224, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Espero and Ige, for the majority of the Committee on Public Safety and Military Affairs and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2248) recommending that S.B. No. 2212, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAL USE OF MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Gabbard, for the Committee on Commerce and Consumer Protection and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2249) recommending that S.B. No. 2715 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2715, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and English, for the Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2250) recommending that S.B. No. 2756, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.B. No. 2756, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2251) recommending that S.B. No. 2494, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2252) recommending that S.B. No. 2529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2253) recommending that S.B. No. 2810, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2810, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2254) recommending that S.B. No. 2600, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Kokubun, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2255) recommending that S.B. No. 2493, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Espero, for the majority of the Committee on Health and the majority of the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2256) recommending that S.B. No. 2919 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2919, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Takamine, for the Committee on Health and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2257) recommending that S.B. No. 2885, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2885, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 2258) recommending that S.B. No. 2271, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE PREMIUMS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2259) recommending that S.B. No. 2126, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2260) recommending that S.B. No. 2698, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2698, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2261) recommending that S.B. No. 2100, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2262) recommending that S.B.

No. 2728, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2263) recommending that S.B. No. 2725, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2725, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFIDENTIALITY OF FORENSIC MENTAL HEALTH EXAMINATION REPORTS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2264) recommending that S.B. No. 2726, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2726, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2265) recommending that S.B. No. 2570, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2570, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2266) recommending that S.B. No. 2883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2883, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Nishihara, for the Committee on Commerce and Consumer Protection and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 2267) recommending that S.B. No. 2643, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kokubun, for the Committee on Economic Development and Technology and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2268) recommending that S.B. No. 2355, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2355, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Taniguchi, for the Committee on Economic Development and Technology and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2269) recommending that S.B. No. 2143, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland, Ige, and Taniguchi, for the Committee on Human Services and the Committee on Health and the majority of the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2270) recommending that S.B. No. 2469, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Fukunaga, for the majority of the Committee on Education and Housing and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2271) recommending that S.B. No. 2905 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2905, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY SYSTEMS WITHIN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2272) recommending that S.B. No. 2591, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS

BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2273) recommending that S.B. No. 2578 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2578, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2274) recommending that S.B. No. 2605 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2605, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2275) recommending that S.B. No. 2874 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2874, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2276) recommending that S.B. No. 2805, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER AND HALFWAY HOME REGULATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Takamine and Taniguchi, for the majority of the Committee on Labor and the majority of the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2277) recommending that S.B. No. 2840, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Takamine and Taniguchi, for the majority of the Committee on Labor and the majority of the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2278) recommending that S.B. No. 2849, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2849, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2279) recommending that S.B. No. 2752 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2752, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2280) recommending that S.B. No. 2685 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2685, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2281) recommending that S.B. No. 2159 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2159, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2282) recommending that S.B. No. 2155 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2155, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Taniguchi and Gabbard, for the Committee on Judiciary and Government Operations and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2283) recommending that S.B. No. 2659, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2284) recommending that S.B. No. 2157, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2285) recommending that S.B. No. 2062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2286) recommending that S.B. No. 2819, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2819, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2287) recommending that S.B. No. 2454, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2288) recommending that S.B. No. 2153, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2289) recommending that S.B. No. 2156, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2290) recommending that S.B. No. 2161, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2291) recommending that S.B. No. 2335, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2335, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AND OVERSEAS CIVILIAN ABSENTEE VOTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2292) recommending that S.B. No. 2661, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2661, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Taniguchi, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2293) recommending that S.B. No. 2676 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2676, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Baker, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2294) recommending that S.B. No. 2531, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Hee, for the Committee on Public Safety and Military Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2295) recommending that S.B. No. 950, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2296) recommending that S.B. No. 2373, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Ige, for the Committee on Commerce and Consumer Protection and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2297) recommending that S.B. No. 2599, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and English, for the Committee on Economic Development and Technology and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2298) recommending that S.B. No. 2413, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2413, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2299) recommending that S.B. No. 2114 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2114, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2300) recommending that S.B. No. 2548, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2301) recommending that S.B. No. 2144, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2302) recommending that S.B. No. 2163, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2303) recommending that S.B. No. 2770, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2770, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2304) recommending that S.B. No. 2811, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2811, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2305) recommending that S.B. No. 1309, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1309, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2306) recommending that S.B. No. 2604, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Fukunaga, for the Committee on Health and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2307) recommending that S.B. No. 2203, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2203, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH CARE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the majority of the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2308) recommending that S.B. No. 2382, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMATURE INFANT HEALTH CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and English, for the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2309) recommending that S.B. No. 2611, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2310) recommending that S.B. No. 2598, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Chun Oakland and Espero, for the Committee on Human Services and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2311) recommending that S.B. No. 2720, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2720, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WARRANTS ISSUED BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2312) recommending that S.B. No. 2716, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Takamine and Chun Oakland, for the majority of the Committee on Labor and the Committee on Human

Services, presented a joint report (Stand. Com. Rep. No. 2313) recommending that S.B. No. 2369, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2314) recommending that S.B. No. 2745, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2315) recommending that S.B. No. 2270, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID REIMBURSEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2316) recommending that S.B. No. 2324, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2317) recommending that S.B. No. 2549, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2318) recommending that S.B. No. 2915, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2915, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Chun Oakland and Baker, for the Committee on Human Services and the majority of the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2319) recommending that S.B. No. 2030, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2030, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2320) recommending that S.B. No. 2588 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2588, entitled: "A BILL FOR AN ACT RELATING TO THE CHARTER SCHOOL ADMINISTRATIVE OFFICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2321) recommending that S.B. No. 2586, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2322) recommending that S.B. No. 2579, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2323) recommending that S.B. No. 2571, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2324) recommending that S.B. No. 2567, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2567, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2325) recommending that S.B. No. 2431, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2431, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2326) recommending that S.B. No. 2336, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2327) recommending that S.B. No. 2068, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2068, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2328) recommending that S.B. No. 2589, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2329) recommending that S.B. No. 2593, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2330) recommending that S.B. No. 2594, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2331) recommending that S.B. No. 2786, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2332) recommending that S.B. No. 2590, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2590, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Hooser, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2333) recommending that S.B. No. 2818, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2334) recommending that S.B. No. 2246, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 16, 2010.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2076:

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, S.B. No. 2076, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Hemmings). Excused, 4 (Fukunaga, Kokubun, Taniguchi, Tokuda).

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

#### **RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 22	Jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means
S.B. No. 2898	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection

#### **ADJOURNMENT**

At 11:40 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 16, 2010.

## EIGHTEENTH DAY

## Tuesday, February 16, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Dr. John R. Heidel, Interfaith Alliance, after which the Roll was called showing all Senators present with the exception of Senators English, Taniguchi, and Tokuda who were excused.

The President announced that she had read and approved the Journal of the Seventeenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Nishihara introduced a group of 5<sup>th</sup> grade students from Pearl City Elementary, a NASA Explorer School, who were accompanied by their teachers Sherri Takamoto and Karen Nunokawa.

Senator Hooser recognized and commended Mark Jeffers and the Storybook Theatre of Hawaii on the accomplishments of the Spark M. Matsunaga Children's Garden of Peace in Hanapepe, Kaua'i. In attendance were Mark Jeffers, Executive Director and Co-Founder of Storybook Theatre of Hawaii; Matt Matsunaga, Matsunaga family consultant; Kim Duffett, Sculptor; and David Hamil, the first President of Storybook Theatre's Board of Directors.

Senator Tsutsui and Senator Baker commended and congratulated Maui Economic Opportunity, Inc. (MEO) on its 45<sup>th</sup> Anniversary. Representing MEO were Sandy Baz, Chief Executive Officer; Lyn McNeff, Chief Programs Officer; Grant Chun, President of MEO Board of Directors; and May Fujiwara, West Maui Senior Representative of MEO Board and President of Lahaina-Honolulu Senior Citizens Club. Also recognized were dedicated supporters of MEO from South Maui, West Maui, and Central Maui who were seated in the gallery.

At 11:52 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 250 to 313) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 250, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of GAY L. MATHEWS, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of CLAYTON CHUN YEE PANG, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 252, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of DARRYL D. PERRY, term to expire June 30, 2012, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 253, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of GARY A. YABUTA, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 254, submitting for consideration and confirmation to the Board of Psychology, the nomination of SCOTT S. HASHIMOTO, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 255, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority (HPHA), the nomination of MATTIE A. YOSHIOKA, term to expire June 30, 2014, was referred to the Committee on Education and Housing.

Gov. Msg. No. 256, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of LOIS FUJISHIGE, term to expire June 30, 2014, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 257, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of CAROLINE M.T. CADIRAO, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 258, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of CAROLINE M.T. CADIRAO, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 259, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOSHUA I. SMALLEY-BOWER, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 260, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of ANNE TRYGSTAD, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 261, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of ANNE TRYGSTAD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of MARTHA J. TURNER, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of JOHN C. KEENE, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of JOHN C. KEENE, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 265, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of JO ANN D. KOGA, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 266, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of BEVERLY C. WONG, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 267, submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of ROLAND QUOK FONG THOM, term to expire June 30, 2020, was referred to the Committee on Labor.

Gov. Msg. No. 268, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of CARL W. HINSON, term to expire June 30, 2013, was referred to the Committee on Labor.

Gov. Msg. No. 269, submitting for consideration and confirmation to the Commission on Transportation, the nomination of RALPH J.W.K. HIATT, term to expire June 30, 2010, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 270, submitting for consideration and confirmation to the Commission on Transportation, the nomination of RALPH J.W.K. HIATT, term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 271, submitting for consideration and confirmation to the Board of Agriculture, the nomination of RICHARD HA, term to expire June 30, 2010, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Board of Agriculture, the nomination of RICHARD HA, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Island Burial Council, Islands of Kaua'i and Ni'ihau, the nomination of JAMES WILFRED FUJITA, term to expire June 30, 2012, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Island Burial Council, Islands of Kaua'i and Ni'ihau, the nomination of DEBRA U'ILANI RUIZ, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of ROY M. SASUGA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of DENNIS JOHN SHORT, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of VOLETTA NOE NOE TOM, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority (HPHA), the nomination of ROGER K.

GODFREY, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of JENNIFER L. ZELKO, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of MICHAEL J. MURAKOSHI, term to expire June 30, 2010, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of MICHAEL J. MURAKOSHI, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of NAOMI CLARKE LOSCH, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 283, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of GEORGE S. THRONAS, JR., term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 284, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of STEPHEN H. REELITZ, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 285, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of BRUCE E. BUCKY, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 286, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of MARY BEGIER, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 287, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of PETER LARRY ROSEGG, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 288, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of MICHAEL BARRY SUMJA, term to expire June 30, 2014, was referred to the Committee on Human Services.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of LUCY MILLER PHD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 290, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Disability and Communication Access

Board, the nomination of LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 292, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of RICHARD E. MEIERS, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 293, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of SAMUEL MOKU, term to expire June 30, 2011, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Hawaii State Council for Interstate Juvenile Supervision, the nomination of DENNIS M. DUNN, term to expire June 30, 2010, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Hawaii State Council for Interstate Juvenile Supervision, the nomination of DENNIS M. DUNN, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Interstate Compact for Juveniles, the nomination of WENDELL K. KIKUCHI, term to expire June 30, 2010, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Interstate Compact for Juveniles, the nomination of WENDELL K. KIKUCHI, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of JEFFREY W. PIONTEK, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 299, submitting for consideration and confirmation to the State Council for Interstate Adult Offender Supervision, the nomination of DENNIS M. DUNN, term to expire June 30, 2010, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 300, submitting for consideration and confirmation to the State Council for Interstate Adult Offender Supervision, the nomination of DENNIS M. DUNN, term to expire June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 301, submitting for consideration and confirmation to the State Council for Interstate Adult Offender Supervision, the nomination of JANICE YAMADA, term to expire June 30, 2013, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of HERBERT C. LUM, term to expire June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of JAMES D. LACLAIR, term to expire June 30, 2012, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of GOLDIE K. CROSS, term to expire June 30,

2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of VERNON FOOK LEONG CHAR, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of MAY LEILANI AU, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of DANIELLE ULULANI BEIRNE-KEAWE, term to expire June 30, 2012, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 308, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of RICHARD K. PAGLINAWAN, term to expire June 30, 2012, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 309, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of BENJAMIN DANIEL SHAFER, term to expire June 30, 2011, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 310, submitting for consideration and confirmation to the Kahana Valley Living Park Planning Council, the nomination of LAUREN A. TANAKA, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 311, submitting for consideration and confirmation to the Koke'e State Park Advisory Council, the nomination of NOREEN R. OHAI-DANIELS, term to expire June 30, 2011, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 312, submitting for consideration and confirmation to the Legacy Land Conservation Commission, the nomination of ROBERT J. SHALLENBERGER, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 313, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of WILSON N.K. KANAKAOLE, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 89 to 98) were read by the Clerk and were deferred:

S.C.R. No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY."

Offered by: Senators Gabbard, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Galuteria, Green, Hooser, Ige, Ihara, Kidani, Nishihara, Sakamoto, Takamine.

S.C.R. No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING INCREASED COOPERATION BETWEEN LOCAL AGRICULTURAL PRODUCERS AND RETAILERS TO DEVELOP A CONSISTENT SYSTEM OF LABELING TO BETTER INFORM CONSUMERS OF GENETICALLY MODIFIED ORGANISMS."

Offered by: Senators Gabbard, English, Bunda, Chun Oakland, Fukunaga, Galuteria, Green, Hooser, Ihara, Kidani, Takamine.

S.C.R. No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, TO ASSESS THE USE AND APPLICATION OF SECTION 571-46, HAWAII REVISED STATUTES."

Offered by: Senators Gabbard, Bunda, Chun Oakland, Green, Hemmings, Ige, Takamine.

S.C.R. No. 92 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT TO THE LEGISLATURE REVIEWING WORKFORCE HOUSING IN KAKAAKO MAUKA."

Offered by: Senator Sakamoto.

S.C.R. No. 93 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS, TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE."

Offered by: Senator Sakamoto.

S.C.R. No. 94 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO OFFER ONLINE INSTRUCTION TO MIDDLE AND HIGH SCHOOL STUDENTS IN THE PUBLIC SCHOOL SYSTEM."

Offered by: Senator Sakamoto.

S.C.R. No. 95 "SENATE CONCURRENT RESOLUTION REQUESTING THAT A TASK FORCE BE ESTABLISHED TO IDENTIFY THE LIBRARY SERVICES NEEDED IN UNDERSERVED COMMUNITIES AND SEEK COMMUNITY SOURCES OF FUNDING TO OFFSET THE LOSS OF FUNDING TO LIBRARIES."

Offered by: Senator Sakamoto.

S.C.R. No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Offered by: Senators Hooser, Kidani, Galuteria, Green, Ige, Ihara, Nishihara, Sakamoto.

S.C.R. No. 97 "SENATE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUAI TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION."

Offered by: Senators Hooser, Galuteria, Green, Ige, Ihara, Kidani, Nishihara.

S.C.R. No. 98 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF ESTABLISHING AN AMBULANCE DISPATCH CENTER ON THE WEST SIDE OF KAUAI, BASED IN KALAHEO."

Offered by: Senators Hooser, Galuteria, Green, Ige, Ihara, Kidani, Nishihara, Sakamoto.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 39 and 40) were read by the Clerk and were deferred:

S.R. No. 39 "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY."

Offered by: Senators Gabbard, Baker, Chun Oakland, English, Espero, Fukunaga, Galuteria, Green, Hooser, Ige, Ihara, Kidani, Nishihara, Sakamoto, Takamine.

S.R. No. 40 "SENATE RESOLUTION REQUESTING INCREASED COOPERATION BETWEEN LOCAL AGRICULTURAL PRODUCERS AND RETAILERS TO DEVELOP A CONSISTENT SYSTEM OF LABELING TO BETTER INFORM CONSUMERS OF GENETICALLY MODIFIED ORGANISMS."

Offered by: Senators Gabbard, English, Chun Oakland, Espero, Fukunaga, Galuteria, Green, Hooser, Ihara, Kidani, Takamine.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 2246, S.D. 1:

On motion by Senator Takamine, seconded by Senator Bunda and carried, S.B. No. 2246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (English, Kokubun, Taniguchi, Tokuda).

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.: Re-referred to:

S.B. No. 2771 Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Health

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

Senator Hemmings rose on a point of personal privilege as follows:

“I wish to share a gift. Saturday soon before noon, I was stopped in my car at the intersection near Castle Hospital. The median there is broad and green, often busy with people seeking donations or holding political signs. Not on this day; walking all alone was a man about my age. His rugged face was a face of a thousand years, a Hawaiian face. His stride was terribly stuttered with a limp. His clothes were old and worn, but clean and neat. Despite the physical hardships life had obviously dealt him, he carried himself erect. His head was held high. If he’d chosen not to work, he may have qualified for some sort of government assistance. He was working though, selling newspapers. I rolled down the window as he approached. Nothing was said as I handed him a small token. Later, I’d realized I should have probably given him everything in my pocket. He began to hand me a newspaper. Quietly, I said, ‘I read it already.’ Our eyes caught, and I saw my gift. For just a brief flicker of time, I saw what all the riches in the world could not buy. I saw what cannot be bequeathed, nor stolen. In the windows of this man’s soul, I saw honor. I saw dignity in this man’s eyes. I saw aloha. That was the gift, a gift I hope we can all share. He said, ‘Mahalo.’”

#### ADJOURNMENT

At 12:02 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 17, 2010.

## NINETEENTH DAY

## Wednesday, February 17, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Michelle N. Kidani, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

The President announced that she had read and approved the Journal of the Eighteenth Day.

At this time the following introduction was made to the members of the Senate:

Senator Tsutsui commended Hawaii's first sumotori Jessie Kuhaulua, professionally known as Takamiyama, for his contributions to the sport of sumo and to Hawai'i. Accompanying Mr. Kuhaulua were his manager Naoshi Karino and friends Wayne Miyao and Cynthia Hironaga.

At 11:47 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 314 to 319) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 314, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of CATHERINE A. ADAMS RN, term to expire June 30, 2014, was referred to the Committee on Higher Education.

Gov. Msg. No. 315, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of STEPHEN H. REELITZ, term to expire June 30, 2010, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 316, submitting for consideration and confirmation to the Legacy Land Conservation Commission, the nomination of KAIWI NUI YOON, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 317, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of GEORGE S. THRONAS, JR., term to expire June 30, 2010, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 318, informing the Senate that on February 16, 2010, the term of expiration for the nomination of Aaron Fujioka to the office of Administrator, State Procurement Office, under Gov. Msg. No. 243 dated February 10, 2010, has been amended to October 16, 2013, was placed on file.

Gov. Msg. No. 319, informing the Senate that on February 17, 2010, the name of the board to which Vernon Fook Leong Char was nominated under Gov. Msg. No. 305, dated February 12, 2010, has been amended to Board of Directors of the Hawai'i Tourism Authority, was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 27 to 29) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 27, transmitting H.B. No. 2197, H.D. 1, which passed Third Reading in the House of Representatives on February 16, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2197, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was deferred.

Hse. Com. No. 28, transmitting H.B. No. 2351, which passed Third Reading in the House of Representatives on February 16, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2351, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed First Reading by title and was deferred.

Hse. Com. No. 29, transmitting H.B. No. 2427, H.D. 1, which passed Third Reading in the House of Representatives on February 16, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2427, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed First Reading by title and was deferred.

## STANDING COMMITTEE REPORTS

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2335) recommending that S.B. No. 2834, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 26, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2336) recommending that S.B. No. 2747, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was recommitted to the Committee on Ways and Means.

## ADJOURNMENT

At 11:55 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, February 18, 2010.

## TWENTIETH DAY

## Thursday, February 18, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:39 a.m. with the President in the Chair.

The Divine Blessing was invoked Pastor Klayton Ko, First Assembly of God, after which the Roll was called showing all Senators present with the exception of Senator Hemmings who was excused.

The President announced that she had read and approved the Journal of the Nineteenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Gabbard introduced his granddaughter Kila Johnson, who was visiting for a short time from New Zealand and would be helping out in his office.

Senator Chun Oakland introduced a group of students from Hālaulōkahi School who were accompanied by Kumu Hina, Kumu Adeline, Kumu Tiane, Kumu Keali'i, and Kumu Ku'ulei.

At this time, the members of the Senate rose as the students and their kumu sang "Hawai'i Pono'i".

Senator Slom introduced a group of 3<sup>rd</sup> grade students from Haha'ione Elementary School who were accompanied by their teachers Mrs. Griffith, Mrs. Ogata, and Mrs. Kimura and chaperones Mrs. Nakakura, Mr. Kohn, Mrs. Lee, Mr. Shigeta, Mr. Krendl, and Mrs. Cannon.

Senator Sakamoto recognized the Pearl Harbor Historic Sites Partners and commemorated the 65<sup>th</sup> anniversary of the end of World War II and the role of the USS Missouri in the surrender ceremony. Representing the Pearl Harbor Historic Sites Partners were Paul DePreu, Superintendent, Valor in the Pacific National Monument; Daniel Martinez, Historian, Valor in the Pacific National Monument; Michael Carr, Executive Director, Battleship Missouri Memorial; Gerald Hofwolt, Executive Director, USS Bowfin Submarine Museum and Park; Kenneth DeHoff, Executive Director, Pacific Aviation Museum – Pearl Harbor; and Claire Tamamoto, Pearl Harbor Historic Trail.

At 11:55 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 320 to 324) were read by the Clerk and were placed on file:

Gov. Msg. No. 320, dated February 11, 2010, transmitting the Hawaii Housing Finance and Development Corporation's 2009 Annual Report.

Gov. Msg. No. 321, dated February 12, 2010, transmitting a Report on the Expenditures for Chronic Disease Management and Control, prepared by the Department of Health pursuant to Act 162, Section 24, SLH 2009.

Gov. Msg. No. 322, dated February 12, 2010, transmitting the Director of Finance's Report, prepared by the Department of Budget and Finance pursuant to Act 162, SLH 2009.

Gov. Msg. No. 323, dated February 12, 2010, transmitting the Governor's Reports pursuant to Act 162, Sections 88, 90-95, 97, 99, 101, 102, 106-109, 112-114, 117, 119-121 and 131, SLH 2009.

Gov. Msg. No. 324, dated February 12, 2010, transmitting the Governor's Reports Relating to the Budget pursuant to Act 67, Sections 14, 18 and 23, SLH 2009.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 30 to 32) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 30, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 2162, H.D. 1, and H.B. No. 2162, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives on February 16, 2010, was placed on file.

Hse. Com. No. 31, transmitting H.B. No. 2136, which passed Third Reading in the House of Representatives on February 17, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2136, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS," passed First Reading by title and was deferred.

Hse. Com. No. 32, transmitting H.B. No. 2286, which passed Third Reading in the House of Representatives on February 17, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2286, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed First Reading by title and was deferred.

## STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2337) recommending that S.B. No. 1601, as amended in S.D. 1, be recommitted to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," was recommitted to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

## ORDER OF THE DAY

## REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House bills received on Thursday, February 4, 2010; Thursday, February 11, 2010; Friday, February 12, 2010; and Wednesday, February 17, 2010:

H.B. No.:	Referred to:
H.B. No. 134, H.D. 2	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
H.B. No. 939, H.D. 1	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment, then to the Committee on Transportation, International and Intergovernmental Affairs

H.B. No. 1190, H.D. 1	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.C.R. No. 82	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
H.B. No. 1684, H.D. 2	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.C.R. No. 83	Committee on Commerce and Consumer Protection
H.B. No. 1862, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 84	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations
H.B. No. 1863, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 85	Committee on Health, then to the Committee on Ways and Means
H.B. No. 1992, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 86	Committee on Commerce and Consumer Protection
H.B. No. 2017	Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 87	Jointly to the Committee on Education and Housing and the Committee on Human Services
H.B. No. 2077, H.D. 1	Committee on Education and Housing	S.C.R. No. 88	Committee on Public Safety and Military Affairs
H.B. No. 2197, H.D. 1	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection	S.C.R. No. 89	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs
H.B. No. 2254, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 90	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection
H.B. No. 2351	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 91	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
H.B. No. 2360	Committee on Commerce and Consumer Protection	S.C.R. No. 92	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing
H.B. No. 2397, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 93	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs
H.B. No. 2427, H.D. 1	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 94	Committee on Education and Housing
H.B. No. 2618, H.D. 1	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No. 95	Committee on Education and Housing, then to the Committee on Ways and Means
H.B. No. 2721, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 96	Committee on Labor, then to the Committee on Ways and Means

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Thursday, February 11, 2010; Friday, February 12, 2010; and Tuesday, February 16, 2010:

S.C.R. No.:	Referred to:	S.C.R. No. 97	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 79	Committee on Human Services	S.C.R. No. 98	Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 80	Jointly to the Committee on Human Services and the Committee on Public Safety and Military Affairs		
S.C.R. No. 81	Jointly to the Committee on Human Services and the Committee on Health		

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions offered on Thursday, February 11, 2010; Friday, February 12, 2010; and Tuesday, February 16, 2010:

S.R. No.:	Referred to:
S.R. No. 34	Committee on Human Services
S.R. No. 35	Jointly to the Committee on Human Services and the Committee on Public Safety and Military Affairs
S.R. No. 36	Committee on Public Safety and Military Affairs
S.R. No. 37	Committee on Commerce and Consumer Protection
S.R. No. 38	Jointly to the Committee on Education and Housing and the Committee on Human Services
S.R. No. 39	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 40	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

S.B. No.:	Re-referred to:
S.B. No. 2083, S.D. 1	Jointly to the Committee on Education and Housing and the Committee on Human Services
S.B. No. 2457	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations
S.B. No. 2838	Jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

At this time, Senator Tsutsui welcomed back Senator Tokuda and congratulated her on the recent birth of her son Aden.

Senator Slom rose on a point of personal privilege as follows:

"Next week, it is rumored when we're in recess that the U.S. House of Representatives is going to bring the Akaka bill to the floor of the House. What makes this most interesting is for the past three months after the bill passed out of House Committee and the Senate Indian Affairs Committee, there was talk about redoing the bill, amending the bill, modifying the bill, bringing all parties into discussion on the bill. And yet during that period of time, no one knows exactly what changes have been made, if any, and what the text of the bill actually looks like,

and yet people are going to be asked to vote on this bill next week. I've made the call in the Legislature before to have people in the State of Hawai'i vote on the Akaka bill, each county, and we have not done that. We've not discussed it. No one knows at this point what the text of that bill looks like.

"One of the members of the House Committee from Washington, Doc Hastings, made this comment: 'Subdividing Americans into sovereign nations based on race or ethnicity is a serious matter and is something that should be debated openly, not in backrooms with restricted input. Whatever bill comes to the floor next week, I can only hope that the authors took time to address the serious constitutional issues of the underlying legislation.' I couldn't agree more. What this bill would do, if in fact it does pass in whatever form, is immediately to transform native Hawaiians into Indian tribes without their having input, discussion, or right to vote. I think that all of us should press for open discussion and the ability for all of our people to vote openly on this issue. Thank you, Madam President."

At this time, the Chair made the following announcement:

"The five-day mandatory recess begins tomorrow and continues next week through Thursday, February 25."

At 12:05 p.m., the Senate stood in recess subject to the call of the Chair.

At 12:05 p.m., the Senate reconvened.

**HOUSE COMMUNICATION**

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive a House communication transmitting H.B. No. 2169, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." In consequence thereof and subsequent to its recessing at 12:07 p.m., the Senate took the following actions:

Hse. Com. No. 33, transmitting H.B. No. 2169, H.D. 2, which passed Third Reading in the House of Representatives on February 18, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2169, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Ways and Means.

**ADJOURNMENT**

At 3:05 p.m., the Senate adjourned until 11:30 a.m., Friday, February 26, 2010.

## TWENTY-FIRST DAY

## Friday, February 26, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:42 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Utu Langi, Executive Director of H-5 (Hawaii Helping the Hungry Have Hope), after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that she had read and approved the Journal of the Twentieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Gabbard introduced Alton and Janis Holt from Silsbee, Texas, who were traveling to Hawai'i to celebrate their 20<sup>th</sup> wedding anniversary.

Senator Tsutsui recognized Miss Maui Michela Moe, Miss Ulalena Jocelyn Belden, and Miss Kahului Maya Iida, who were accompanied by Jude Huber and Joanne Tanaka, daughter of former State Senator Joe Tanaka.

Senator Gabbard recognized and congratulated Walk Across Oahu, an organization honoring disabled war veterans and wounded warriors. Representing Walk Across Oahu were Tofi "Mika" Togiola, Jr., John Cummings III, Yvette Lee, and Sgt. Sualauvi "Malua" Tuimalealiifano. Also recognized were Mrs. Shannon Tuimalealiifano, Mrs. Adaline Cummings, Mrs. May Mika Togiola, Mr. and Mrs. Honolulu and Alberta Mika Togiola and their children, and Mr. and Mrs. Hawaii and Nicole Mika Togiola and their children, Mika's nephew Jeremy Mika Togiola, and Mika's uncles Saipele and Manuele Vaisau and their children.

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 325 to 331) were read by the Clerk and were placed on file:

Gov. Msg. No. 325, dated February 9, 2010, transmitting a Report Relating to Pedestrian Safety, prepared by the Department of Transportation pursuant to Act 232, SLH 2008.

Gov. Msg. No. 326, dated February 9, 2010, transmitting a Report to Determine the Effectiveness of the Graduated Provisional Licensing Program in Reducing Traffic Fatalities and Accidents in the State, prepared by the Department of Health and the Department of Transportation pursuant to Act 72, SLH 2005.

Gov. Msg. No. 327, dated February 9, 2010, transmitting the Interim Progress Report: "Complete Streets Task Force," prepared by the Department of Transportation pursuant to Act 54, SLH 2009.

Gov. Msg. No. 328, dated February 9, 2010, transmitting the Annual Report: "Bikeway Projects and Expenditures," prepared by the Department of Transportation pursuant to Section 264-18, HRS.

Gov. Msg. No. 329, dated February 9, 2010, transmitting the Annual Report: "Transportation Improvement Special Fund," prepared by the Department of Transportation pursuant to Section 264-19, HRS.

Gov. Msg. No. 330, dated February 9, 2010, transmitting a Report Relating to Public Accountancy, prepared by the Department of Commerce and Consumer Affairs pursuant to Act 172, SLH 2009.

Gov. Msg. No. 331, dated February 12, 2010, transmitting the Hawaii Ocean Resources Management Plan 2009 Report, prepared by the Department of Business, Economic Development and Tourism pursuant to S.C.R. No. 137 (2005).

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 70 to 74) were read by the Clerk and were placed on file:

Dept. Com. No. 70, from the Department of Health dated February 10, 2010, transmitting the Annual Report on Forensic Patient Data, Specific to the Hawaii State Hospital, pursuant to Act 100, Section 334, SLH 2009.

Dept. Com. No. 71, from the Hawaii Health Systems Corporation, dated February 17, 2010, transmitting its Report on the Certification of Losses Under the State Plan Amendment for the Quarter Ending December 31, 2009, pursuant to Act 178, Section 160, SLH 2005.

Dept. Com. No. 72, from the Office of Elections dated February 17, 2010, transmitting procurement document Addendum E to RFP-10-001-SW for Sealed Offers for a Voting Equipment System, pursuant to Act 162, Section 56, SLH 2009.

Dept. Com. No. 73, from the Department of Education dated February 16, 2010, transmitting its Planned Repair and Maintenance Projects for Fiscal Year 2010-2011.

Dept. Com. No. 74, from the Department of Health dated February 18, 2010, transmitting notification of a Security Breach that occurred on January 13, 2010, by a Case Management Unit of the Developmental Disabilities Division, pursuant to Chapter 487N, HRS.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 34 to 37) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 34, transmitting H.B. No. 1901, H.D. 2, which passed Third Reading in the House of Representatives on February 18, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1901, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 35, transmitting H.B. No. 2546, which passed Third Reading in the House of Representatives on February 18, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2546, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed First Reading by title and was deferred.

Hse. Com. No. 36, transmitting H.C.R. No. 18, which was adopted by the House of Representatives on February 18, 2010, was placed on file.

By unanimous consent, H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT

FOR THE CANCER RESEARCH CENTER OF HAWAII," was deferred.

Hse. Com. No. 37, transmitting H.C.R. No. 67, which was adopted by the House of Representatives on February 18, 2010, was placed on file.

By unanimous consent, H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY," was deferred.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 99 to 121) were read by the Clerk and were deferred:

S.C.R. No. 99 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO ANALYZE THE POTENTIAL DEVELOPMENT OF GEOTHERMAL ENERGY AS THE PRIMARY ENERGY SOURCE TO MEET THE BASELOAD DEMAND FOR ELECTRICITY ON THE BIG ISLAND."

Offered by: Senators Kokubun, Espero, Fukunaga, Kidani, Sakamoto, Baker, Chun Oakland, Green, Ige, Kim, Nishihara, Takamine, Taniguchi.

S.C.R. No. 100 "SENATE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE."

Offered by: Senators Espero, Chun Oakland, Green, Ige, Sakamoto, Baker, Bunda, Fukunaga, Galuteria, Hemmings, Ihara, Kidani, Nishihara, Slom, Takamine.

S.C.R. No. 101 "SENATE CONCURRENT RESOLUTION DECLARING THE SOVEREIGN RIGHTS OF STATES UNDER THE CONSTITUTION OF THE UNITED STATES."

Offered by: Senator Fukunaga, by request.

S.C.R. No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ADOPT UNAMBIGUOUS LANGUAGE REGARDING PHOTOGRAPHIC RECORDS ON EXPUNGEMENT CERTIFICATES."

Offered by: Senator Fukunaga.

S.C.R. No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF CREATING A VOCATIONAL/TECHNICAL EDUCATION LEARNING CENTER AT HONOLULU COMMUNITY COLLEGE."

Offered by: Senator Sakamoto.

S.C.R. No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE SUBMITTAL OF ANNUAL REPORTS AND THE CONVENING OF SEMI-ANNUAL MEETINGS ON THE STATUS OF ITS REFORM ACTIVITIES."

Offered by: Senators Sakamoto, Chun Oakland, Baker, Espero, Gabbard, Galuteria, Hooser, Ige, Ihara, Kidani, Kim, Tsutsui.

S.C.R. No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF TWELVE-MONTH PRINCIPAL PERFORMANCE CONTRACTS BY THE 2011-2012 SCHOOL YEAR."

Offered by: Senators Sakamoto, Chun Oakland, Baker, Espero, Gabbard, Galuteria, Hooser, Ige, Ihara, Kidani, Kim.

S.C.R. No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING ALL HAWAII PUBLIC HIGH SCHOOLS TO MAKE DATA-DRIVEN AND SYSTEMATIC IMPROVEMENTS TO THEIR SCHOOL PROGRAMS, CULTURE, AND STRUCTURE TO IMPROVE COLLEGE READINESS FOR ALL STUDENTS."

Offered by: Senators Sakamoto, Chun Oakland, Baker, Espero, Gabbard, Galuteria, Hooser, Ige, Ihara, Kidani, Kim.

S.C.R. No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT TO THE LEGISLATURE REGARDING INFORMATION ON THE PUBLIC SCHOOL JUNIOR KINDERGARTEN PROGRAM."

Offered by: Senator Sakamoto.

S.C.R. No. 108 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ESTABLISH A CONSISTENT FUNDING FORMULA, PROCESS, OR BOTH, BY WHICH EQUITABLE FUNDING TO CHARTER SCHOOLS IS DETERMINED."

Offered by: Senators Sakamoto, Baker, Chun Oakland, Kidani, Gabbard, Galuteria, Ihara, Kim.

S.C.R. No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF WHETHER THE HAWAII STATE PUBLIC LIBRARY SYSTEM SHOULD BE TRANSFERRED FROM THE BOARD OF EDUCATION."

Offered by: Senators Sakamoto, Baker, Gabbard, Galuteria, Ihara, Kidani.

S.C.R. No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA."

Offered by: Senators Sakamoto, Chun Oakland, Baker, Gabbard, Galuteria, Ihara, Kidani, Kim, Tokuda.

S.C.R. No. 111 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF AN ASIAN LANGUAGE CENTER AT THE UNIVERSITY OF HAWAII AT MANOA CAMPUS."

Offered by: Senators Sakamoto, Chun Oakland, Baker, Gabbard, Galuteria, Ihara, Kidani, Taniguchi, Tokuda.

S.C.R. No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING A RECOMMENDATION ON INCREASED PENALTIES FOR THE OFFENSE OF HABITUALLY OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT."

Offered by: Senators Green, Espero, Bunda.

S.C.R. No. 113 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMITTEE TO DEVELOP A PLAN TO STUDY AND IMPLEMENT STRUCTURAL AND OPERATIONAL IMPROVEMENTS TO INCREASE THE EFFECTIVENESS OF THE HAWAII HEALTH SYSTEMS CORPORATION AND ITS REGIONS."

Offered by: Senators Green, Espero.

S.C.R. No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING A RECOMMENDATION ON INCREASED PENALTIES FOR THE OFFENSE OF OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICANT AS IT PERTAINS TO HIGHLY INTOXICATED DRIVERS."

Offered by: Senators Green, Bunda, Espero.

S.C.R. No. 115 "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF CRITERIA AND RECOMMENDATIONS FOR THE IMPLEMENTATION OF AN ENVIRONMENTALLY PREFERRED PURCHASING POLICY FOR THE STATE."

Offered by: Senators Green, Bunda, English, Gabbard.

S.C.R. No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING ASSISTANCE FOR THE KOLOA COMMUNITY HAPA TRAIL VOLUNTEERS FOR THE RESTORATION AND PRESERVATION OF THE HAPA TRAIL IN PERPETUITY."

Offered by: Senator Hooser.

S.C.R. No. 117 "SENATE CONCURRENT RESOLUTION SUPPORTING THE BUILDING OF MODULAR AND FACTORY MANUFACTURED HOMES IN HAWAII."

Offered by: Senator Hooser.

S.C.R. No. 118 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CONTRACTING LICENSING LAWS OF OTHER STATES TO CLARIFY WHAT CONSTITUTES "INCIDENTAL AND SUPPLEMENTAL" WORK IN THE CONTEXT OF CONTRACTOR LICENSING."

Offered by: Senators Kidani, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Takamine.

S.C.R. No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT INTERIM AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE."

Offered by: Senators Kidani, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Green, Hooser, Ige, Ihara, Kim, Kokubun, Nishihara, Slom, Takamine.

S.C.R. No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING THAT FUNDS BE MADE AVAILABLE AND RELEASED TO ENABLE THE HAWAII PUBLIC HOUSING AUTHORITY TO IMPLEMENT A TENANT MONITOR PROGRAM."

Offered by: Senators Kidani, Chun Oakland, Bunda, Espero, Fukunaga, Gabbard, Galuteria, Green, Hemmings, Hooser, Ige, Ihara, Kokubun, Nishihara, Sakamoto, Slom, Takamine, Taniguchi.

S.C.R. No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO STUDY THE FEASIBILITY OF ESTABLISHING A "TOUR DE HAWAII" BIKE RACE."

Offered by: Senators Kidani, Espero, Bunda, Chun Oakland, English, Fukunaga, Gabbard, Galuteria, Hooser, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Slom, Takamine, Taniguchi, Tsutsui.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 41 to 52) were read by the Clerk and were deferred:

S.R. No. 41 "SENATE RESOLUTION DECLARING THE SOVEREIGN RIGHTS OF STATES UNDER THE CONSTITUTION OF THE UNITED STATES."

Offered by: Senator Fukunaga, by request.

S.R. No. 42 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ADOPT UNAMBIGUOUS LANGUAGE REGARDING PHOTOGRAPHIC RECORDS ON EXPUNGEMENT CERTIFICATES."

Offered by: Senator Fukunaga.

S.R. No. 43 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMITTEE TO DEVELOP A PLAN TO STUDY AND IMPLEMENT STRUCTURAL AND OPERATIONAL IMPROVEMENTS TO INCREASE THE EFFECTIVENESS OF THE HAWAII HEALTH SYSTEMS CORPORATION AND ITS REGIONS."

Offered by: Senators Green, Espero.

S.R. No. 44 "SENATE RESOLUTION REQUESTING A RECOMMENDATION ON INCREASED PENALTIES FOR THE OFFENSE OF HABITUALLY OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT."

Offered by: Senators Green, Espero, Bunda.

S.R. No. 45 "SENATE RESOLUTION REQUESTING A RECOMMENDATION ON INCREASED PENALTIES FOR THE OFFENSE OF OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICANT AS IT PERTAINS TO HIGHLY INTOXICATED DRIVERS."

Offered by: Senators Green, Bunda, Espero.

S.R. No. 46 "SENATE RESOLUTION URGING THE DEVELOPMENT OF CRITERIA AND RECOMMENDATIONS FOR THE IMPLEMENTATION OF

AN ENVIRONMENTALLY PREFERRED PURCHASING POLICY FOR THE STATE.”

Offered by: Senators Green, Bunda, English, Gabbard.

S.R. No. 47 “SENATE RESOLUTION REQUESTING ASSISTANCE FOR THE KOLOA COMMUNITY HAPA TRAIL VOLUNTEERS FOR THE RESTORATION AND PRESERVATION OF THE HAPA TRAIL IN PERPETUITY.”

Offered by: Senator Hooser.

S.R. No. 48 “SENATE RESOLUTION SUPPORTING THE BUILDING OF MODULAR AND FACTORY MANUFACTURED HOMES IN HAWAII.”

Offered by: Senator Hooser.

S.R. No. 49 “SENATE RESOLUTION REQUESTING A STUDY OF THE CONTRACTING LICENSING LAWS OF OTHER STATES TO CLARIFY WHAT CONSTITUTES “INCIDENTAL AND SUPPLEMENTAL” WORK IN THE CONTEXT OF CONTRACTOR LICENSING.”

Offered by: Senators Kidani, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Takamine.

S.R. No. 50 “SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT INTERIM AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE.”

Offered by: Senators Kidani, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Hooser, Ige, Ihara, Kim, Kokubun, Nishihara, Slom, Takamine.

S.R. No. 51 “SENATE RESOLUTION REQUESTING THAT FUNDS BE MADE AVAILABLE AND RELEASED TO ENABLE THE HAWAII PUBLIC HOUSING AUTHORITY TO IMPLEMENT A TENANT MONITOR PROGRAM.”

Offered by: Senators Kidani, Chun Oakland, Bunda, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Hooser, Ige, Ihara, Kokubun, Nishihara, Sakamoto, Slom, Takamine.

S.R. No. 52 “SENATE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO STUDY THE FEASIBILITY OF ESTABLISHING A “TOUR DE HAWAII” BIKE RACE.”

Offered by: Senators Kidani, Espero, Chun Oakland, English, Fukunaga, Gabbard, Galuteria, Hooser, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Slom, Takamine, Tsutsui.

#### STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2338) recommending that S.B. No. 2527, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2527, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2339) recommending that S.B. No. 2738, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2738, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Kim and Taniguchi, for the majority of the Committee on Ways and Means and the majority of the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2340) recommending that S.B. No. 2395, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2395, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2341) recommending that S.B. No. 2695, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2695, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2342) recommending that S.B. No. 2001, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2001, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2343) recommending that S.B. No. 2749, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2749, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX CREDITS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2344) recommending that S.B. No. 2402, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2345) recommending that S.B. No. 2007, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2007, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGETARY POWERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2346) recommending that S.B. No. 2173, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2347) recommending that S.B. No. 2401, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2348) recommending that S.B. No. 2400, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2349) recommending that S.B. No. 2268, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2350) recommending that S.B. No. 2825, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B.

No. 2825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2351) recommending that S.B. No. 2866, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and Hee, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2352) recommending that S.B. No. 2520, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Hee and Ige, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2353) recommending that S.B. No. 2771, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2771, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2354) recommending that S.B. No. 2325, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2355) recommending that S.B. No. 2399, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2356) recommending that S.B. No. 2700, as amended in

S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DENTAL LICENSURE EXAMINATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2357) recommending that S.B. No. 2701, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2701, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2358) recommending that S.B. No. 2788, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2359) recommending that S.B. No. 2921, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Fukunaga and Hee, for the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2360) recommending that S.B. No. 2646, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Fukunaga and Hee, for the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2361) recommending that S.B. No. 2487, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed

Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Fukunaga and Hee, for the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2362) recommending that S.B. No. 2019, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2019, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and English, for the Committee on Energy and Environment and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2363) recommending that S.B. No. 2358, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and Hee, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2364) recommending that S.B. No. 2957, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2365) recommending that S.B. No. 2108, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2366) recommending that S.B. No. 2120, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2367) recommending that S.B. No. 2346, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2368) recommending that S.B. No. 2473, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2369) recommending that S.B. No. 2803, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2370) recommending that S.B. No. 2564, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2371) recommending that S.B. No. 2183, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2183, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2372) recommending that S.B. No. 2151, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed

Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Espero and English, for the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2373) recommending that S.B. No. 2936, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2936, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2374) recommending that S.B. No. 2547, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2375) recommending that S.B. No. 2740 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2740, entitled: "A BILL FOR AN ACT RELATING TO SAINT DAMIEN DE VEUSTER DAY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2376) recommending that S.B. No. 2149 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2149, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2377) recommending that S.B. No. 2150 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2150, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2378) recommending that S.B. No. 2394 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2394, entitled: "A BILL FOR AN ACT

RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2379) recommending that S.B. No. 2050 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2050, entitled: “A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION IN WORKERS’ COMPENSATION LAW,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2380) recommending that S.B. No. 2323 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2323, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators English and Gabbard, for the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2381) recommending that S.B. No. 2758 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2758, entitled: “A BILL FOR AN ACT RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Takamine and Ige, for the Committee on Labor and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2382) recommending that S.B. No. 2566 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2566, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2383) recommending that S.B. No. 2532 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2532, entitled: “A BILL FOR AN ACT RELATING TO SUSTAINABILITY,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2384) recommending that S.B. No. 2409 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2409, entitled: “A BILL FOR AN ACT RELATING TO

MARINE LIFE CONSERVATION DISTRICTS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Baker and Takamine, for the Committee on Commerce and Consumer Protection and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2385) recommending that S.B. No. 2597 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2597, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS’ MUTUAL INSURANCE COMPANY,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2386) recommending that S.B. No. 2779 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2779, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL PROCEDURES,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2387) recommending that S.B. No. 2222, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2222, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Ige and Espero, for the Committee on Health and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2388) recommending that S.B. No. 2141, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2141, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2389) recommending that S.B. No. 2697, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2697, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2390) recommending that S.B. No. 2601, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2391) recommending that S.B. No. 2501, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2501, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2392) recommending that S.B. No. 2220, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2393) recommending that S.B. No. 1062, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2394) recommending that S.B. No. 2898, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Sakamoto, Tokuda, and Takamine, for the Committee on Education and Housing and the Committee on Higher Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2395) recommending that S.B. No. 2122, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2396) recommending that S.B. No. 2174 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2396 and S.B. No. 2174, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2397) recommending that S.B. No. 2188 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2397 and S.B. No. 2188, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2398) recommending that S.B. No. 2343, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2398 and S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE FOR MAMMOGRAMS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2399) recommending that S.B. No. 2020 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2399 and S.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2400) recommending that S.B. No. 2715 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2400 and S.B. No. 2715, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2401) recommending that S.B. No. 2643, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2401 and S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2402) recommending that S.B. No. 2389 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2402 and S.B. No. 2389, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2403) recommending that S.B. No. 2386 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2403 and S.B. No. 2386, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2404) recommending that S.B. No. 2440 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2404 and S.B. No. 2440, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2405) recommending that S.B. No. 2610 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2405 and S.B. No. 2610, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2406) recommending that S.B. No. 2159 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2406 and S.B. No. 2159, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2407) recommending that S.B. No. 2549, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2407 and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2408) recommending that S.B. No. 2107, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2408 and S.B. No. 2107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2409) recommending that S.B. No. 2117, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2409 and S.B. No. 2117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2410) recommending that S.B. No. 2157, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2410 and S.B. No. 2157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2411) recommending that S.B. No. 2594, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2411 and S.B. No. 2594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2412) recommending that S.B. No. 2102, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2412 and S.B. No. 2102, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2413) recommending that S.B. No. 2163, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2413 and S.B. No. 2163, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2414) recommending that S.B. No. 2390, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2414 and S.B. No. 2390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2415) recommending that S.B. No. 2698, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2415 and S.B. No. 2698, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2416) recommending that S.B. No. 2811, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2416 and S.B. No. 2811, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2417) recommending that S.B. No. 2494, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2417 and S.B. No. 2494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2418) recommending that S.B. No. 2491, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2418 and S.B. No. 2491, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2419) recommending that S.B. No. 2271, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2419 and S.B. No. 2271, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE PREMIUMS," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2420) recommending that S.B. No. 2598, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2420 and S.B. No. 2598, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2421) recommending that S.B. No. 2455, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2421 and S.B. No. 2455, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2422) recommending that S.B. No. 2607, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2422 and S.B. No. 2607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," was deferred until Tuesday, March 2, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2423) recommending that S.B. No. 2408, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2423 and S.B. No. 2408, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," was deferred until Tuesday, March 2, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2424) recommending that S.B. No. 2175, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2424 and S.B. No. 2175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2425) recommending that S.B. No. 2110, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2425 and S.B. No. 2110, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2426) recommending that S.B. No. 2111, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2426 and S.B. No. 2111, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2427) recommending that S.B. No. 2599, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2427 and S.B. No. 2599, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2428) recommending that S.B. No. 2081, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2428 and S.B. No. 2081, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2429) recommending that S.B. No. 2954, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2429 and S.B. No. 2954, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2430) recommending that S.B. No. 2702, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2430 and S.B. No. 2702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2431) recommending that S.B. No. 2502, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2431 and S.B. No. 2502, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2432) recommending that S.B. No. 2139, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2432 and S.B. No. 2139, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2433) recommending that S.B. No. 2493, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2433 and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2434) recommending that S.B. No. 2600, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2434 and S.B. No. 2600, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2435) recommending that S.B. No. 2026, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2435 and S.B. No. 2026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2436) recommending that S.B. No. 2885, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2436 and S.B. No. 2885, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2437) recommending that S.B. No. 2563, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2437 and S.B. No. 2563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2438) recommending that S.B. No. 2661, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2438 and S.B. No. 2661, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2439) recommending that S.B. No. 2611, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2439 and S.B. No. 2611, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2440) recommending that S.B. No. 2729, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2440 and S.B. No. 2729, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2441) recommending that S.B. No. 2810, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2441 and S.B. No. 2810, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2442) recommending that S.B. No. 2919, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2442 and S.B. No. 2919, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII STATE HOSPITAL," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2443) recommending that S.B. No. 2685, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2443 and S.B. No. 2685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2444) recommending that S.B. No. 2155, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2444 and S.B. No. 2155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY FEES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2445) recommending that S.B. No. 2454, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2445 and S.B. No. 2454, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2446) recommending that S.B. No. 2659, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2446 and S.B. No. 2659, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2447) recommending that S.B. No. 2786, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2447 and S.B. No. 2786, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2448) recommending that S.B. No. 1309, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2448 and S.B. No. 1309, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2449) recommending that S.B. No. 2277, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2449 and S.B. No. 2277, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2450) recommending that S.B. No. 2393, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2450 and S.B. No. 2393, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2451) recommending that S.B. No. 2884, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2451 and S.B. No. 2884, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2452) recommending that S.B. No. 2691, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2452 and S.B. No. 2691, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2453) recommending that S.B. No. 2205, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2453 and S.B. No. 2205, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2454) recommending that S.B. No. 2529, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2454 and S.B. No. 2529, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2455) recommending that S.B. No. 2267, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2455 and S.B. No. 2267, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2456) recommending that S.B. No. 2103, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2456 and S.B. No. 2103, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2457) recommending that S.B. No. 2274, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2457 and S.B. No. 2274, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE

REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2458) recommending that S.B. No. 2828, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2458 and S.B. No. 2828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2459) recommending that S.B. No. 2578, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2459 and S.B. No. 2578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2460) recommending that S.B. No. 2649, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2460 and S.B. No. 2649, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2461) recommending that S.B. No. 2500, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2461 and S.B. No. 2500, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2462) recommending that S.B. No. 2903, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2462 and S.B. No. 2903, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2463) recommending that S.B. No. 2385, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2463 and S.B. No. 2385, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2464) recommending that S.B. No. 2757, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2464 and S.B. No. 2757, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2465) recommending that S.B. No. 2236, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2465 and S.B. No. 2236, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2466) recommending that S.B. No. 2523, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2466 and S.B. No. 2523, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2467) recommending that S.B. No. 2531, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2467 and S.B. No. 2531, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2468) recommending that S.B. No. 2863, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2468 and S.B. No. 2863, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2469) recommending that S.B. No. 2780, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2469 and S.B. No. 2780, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2470) recommending that S.B. No. 2676, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2470 and S.B. No. 2676, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2471) recommending that S.B. No. 2391, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2471 and S.B. No. 2391, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE FINANCES,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2472) recommending that S.B. No. 2387, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2472 and S.B. No. 2387, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2473) recommending that S.B. No. 2840, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2473 and S.B. No. 2840, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2474) recommending that S.B. No. 2604, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2474 and S.B. No. 2604, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2475) recommending that S.B. No. 2819, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2475 and S.B. No. 2819, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONS,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2476) recommending that S.B. No. 2842, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2476 and S.B. No. 2842, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2477) recommending that S.B. No. 2809, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2477 and S.B. No. 2809, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO UTILITIES REGULATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2478) recommending that S.B. No. 2490, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2478 and S.B. No. 2490, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2479) recommending that S.B. No. 2533, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2479 and S.B. No. 2533, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2480) recommending that S.B. No. 2213, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2480 and S.B. No. 2213, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2481) recommending that S.B. No. 2544, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2481 and S.B. No. 2544, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2482) recommending that S.B. No. 2461, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2482 and S.B. No. 2461, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2483) recommending that S.B. No. 2231, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2483 and S.B. No. 2231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2484) recommending that S.B. No. 2270, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2484 and S.B. No. 2270, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID REIMBURSEMENTS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2485) recommending that S.B. No. 2124, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2485 and S.B. No. 2124, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2486) recommending that S.B. No. 2756, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2486 and S.B. No. 2756, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2487) recommending that S.B. No. 2837, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2488) recommending that S.B. No. 2254, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2489) recommending that S.B. No. 2164, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2490) recommending that S.B. No. 2165, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Baker and Taniguchi, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2491) recommending that S.B. No. 707, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2492) recommending that S.B. No. 2790, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2790, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2493) recommending that S.B. No. 2927, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.B. No. 2927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2494) recommending that S.B. No. 2551, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NET ZERO ENERGY BUILDING PERMITTING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Gabbard and Hee, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2495) recommending that S.B. No. 2526, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2526, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Chun Oakland and Takamine, for the Committee on Human Services and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2496) recommending that S.B. No. 2341, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2497) recommending that S.B. No. 2339, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators English and Chun Oakland, for the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2498) recommending that S.B. No. 2287 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2287, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep.

No. 2499) recommending that S.B. No. 2340, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2340, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY REGIONAL COUNCIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2500) recommending that S.B. No. 2747, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2747, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2501) recommending that S.B. No. 2565, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2565, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2502) recommending that S.B. No. 2831, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2503) recommending that S.B. No. 2249, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2504) recommending that S.B. No. 2877, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2505) recommending that S.B. No. 2878, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2878, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2506) recommending that S.B. No. 2879, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2507) recommending that S.B. No. 2937, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2937, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2508) recommending that S.B. No. 2252, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2252, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2509) recommending that S.B. No. 2617, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2510) recommending that S.B. No. 2251, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2251, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2511) recommending that S.B. No. 2800, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2512) recommending that S.B. No. 2045, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2513) recommending that S.B. No. 2450, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARIJUANA," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2514) recommending that S.B. No. 2154, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

Senators Hee, Fukunaga, and Kim, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the majority of the Committee on Economic Development and Technology and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 2515) recommending that S.B. No. 2460, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA REHABILITATION TRUST FUND," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2834, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

At this time the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

**REFERRAL OF HOUSE BILLS**

The President made the following committee assignments of House bills received on Thursday, February 18, 2010; and Friday, February 26, 2010:

- |                       |   |
|-----------------------|---|
| H.B. No.:             | Referred to:  |
| H.B. No. 1901, H.D. 2 | Committee on Judiciary and Government Operations, then to the Committee on Ways and Means |
| H.B. No. 2136         | Committee on Commerce and Consumer Protection   |
| H.B. No. 2286         | Committee on Commerce and Consumer Protection   |
| H.B. No. 2546         | Committee on Commerce and Consumer Protection   |

**REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions received on Friday, February 26, 2010:

- |               |   |
|---------------|---|
| H.C.R. No.:   | Referred to:  |
| H.C.R. No. 18 | Jointly to the Committee on Higher Education and the Committee on Health  |
| H.C.R. No. 67 | Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs |

**MISCELLANEOUS BUSINESS**

**WAIVER OF REFERRAL**

Senator Sakamoto, Chair of the Committee on Education and Housing, requested that the referral of S.B. No. 2083, S.D. 1 to the Committee on Education and Housing and the Committee on Human Services be waived.

Senator Sakamoto noted:

"Madam President, your Committee previously filed Standing Committee Report No. 2221 on February 12, 2010, recommending that S.B. No. 2083, S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs. On February 18, S.B. No. 2083, S.D. 1, was re-referred to your Committees on Education and Housing and Human Services to remove the subsequent referral to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and bring the measure to the floor. All the committees to which the bill was originally referred to agreed to this re-referral in order to position the bill to meet the First Crossover deadline."

The Chair granted the waiver.

On motion by Senator Sakamoto, seconded by Senator Chun Oakland and carried, S.B. No. 2083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Third Reading on Tuesday, March 2, 2010.

At this time the Chair made the following announcements:

"The deadline for filing standing committee reports on Senate bills for Third Reading is 9:00 p.m. this evening.

"For the members' information, a revised list of Senate Leadership and Standing Committee assignments has been distributed to all offices and posted on the Legislature's website. The Clerk is directed to place the same in the Journal."

The following revised Senate leadership assignments were announced by Senate President Hanabusa:

- Majority Leader:  
Senator Gary L. Hooser
- Majority Floor Leader:  
Senator Norman Sakamoto
- Majority Caucus Leader:  
Senator Shan S. Tsutsui
- Majority Technology Leader:  
Senator David Y. Ige
- Majority Policy Leader:  
Senator Les Ihara, Jr.
- Majority Whips:  
Senator Suzanne Chun Oakland  
Senator Jill N. Tokuda

President Emeritus:  
Senator Robert Bunda

Minority Leader:  
Senator Fred Hemmings

Minority Floor Leader:  
Senator Sam Slom

COMMERCE AND CONSUMER PROTECTION

- Senator Rosalyn H. Baker, Chair
- Senator David Y. Ige, Vice Chair
- Senator Will Espero
- Senator Josh Green, M.D.
- Senator Les Ihara, Jr.
- Senator Norman Sakamoto
- Senator Fred Hemmings

ECONOMIC DEVELOPMENT AND TECHNOLOGY

- Senator Carol Fukunaga, Chair
- Senator Rosalyn H. Baker, Vice Chair
- Senator Clayton Hee
- Senator David Y. Ige
- Senator Sam Slom

EDUCATION AND HOUSING

- Senator Norman Sakamoto, Chair
- Senator Michelle N. Kidani, Vice Chair
- Senator Suzanne Chun Oakland
- Senator Brickwood Galuteria
- Senator Shan S. Tsutsui
- Senator Fred Hemmings

ENERGY AND ENVIRONMENT

- Senator Mike Gabbard, Chair
- Senator J. Kalani English, Vice Chair
- Senator Josh Green, M.D.

Senator Gary L. Hooser  
 Senator Les Ihara, Jr.  
 Senator Russell S. Kokubun  
 Senator Fred Hemmings

#### HEALTH

Senator David Y. Ige, Chair  
 Senator Josh Green, M.D., Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Will Espero  
 Senator Clarence K. Nishihara  
 Senator Fred Hemmings

#### HIGHER EDUCATION

Senator Jill N. Tokuda, Chair  
 Senator Norman Sakamoto, Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Russell S. Kokubun  
 Senator Dwight Y. Takamine  
 Senator Brian T. Taniguchi  
 Senator Sam Slom

#### HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
 Senator Les Ihara, Jr., Vice Chair  
 Senator Josh Green, M.D.  
 Senator Fred Hemmings

#### JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair  
 Senator Dwight Y. Takamine, Vice Chair  
 Senator Robert Bunda  
 Senator Mike Gabbard  
 Senator Clarence K. Nishihara  
 Senator Sam Slom

#### LABOR

Senator Dwight Y. Takamine, Chair  
 Senator Brian T. Taniguchi, Vice Chair  
 Senator Robert Bunda  
 Senator Clayton Hee  
 Senator Sam Slom

#### PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Will Espero, Chair  
 Senator Robert Bunda, Vice Chair  
 Senator J. Kalani English  
 Senator Mike Gabbard  
 Senator Brickwood Galuteria  
 Senator Michelle N. Kidani  
 Senator Fred Hemmings

#### TOURISM

Senator Clarence K. Nishihara, Chair  
 Senator Brickwood Galuteria, Vice Chair  
 Senator Michelle N. Kidani  
 Senator Shan S. Tsutsui  
 Senator Sam Slom

#### TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS

Senator J. Kalani English, Chair  
 Senator Mike Gabbard, Vice Chair  
 Senator Will Espero  
 Senator Clarence K. Nishihara  
 Senator Sam Slom

#### WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Senator Clayton Hee, Chair  
 Senator Jill N. Tokuda, Vice Chair  
 Senator Robert Bunda  
 Senator Carol Fukunaga  
 Senator Russell S. Kokubun  
 Senator Dwight Y. Takamine  
 Senator Fred Hemmings

#### WAYS AND MEANS

Senator Donna Mercado Kim, Chair  
 Senator Shan S. Tsutsui, Vice Chair  
 Senator Suzanne Chun Oakland  
 Senator J. Kalani English  
 Senator Carol Fukunaga  
 Senator Brickwood Galuteria  
 Senator Clayton Hee  
 Senator Gary L. Hooser  
 Senator Michelle N. Kidani  
 Senator Russell S. Kokubun  
 Senator Jill N. Tokuda  
 Senator Fred Hemmings

#### **STANDING COMMITTEE REPORTS**

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive standing committee reports recommending that Senate bills be placed on the calendar for Third Reading. In consequence thereof and subsequent to its recessing at 12:10 p.m., the Senate took the following actions on the following Senate bills and standing committee reports:

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2516) recommending that S.B. No. 2770, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2516 and S.B. No. 2770, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2517) recommending that S.B. No. 2817, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2517 and S.B. No. 2817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2518) recommending that S.B. No. 2858, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2518 and S.B. No. 2858, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RETAIL WHEELING," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2519) recommending that S.B. No. 2844, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2519 and S.B. No. 2844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2520) recommending that S.B. No. 2371, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2520 and S.B. No. 2371, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2521) recommending that S.B. No. 2331, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2521 and S.B. No. 2331, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2522) recommending that S.B. No. 2054, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2522 and S.B. No. 2054, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2523) recommending that S.B. No. 2105, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2523 and S.B. No. 2105, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2524) recommending that S.B. No. 2324, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2524 and S.B. No. 2324, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2525) recommending that S.B. No. 2466, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2525 and S.B. No. 2466, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN FARMERS' MARKET NUTRITION PROGRAM," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2526) recommending that S.B. No. 2335, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2526 and S.B. No. 2335, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AND OVERSEAS CIVILIAN ABSENTEE VOTERS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2527) recommending that S.B. No. 2603, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2527 and S.B. No. 2603, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2528) recommending that S.B. No. 2926, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2528 and S.B. No. 2926, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2529) recommending that S.B. No. 2420, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2529 and S.B. No. 2420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2530) recommending that S.B. No. 2625, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2530 and S.B. No. 2625, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2531) recommending that S.B. No. 2874, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2531 and S.B. No. 2874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2532) recommending that S.B. No. 2153, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2532 and S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2533) recommending that S.B. No. 2709, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2533 and S.B. No. 2709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2534) recommending that S.B. No. 2669, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2534 and S.B. No. 2669, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep.

No. 2535) recommending that S.B. No. 2772, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2535 and S.B. No. 2772, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2536) recommending that S.B. No. 2910 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2536 and S.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2537) recommending that S.B. No. 2799, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2537 and S.B. No. 2799, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2538) recommending that S.B. No. 2350, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2538 and S.B. No. 2350, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2539) recommending that S.B. No. 2570, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2539 and S.B. No. 2570, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2540) recommending that S.B. No. 2121 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2540 and S.B. No. 2121, entitled: "A BILL FOR AN ACT RELATING TO THE EARLY LEARNING COUNCIL," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2541) recommending that S.B. No. 2873, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2541 and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2542) recommending that S.B. No. 2116, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2542 and S.B. No. 2116, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2543) recommending that S.B. No. 2775, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2543 and S.B. No. 2775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2544) recommending that S.B. No. 2356, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2544 and S.B. No. 2356, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEAF BLOWERS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2545) recommending that S.B. No. 2559, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2545 and S.B. No. 2559, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2546) recommending that S.B. No. 2423, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2546 and S.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2547) recommending that S.B. No. 2226, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2547 and S.B. No. 2226, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENIOR CITIZENS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2548) recommending that S.B. No. 2662, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2548 and S.B. No. 2662, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2549) recommending that S.B. No. 2368 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2549 and S.B. No. 2368, entitled: "A BILL FOR AN ACT

RELATING TO CHILD VISITATION,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2550) recommending that S.B. No. 2474, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2550 and S.B. No. 2474, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2551) recommending that S.B. No. 2162, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2551 and S.B. No. 2162, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2552) recommending that S.B. No. 2276, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2552 and S.B. No. 2276, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2553) recommending that S.B. No. 2099, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2553 and S.B. No. 2099, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2554) recommending that S.B. No. 2726, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2554 and S.B. No. 2726, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2555) recommending that S.B. No. 2728, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2555 and S.B. No. 2728, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRAUMA,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2556) recommending that S.B. No. 2383 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2556 and S.B. No. 2383, entitled: “A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report

(Stand. Com. Rep. No. 2557) recommending that S.B. No. 2883, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2557 and S.B. No. 2883, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2558) recommending that S.B. No. 2843, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2558 and S.B. No. 2843, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FLAGS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2559) recommending that S.B. No. 2137, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2559 and S.B. No. 2137, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH CLUBS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2560) recommending that S.B. No. 2025, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2560 and S.B. No. 2025, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PAROLE,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2561) recommending that S.B. No. 2768, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2561 and S.B. No. 2768, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PAROLE,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2562) recommending that S.B. No. 950, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2562 and S.B. No. 950, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2563) recommending that S.B. No. 2755, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2563 and S.B. No. 2755, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2564) recommending that S.B. No. 2614 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2564 and S.B. No. 2614, entitled: “A BILL FOR AN ACT

RELATING TO EXCESSIVE SPEEDING,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2565) recommending that S.B. No. 2187, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2565 and S.B. No. 2187, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2566) recommending that S.B. No. 2169, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2566 and S.B. No. 2169, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SHARK FINS,” was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2567) recommending that S.B. No. 2807, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2567 and S.B. No. 2807, S.D. 2, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2568) recommending that S.B. No. 2593, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2568 and S.B. No. 2593, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2569) recommending that S.B. No. 2256, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2569 and S.B. No. 2256, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2570) recommending that S.B. No. 2434, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2570 and S.B. No. 2434, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2571) recommending that S.B. No. 2960 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2571 and S.B. No. 2960, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2572) recommending that S.B. No. 2889 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2572 and S.B. No. 2889, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2573) recommending that S.B. No. 2567, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2573 and S.B. No. 2567, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2574) recommending that S.B. No. 2595, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2574 and S.B. No. 2595, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2575) recommending that S.B. No. 2145, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2575 and S.B. No. 2145, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD,” was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2576) recommending that S.B. No. 2357, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2576 and S.B. No. 2357, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2577) recommending that S.B. No. 2488, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2577 and S.B. No. 2488, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2578) recommending that S.B. No. 2548, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2578 and S.B. No. 2548, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2579) recommending that S.B. No. 2451, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2579 and S.B. No. 2451, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2580) recommending

that S.B. No. 2257, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2580 and S.B. No. 2257, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2581) recommending that S.B. No. 2650, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2581 and S.B. No. 2650, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2582) recommending that S.B. No. 2452, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2582 and S.B. No. 2452, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2583) recommending that S.B. No. 2942, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2583 and S.B. No. 2942, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2584) recommending that S.B. No. 2470, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2584 and S.B. No. 2470, S.D. 2, entitled: "A BILL FOR AN ACT RELATION TO EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2585) recommending that S.B. No. 2591, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2585 and S.B. No. 2591, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2586) recommending that S.B. No. 2469, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2586 and S.B. No. 2469, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2587) recommending that S.B. No. 2575, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2587 and S.B. No. 2575, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2588) recommending that S.B. No. 2172, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2588 and S.B. No. 2172, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2589) recommending that S.B. No. 2849, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2589 and S.B. No. 2849, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2590) recommending that S.B. No. 2576, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2590 and S.B. No. 2576, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2591) recommending that S.B. No. 2030, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2591 and S.B. No. 2030, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2592) recommending that S.B. No. 2405, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2592 and S.B. No. 2405, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2593) recommending that S.B. No. 2887, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2593 and S.B. No. 2887, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2594) recommending that S.B. No. 2109, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2594 and S.B. No. 2109, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2595) recommending that S.B. No. 2336, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2595 and S.B. No. 2336, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2596) recommending that S.B. No. 2431, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2596 and S.B. No. 2431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2597) recommending that S.B. No. 2372, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2597 and S.B. No. 2372, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUNRISE REVIEWS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2598) recommending that S.B. No. 2156, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2598 and S.B. No. 2156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2599) recommending that S.B. No. 2797, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2599 and S.B. No. 2797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2600) recommending that S.B. No. 2592, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2600 and S.B. No. 2592, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2601) recommending that S.B. No. 2543, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2601 and S.B. No. 2543, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2602) recommending that S.B. No. 2349, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2602 and S.B. No. 2349, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2603) recommending that S.B. No. 2100, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2603 and S.B. No. 2100, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2604) recommending that S.B. No. 2182, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2604 and S.B. No. 2182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2605) recommending that S.B. No. 2378, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2605 and S.B. No. 2378, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2606) recommending that S.B. No. 2710, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2606 and S.B. No. 2710, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARD MEETINGS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2607) recommending that S.B. No. 2291, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2607 and S.B. No. 2291, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2608) recommending that S.B. No. 2441, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2608 and S.B. No. 2441, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2609) recommending that S.B. No. 2472, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2609 and S.B. No. 2472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2610) recommending that S.B. No. 2745, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2610 and S.B. No. 2745, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2611) recommending that S.B. No. 2278, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2611 and S.B. No. 2278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2612) recommending that S.B. No. 2911, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2612 and S.B. No. 2911, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2613) recommending that S.B. No. 2716, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2613 and S.B. No. 2716, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2614) recommending that S.B. No. 2028, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2614 and S.B. No. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2615) recommending that S.B. No. 2373, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2615 and S.B. No. 2373, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2616) recommending that S.B. No. 2626, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2616 and S.B. No. 2626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2617) recommending that S.B. No. 2115, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2617 and S.B. No. 2115, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2618) recommending that S.B. No. 2752, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2618 and S.B. No. 2752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2619) recommending that S.B. No. 2589, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2619 and S.B. No. 2589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2620) recommending that S.B. No. 2951, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2620 and S.B. No. 2951, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2621) recommending that S.B. No. 2818, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2621 and S.B. No. 2818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2622) recommending that S.B. No. 2806, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2622 and S.B. No. 2806, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2623) recommending that S.B. No. 2290, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2623 and S.B. No. 2290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2624) recommending that S.B. No. 2144, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2624 and S.B. No. 2144, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2625) recommending

that S.B. No. 2068, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2625 and S.B. No. 2068, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2626) recommending that S.B. No. 2052, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2626 and S.B. No. 2052, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, March 2, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2627) recommending that S.B. No. 2143, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2627 and S.B. No. 2143, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2628) recommending that S.B. No. 2369, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2628 and S.B. No. 2369, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred until Tuesday, March 2, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2629) recommending that S.B. No. 2571, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2629 and S.B. No. 2571, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2630) recommending that S.B. No. 2545, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2630 and S.B. No. 2545, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, March 2, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2631) recommending that S.B. No. 2859, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2631 and S.B. No. 2859, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," was deferred until Tuesday, March 2, 2010.

#### ADJOURNMENT

At 9:00 p.m., the Senate adjourned until 9:00 a.m., Tuesday, March 2, 2010.

## TWENTY-SECOND DAY

Tuesday, March 2, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:11 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Norma De Saegher, Waipahu United Church of Christ, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twenty-First Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 332 and 333) were read by the Clerk and were placed on file:

Gov. Msg. No. 332, informing the Senate that on February 26, 2010, the Governor signed into law House Bill No. 2162, H.D. 1, S.D. 1 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Gov. Msg. No. 333, dated February 26, 2010, transmitting the Aloha Tower Development Corporation's 2009 Annual Report.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 38 to 52) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 38, returning S.B. No. 520, S.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

Hse. Com. No. 39, transmitting H.B. No. 1847, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1847, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed First Reading by title and was deferred.

Hse. Com. No. 40, transmitting H.B. No. 1944, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1944, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," passed First Reading by title and was deferred.

Hse. Com. No. 41, transmitting H.B. No. 2016, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2016, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was deferred.

Hse. Com. No. 42, transmitting H.B. No. 2056, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2056, H.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO PHARMACIST LICENSURE," passed First Reading by title and was deferred.

Hse. Com. No. 43, transmitting H.B. No. 2083, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2083, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK LABELING," passed First Reading by title and was deferred.

Hse. Com. No. 44, transmitting H.B. No. 2132, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed First Reading by title and was deferred.

Hse. Com. No. 45, transmitting H.B. No. 2238, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2238, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS," passed First Reading by title and was deferred.

Hse. Com. No. 46, transmitting H.B. No. 2263, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2263, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 47, transmitting H.B. No. 2298, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2298, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading by title and was deferred.

Hse. Com. No. 48, transmitting H.B. No. 2304, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2304, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE," passed First Reading by title and was deferred.

Hse. Com. No. 49, transmitting H.B. No. 2371, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2371, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was deferred.

Hse. Com. No. 50, transmitting H.B. No. 2450, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2450, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 51, transmitting H.B. No. 2568, which passed Third Reading in the House of Representatives on February 26, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2568, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 52, transmitting H.C.R. No. 70, which was adopted by the House of Representatives on February 26, 2010, was placed on file.

By unanimous consent, H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THOSE WHO PROVIDE SUPPORT TO THE FAMILIES OF DEPLOYED MEMBERS OF THE ARMED FORCES," was deferred.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2632) recommending that S.B. No. 2534, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2632 and S.B. No. 2534, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred until Thursday, March 4, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2633) recommending that S.B. No. 2897, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2633 and S.B. No. 2897, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Thursday, March 4, 2010.

Senators Takamine and Kim, for the Committee on Labor and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 2634) recommending that H.B. No. 2169, H.D. 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2169, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2635) recommending that H.B. No. 2077, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2077, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2010.

#### ORDER OF THE DAY

##### THIRD READING

S.B. No. 2001, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2001, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2749, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2749, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2402, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2173, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2401, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2400, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2268, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2825, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2520, S.D. 1:

On motion by Senator Gabbard, seconded by Senator Hee and carried, S.B. No. 2520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2325, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2701, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2701, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2788, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2921, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2646, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Hee and carried, S.B. No. 2646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2487, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Hee and carried, S.B. No. 2487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2019, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Hee and carried, S.B. No. 2019, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2108, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, S.B. No. 2108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2346, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, S.B. No. 2346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER

STANDARDS BOARD," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2473, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Sakamoto and carried, S.B. No. 2473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2803, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Sakamoto and carried, S.B. No. 2803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2564, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2151, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2547, S.D. 1:

On motion by Senator Hee, seconded by Senator Tokuda and carried, S.B. No. 2547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2740:

On motion by Senator Fukunaga, seconded by Senator Baker and carried, S.B. No. 2740, entitled: "A BILL FOR AN ACT RELATING TO SAINT DAMIEN DE VEUSTER DAY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2149:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2149, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2150:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2150, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2050:

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, S.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION IN WORKERS' COMPENSATION LAW," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2323:

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, S.B. No. 2323, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2758:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2758, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2597:

On motion by Senator Baker, seconded by Senator Takamine and carried, S.B. No. 2597, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2222, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2697, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2601, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2501, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2501, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2898, S.D. 1:

On motion by Senator Ige, seconded by Senator Baker and carried, S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2122, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, S.B. No. 2122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2397 (S.B. No. 2188):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2397 was adopted and S.B. No. 2188, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2398 (S.B. No. 2343, S.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2398 was adopted and S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE FOR MAMMOGRAMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2400 (S.B. No. 2715):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2400 was adopted and S.B. No. 2715, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2401 (S.B. No. 2643, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2401 was adopted and S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2402 (S.B. No. 2389):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2402 was adopted and S.B. No. 2389, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2404 (S.B. No. 2440):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2404 was adopted and S.B. No. 2440, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2409 (S.B. No. 2117, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2409 was adopted and S.B. No. 2117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2412 (S.B. No. 2102, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2412 was adopted and S.B. No. 2102, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2413 (S.B. No. 2163, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2413 was adopted and S.B. No. 2163, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2414 (S.B. No. 2390, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2414 was adopted and S.B. No. 2390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2415 (S.B. No. 2698, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2415 was adopted and S.B. No. 2698, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2416 (S.B. No. 2811, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2416 was adopted and S.B. No. 2811, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2420 (S.B. No. 2598, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2420 was adopted and S.B. No. 2598, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2421 (S.B. No. 2455, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2421 was adopted and S.B. No. 2455, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2422 (S.B. No. 2607, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2422 was adopted and S.B. No. 2607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2423 (S.B. No. 2408, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2423 was adopted and S.B. No. 2408, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2425 (S.B. No. 2110, S.D. 2):

On motion by Senator Hee, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2425 was adopted and S.B. No. 2110, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2426 (S.B. No. 2111, S.D. 2):

On motion by Senator Hee, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2426 was adopted and S.B. No. 2111, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2429 (S.B. No. 2954, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2429 was adopted and S.B. No. 2954, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2430 (S.B. No. 2702, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2430 was adopted and S.B. No. 2702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2432 (S.B. No. 2139, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2432 was adopted and S.B. No. 2139, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2436 (S.B. No. 2885, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2436 was adopted and S.B. No. 2885, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH SAVINGS ACCOUNTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2439 (S.B. No. 2611, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2439 was adopted and S.B. No. 2611, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2440 (S.B. No. 2729, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2440 was adopted and S.B. No. 2729, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2443 (S.B. No. 2685, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2443 was adopted and S.B. No. 2685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2444 (S.B. No. 2155, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2444 was adopted and S.B. No. 2155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY FEES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2449 (S.B. No. 2277, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2449 was adopted and S.B. No. 2277, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2452 (S.B. No. 2691, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2452 was adopted and S.B. No. 2691, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2453 (S.B. No. 2205, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2453 was adopted and S.B. No. 2205, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2457 (S.B. No. 2274, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2457 was adopted and S.B. No. 2274, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2458 (S.B. No. 2828, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2458 was adopted and S.B. No. 2828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2460 (S.B. No. 2649, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2460 was adopted and S.B. No. 2649, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2462 (S.B. No. 2903, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2462 was adopted and S.B. No. 2903, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2463 (S.B. No. 2385, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2463 was adopted and S.B. No. 2385, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2464 (S.B. No. 2757, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2464 was adopted and S.B. No. 2757, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2466 (S.B. No. 2523, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2466 was adopted and S.B. No. 2523, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2467 (S.B. No. 2531, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2467 was adopted and S.B.

No. 2531, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2468 (S.B. No. 2863, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2468 was adopted and S.B. No. 2863, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2470 (S.B. No. 2676, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2470 was adopted and S.B. No. 2676, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2476 (S.B. No. 2842, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2476 was adopted and S.B. No. 2842, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2486 (S.B. No. 2756, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2486 was adopted and S.B. No. 2756, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2837, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2254, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2164, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2165, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2526, S.D. 1:

On motion by Senator Gabbard, seconded by Senator Hee and carried, S.B. No. 2526, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2340, S.D. 1:

On motion by Senator Hee, seconded by Senator Tokuda and carried, S.B. No. 2340, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY REGIONAL COUNCIL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2565, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2565, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2831, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2879, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2154, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2520 (S.B. No. 2371, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2520 was adopted and S.B. No. 2371, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2522 (S.B. No. 2054, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2522 was adopted and S.B. No. 2054, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2526 (S.B. No. 2335, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2526 was adopted and S.B. No. 2335, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AND OVERSEAS CIVILIAN ABSENTEE VOTERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2527 (S.B. No. 2603, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2527 was adopted and S.B. No. 2603, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2532 (S.B. No. 2153, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2532 was adopted and S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2534 (S.B. No. 2669, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2534 was adopted and S.B. No. 2669, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2535 (S.B. No. 2772, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2535 was adopted and S.B. No. 2772, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2536 (S.B. No. 2910):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2536 was adopted and S.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2537 (S.B. No. 2799, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2537 was adopted and S.B. No. 2799, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER

ON DEATH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2540 (S.B. No. 2121):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2540 was adopted and S.B. No. 2121, entitled: "A BILL FOR AN ACT RELATING TO THE EARLY LEARNING COUNCIL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2542 (S.B. No. 2116, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2542 was adopted and S.B. No. 2116, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2543 (S.B. No. 2775, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2543 was adopted and S.B. No. 2775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2547 (S.B. No. 2226, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2547 was adopted and S.B. No. 2226, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENIOR CITIZENS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2548 (S.B. No. 2662, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2548 was adopted and S.B. No. 2662, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2549 (S.B. No. 2368):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2549 was adopted and S.B. No. 2368, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2550 (S.B. No. 2474, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2550 was adopted and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS

INVOLVING MINORS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2551 (S.B. No. 2162, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2551 was adopted and S.B. No. 2162, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2552 (S.B. No. 2276, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2552 was adopted and S.B. No. 2276, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2554 (S.B. No. 2726, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2554 was adopted and S.B. No. 2726, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2555 (S.B. No. 2728, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2555 was adopted and S.B. No. 2728, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRAUMA,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2558 (S.B. No. 2843, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2558 was adopted and S.B. No. 2843, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FLAGS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2559 (S.B. No. 2137, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2559 was adopted and S.B. No. 2137, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH CLUBS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2560 (S.B. No. 2025, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2560 was adopted and S.B. No. 2025, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PAROLE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2561 (S.B. No. 2768, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2561 was adopted

and S.B. No. 2768, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PAROLE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2569 (S.B. No. 2256, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2569 was adopted and S.B. No. 2256, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2572 (S.B. No. 2889):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2572 was adopted and S.B. No. 2889, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2573 (S.B. No. 2567, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2573 was adopted and S.B. No. 2567, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2575 (S.B. No. 2145, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2575 was adopted and S.B. No. 2145, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2579 (S.B. No. 2451, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2579 was adopted and S.B. No. 2451, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2580 (S.B. No. 2257, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2580 was adopted and S.B. No. 2257, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2581 (S.B. No. 2650, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2581 was adopted and S.B. No. 2650, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2582 (S.B. No. 2452, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2582 was adopted and S.B. No. 2452, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2585 (S.B. No. 2591, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2585 was adopted and S.B. No. 2591, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2588 (S.B. No. 2172, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2588 was adopted and S.B. No. 2172, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2593 (S.B. No. 2887, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2593 was adopted and S.B. No. 2887, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2594 (S.B. No. 2109, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2594 was adopted and S.B. No. 2109, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2596 (S.B. No. 2431, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2596 was adopted and S.B. No. 2431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2598 (S.B. No. 2156, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2598 was adopted and S.B. No. 2156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2603 (S.B. No. 2100, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2603 was adopted

and S.B. No. 2100, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2604 (S.B. No. 2182, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2604 was adopted and S.B. No. 2182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2605 (S.B. No. 2378, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2605 was adopted and S.B. No. 2378, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2606 (S.B. No. 2710, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2606 was adopted and S.B. No. 2710, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARD MEETINGS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2609 (S.B. No. 2472, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2609 was adopted and S.B. No. 2472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2611 (S.B. No. 2278, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2611 was adopted and S.B. No. 2278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2612 (S.B. No. 2911, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2612 was adopted and S.B. No. 2911, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2613 (S.B. No. 2716, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2613 was adopted and S.B. No. 2716, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2614 (S.B. No. 2028, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2614 was adopted and S.B. No. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2615 (S.B. No. 2373, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2615 was adopted and S.B. No. 2373, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2617 (S.B. No. 2115, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2617 was adopted and S.B. No. 2115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2618 (S.B. No. 2752, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2618 was adopted and S.B. No. 2752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2619 (S.B. No. 2589, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2619 was adopted and S.B. No. 2589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2620 (S.B. No. 2951, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2620 was adopted and S.B. No. 2951, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2629 (S.B. No. 2571, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2629 was adopted and S.B. No. 2571, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2631 (S.B. No. 2859, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2631 was adopted and S.B. No. 2859, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2527, S.D. 1:

Senator Hee moved that S.B. No. 2527, S.D. 1 pass Third Reading, seconded by Senator Tokuda.

Senator Kim then offered the following amendment (Floor Amendment No. 2) to S.B. No. 2527, S.D. 1:

"SECTION 1. Senate Bill No. 2527, S.D. 1, is amended by amending the effective date from July 1, 2010, to July 1, 2050, in section 3 and to read as follows:

"SECTION 3. This Act shall take effect on July 1, 2050."

Senator Kim moved that Floor Amendment No. 2 be adopted, seconded by Senator Hee.

Senator Kim rose to speak in support of the amendment as follows:

"Madam President, basically we are just defecting the date. This item had financial implications; Ways and Means did not have an opportunity to review it. Thank you."

The motion to adopt Floor Amendment No. 2 was put by the Chair and carried.

By unanimous consent, S.B. No. 2527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was placed on the calendar for Third Reading on Thursday, March 4, 2010.

S.B. No. 2738, S.D. 1:

Senator Hee moved that S.B. No. 2738, S.D. 1 pass Third Reading, seconded by Senator Tokuda.

Senator Kim then offered the following amendment (Floor Amendment No. 3) to S.B. No. 2738, S.D. 1:

"SECTION 1. Senate Bill No. 2738, S.D. 1, is amended by amending the effective date from upon approval to July 1, 2050, in section 6 and to read as follows:

"SECTION 6. This Act shall take effect on July 1, 2050."

Senator Kim moved that Floor Amendment No. 3 be adopted, seconded by Senator Hee.

Senator Kim rose to speak in support of the amendment as follows:

"Madam President, like the last bill, this one also defects the date. It also has financial implications. Thank you."

The motion to adopt Floor Amendment No. 3 was put by the Chair and carried.

By unanimous consent, S.B. No. 2738, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION," was placed on the calendar for Third Reading on Thursday, March 4, 2010.

S.B. No. 2395, S.D. 1:

Senator Kim moved that S.B. No. 2395, S.D. 1 pass Third Reading, seconded by Senator Taniguchi.

Senator Kim then offered the following amendment (Floor Amendment No. 4) to S.B. No. 2395, S.D. 1:

"SECTION 1. Senate Bill No. 2395, S.D. 1, is amended by amending the effective date from June 30, 2010, to June 30, 2040, in section 3 and to read as follows:

"SECTION 3. This Act shall take effect on June 30, 2040."

Senator Kim moved that Floor Amendment No. 4 be adopted, seconded by Senator Tsutsui.

Senator Kim rose to speak in support of the amendment as follows:

“Madam President, we also defected the date on this measure. There are some concerns on it, and we would like to keep the measure moving for more discussions. It is a work in progress. Thank you.”

The motion to adopt Floor Amendment No. 4 was put by the Chair and carried.

By unanimous consent, S.B. No. 2395, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” was placed on the calendar for Third Reading on Thursday, March 4, 2010.

Stand. Com. Rep. No. 2564 (S.B. No. 2614):

Senator Taniguchi moved that Stand. Com. Rep. No. 2564 be adopted and S.B. No. 2614 pass Third Reading, seconded by Senator Takamine.

Senator Green then offered the following amendment (Floor Amendment No. 5) to S.B. No. 2614:

“SECTION 1. S.B. No. 2614 is amended by amending section 1 to read as follows:

“SECTION 1. Section 291C-105, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any person who violates this section shall be guilty of a petty misdemeanor and shall be sentenced as follows without the possibility of probation or suspension of sentence:

- (1) For a first offense not preceded by a prior conviction for an offense under this section in the preceding five years:
  - (A) A fine of not less than \$500 and not more than \$1,000;
  - (B) Thirty-day prompt suspension of license and privilege to operate a vehicle during the suspension period, or the court may impose, in lieu of the thirty-day prompt suspension of license, a minimum fifteen-day prompt suspension of license with absolute prohibition from operating a vehicle and, for the remainder of the thirty-day period, a restriction on the license that allows the person to drive for limited work-related purposes;
  - (C) Attendance in a course of instruction in driver retraining;
  - (D) A surcharge of \$25 to be deposited into the neurotrauma special fund;
  - (E) May be charged a surcharge of up to \$100 to be deposited into the trauma system special fund if the court so orders;
  - (F) An assessment for driver education pursuant to section 286G-3; ~~and~~
  - (G) Either one of the following:
    - (i) Thirty-six hours of community service work; or
    - (ii) Not less than forty-eight hours and not more than five days of imprisonment; ~~and~~
  - (H) A vehicle owned by the defendant, used in the commission of a violation of this paragraph, shall be ordered by the court to be subject to forfeiture under chapter 712A if the defendant operated or assumed actual physical control of the vehicle while under the influence of an intoxicant with:
    - (i) With .16 or more grams of alcohol per two hundred ten liters of breath; or

- (ii) With .16 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood;
- (2) For an offense that occurs within five years of a prior conviction for an offense under this section~~[-by]~~:
    - (A) A fine of not less than \$750 and not more than \$1,000;
    - (B) Prompt suspension of license and privilege to operate a vehicle for a period of thirty days with an absolute prohibition from operating a vehicle during the suspension period;
    - (C) Attendance in a course of instruction in driver retraining;
    - (D) A surcharge of \$25 to be deposited into the neurotrauma special fund;
    - (E) May be charged a surcharge of up to \$100 to be deposited into the trauma system special fund if the court so orders;
    - (F) An assessment for driver education pursuant to section 286G-3; and
    - (G) Either one of the following:
      - (i) Not less than one hundred twenty hours of community service work; or
      - (ii) Not less than five days but not more than fourteen days of imprisonment of which at least forty-eight hours shall be served consecutively; ~~and~~
    - (H) A vehicle owned by the defendant, used in the commission of a violation of this paragraph, shall be ordered by the court to be subject to forfeiture under chapter 712A if the defendant operated or assumed actual physical control of the vehicle while under the influence of an intoxicant with:
      - (i) With .16 or more grams of alcohol per two hundred ten liters of breath; or
      - (ii) With .16 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood; and
  - (3) For an offense that occurs within five years of two prior convictions for offenses under this section~~[-by]~~:
    - (A) A fine of \$1,000;
    - (B) Revocation of license and privilege to operate a vehicle for a period of not less than ninety days but not more than one year;
    - (C) Attendance in a course of instruction in driver retraining;
    - (D) No fewer than ten days but no more than thirty days of imprisonment of which at least forty-eight hours shall be served consecutively;
    - (E) A surcharge of \$25 to be deposited into the neurotrauma special fund;
    - (F) May be charged a surcharge of up to \$100 to be deposited into the trauma system special fund if the court so orders; ~~and~~
    - (G) An assessment for driver education pursuant to section 286G-3~~[-]~~;
    - (H) A vehicle owned by the defendant, used in the commission of the offense, and used by the defendant in at least two prior convictions for offenses under this section may be ordered by the court to be subject to forfeiture under chapter 712A; and
    - (I) A vehicle owned by the defendant, used in the commission of a violation of this paragraph, shall be ordered by the court to be subject to forfeiture under chapter 712A if the defendant operated or assumed actual physical control of the vehicle while under the influence of an intoxicant with:
      - (i) With .16 or more grams of alcohol per two hundred ten liters of breath; or

- (ii) With .16 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood.”

Senator Green moved that Floor Amendment No. 5 be adopted, seconded by Senator Espero.

Senator Green rose to speak in support of the amendment as follows:

“First, let me say and be very clear about something to my colleagues that it’s in total support of my Chair of Transportation and his strong efforts on highway safety, not just this year, but in the past, that I have submitted this amendment. This amendment very specifically adds to that bill asking that a person—or, demanding that a person—forfeit their vehicle if their blood alcohol level is in the extreme intoxicated level at 0.16 or higher.

“People know, I think, my perspective. I come from the perspective of working in the emergency department on the Big Island. On the Big Island, we see tragedy after tragedy, year after year. Most of those tragedies occur at the hands of drunk drivers. When I was listening in caucus to many of the bills that were coming kind of across our computer screens, I noted that bill—this Senate Bill 2614—for its very, very strong language, forcing someone to forfeit their vehicle at high speeds; and I took to heart the efforts of those of us who sit on Judiciary and Transportation at that point. It was a strong penalty, and it occurred to me in the context of something terrible that happened this last week that we should take action today.

“A young woman named Angela Apostadiro (Angela) 17 years old; last week, February 23, shortly before midnight, she was in the front seat of her mother’s taxi cab. They were taking someone a long distance on Big Island roads, which are dark as you know. They were driving north on the highway—it’s a two-lane highway on the Big Island—in their lane, driving safely, and another individual was driving other direction, south, on the same highway. That individual was so drunk that not only was he out of his lane, he wasn’t even in their lane; he was passing cars on the other side of the highway on the berm, the other side, going the other direction at extremely high speed. When he decided to shift quickly all the way across the lanes, he slammed into Angela’s mother’s car at a rate of over 60 miles an hour. They were traveling 60 miles an hour. He was completely drunk. He killed her almost instantly.

“Immediately, it wrecked our community’s well-being. We have two high schools. This was a high school senior, the light of her class and her school. Immediately, her principal, her counselors, her classmates, all of them, wrote to me and said, ‘What can be done?’ How many more accidents do there have to be on the Big Island before we send a signal to anyone that’s drunk driving that we have to really take immediate action that they’ll respond to?

“Now I’ve been and continue to be and will always be in extreme support of other measures that we’ve been fighting for—the interlock system, for instance. However, for some reason, drunk drivers aren’t getting the message. Angela was killed. Can you imagine if it was your daughter, for those who have daughters? Or niece or friend of the family that lived 17 years, and then right before her graduation, just three months before her graduation, was killed by some fool drunk driver that we couldn’t get to somehow or other?

“What this amendment does is it asks if someone is driving at an extremely intoxicated level that we take their car. I believe—I believe very strongly—that this kind of message will get through to people. It will be symbolic that you simply cannot drive drunk any longer. We should do everything, we should continue to do everything else that we’re attempting—all of the bills that we’ve seen to stop drunk drivers, and we should

continue to punish them more strongly. But it just doesn’t resonate with people enough.

“A year ago, on May 23, 2009, a similar accident: Aliyah Braden. A one year old was in the back seat of her Honda when a drunk driver slammed into her car, crippling her mother forever, father came out of it fairly unscathed, Wayne Braden, and their one year old was pronounced dead just minutes later at Kona Hospital. This happens time and again. In the ER last year, a story which I have alluded to once before, a young woman and man went to a party in Hawi on the Big Island. They got into a fight. They were both extremely intoxicated. They got into a fight, and the boyfriend kicked his girlfriend out of the car. He said, ‘Get out. You walk home.’ He returned to the party and on his way home, very drunk, he ran her over and dragged her a hundred meters under his car, at which point, she was scooped off the highway and brought to our ER and was deceased.

“It’s time we send a message, colleagues. And I mean it when I say, in friendly support of my Chair of Transportation, and Judiciary, that I want to pass this amendment. Out of respect to their fight that’s gone on for years on this issue, but to really make it clear to the people who drink and drive across the state that we are taking immediate, extremely strong action. I know that there are problems that have been announced already in testimony about what would we do with these cars that are impounded. Perhaps we’ll sell them and use those resources to help victims. I think that would be a good idea. Put that into transportation safety funds. Perhaps we’ll use it for our trauma centers. We only have one Trauma 2 center here to fly individuals.

“You know, I do feel a little sense of disappointment on my own part because I wasn’t able to convey this probably earlier in the year to other colleagues, and it took this accident again to kind of reawaken me on this issue. But you really do need to know that I submit this amendment in absolute support of my Chairs, and in support of the people who will continue to be victimized by drunk drivers if we don’t weigh in with a very heavy hand. So, again, in support of this amendment, please, Madam Chair.”

Senator English rose to speak in opposition to the amendment as follows:

“While everything that the previous speaker said is laudable, we do have a committee system in the Senate and we do have a process by which these things go through. The idea that he put forward here did not have any hearing nor testimony in any of the committees it went forward, and nor was the Chair consulted on this before. So, there are underlying problems with this particular bill, and we’re trying to work those problems out with the House and as it moves forward. So, if you’re going to hitchhike, maybe hitchhike on a vehicle that has a chance of passing.

“Listening to what the good Senator from Kona said, it seems to me that we put too many good roads in Kona and the roads are way too smooth and way too straight, and we’ve spent millions very recently fixing those up. And it seems that if these people cannot stay on the right side of the road, we should curtail that.

“Now members, I’m going to ask that you please help me to defeat this measure because it didn’t follow our established processes. It didn’t go through the proper hearing; and while I can say that the underlying action is laudable, the process is not. Thank you.”

Senator Taniguchi rose to speak in opposition to the amendment as follows:

"I'd just like to echo the words of the Transportation Chair that while we may believe that this is a good idea, to do it at this point without a hearing, I think, is not good. I think we really need to flush out some of the issues with this and proceed in that manner, so I will be voting against the amendment."

At 9:29 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:33 a.m.

At this time, Senator Green withdrew Floor Amendment 5 and his motion to adopt Floor Amendment No. 5, and Senator Espero withdrew his second.

Senator Green rose to speak on the motion to withdraw as follows:

"In consultation with my colleagues, whom I do respect greatly, I agreed to withdraw the floor amendment for a couple of reasons. One, I don't wish to damage the prospects of the underlying bill because, as I said, I was moved by the strength of that bill, and I mean that very sincerely. Number two, in discussion with the Chairs, they have given me proper high expectations that we'll be able to find a vehicle to take up the debate on the Transportation and the Judiciary on this matter, as I feel very strongly that we can pass something this legislative session that would decrease the number of tragedies like we witnessed in Kona. So, I respectfully defer to those Chairs and their experience, but I feel more strongly than ever that we should take action on drunk driving this session. Thank you, Madam President."

Senator Hemmings rose to speak in support of the motion to withdraw and said:

"I have mixed emotions standing here. This seems to be a battle between substance and process, and I would suggest to the Majority Party that in this particular instance, substance far outweighs process. This is a laudable effort, as the bill was originally crafted; and the amendment to it, which is solely within the power of this Senate to do at anytime, anyhow, is laudable, also. In speaking in favor of the motion, I hope that something can be done, and this will not turn it into a turf battle or for other reasons other than the merit of the issue. I would remind everybody that oftentimes deaths on our highways are perpetrated by drunk drivers with prior convictions. So, if a bill like this, or an amendment like this, would save one person, especially a young child like the Senator from Kona talked about, it would be well worth amending or doing something this session. It is a laudable effort, and I approve wholeheartedly.

"I do have a little bit of a problem with it because I think that my district is also susceptible because our roads are pretty bumpy in my district, too, so I have a soft spot in my heart for this. Thank you, Madam President."

The President then announced:

"Floor Amendment No. 5 is withdrawn."

### RECOMMITALS

At 9:37 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:38 a.m.

Stand. Com. Rep. No. 2546 (S.B. No. 2423, S.D. 1):

Senator Sakamoto moved that S.B. No. 2423, S.D. 1 be recommitted to the Committee on Commerce and Consumer Protection, seconded by Senator Slom.

The motion was put by the Chair and carried, S.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

CONDOMINIUMS," was recommitted to the Committee on Commerce and Consumer Protection.

Stand. Com. Rep. No. 2563 (S.B. No. 2755, S.D. 2):

Senator Sakamoto moved that S.B. No. 2755, S.D. 2 be recommitted to the Committee on Judiciary and Government Operations, seconded by Senator Slom.

The motion was put by the Chair and carried, S.B. No. 2755, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was recommitted to the Committee on Judiciary and Government Operations.

### THIRD READING

Stand. Com. Rep. No. 2564 (S.B. No. 2614):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2564 was adopted and S.B. No. 2614, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE SPEEDING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

### THIRD READING

S.B. No. 2695, S.D. 1:

Senator Kim moved that S.B. No. 2695, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"As my colleagues know, I vote against the creation of every new special fund, and one of the reasons that I give is that our history has shown that what we do is raise money in a special fund—people think that it's going to a special earmarked purpose—and then when the fund gets to a certain level, we raid that fund and put it in the general fund. This bill does that with, I think, five special funds—takes money out of the funds. The Administration supports the bill to help balance the budget, but the people involved with the funds oppose the bill because they don't want the money taken. I think that the best testimony given on this bill was from the Tax Foundation of Hawai'i that talks about the special fund process in general, saying that it erodes the integrity of state finances and further suggests that what we should do is take all of the special funds, bring them to the table, look at them, start from zero-based budgeting, and make people justify why moneys are taken. For example, in one of these funds, the enhanced 911 wireless fund, we were told that we have to pay additional surcharge several years ago to enhance the wireless fund, get it up to snuff so that law enforcement could identify where people are. We did that, and yet the tax still continues in that fund. So, Madam President, I think that we really need to take a look at all of the special funds. We've got a number of bills coming up today that would create even more newer funds, which I will be in opposition to, but I rise now to urge a 'no' vote on this bill. Thank you."

Senator Hemmings rose in opposition to the measure as follows:

"In addition to the good points made by the previous speaker, I'd like to have this body reflect on another salient point that I think is part of this problem. Years ago, we raided the highway fund, and as a result our highways went unimproved in many areas to the point that now we're ranked amongst the worst in the nation for our highways. It's really quite sad. One of the previous speakers on another bill mentioned about the quality of roads in certain districts not being as good as others, and I agree with that. The problem is that our highway fund was raided and we did not have the money to take care of the basics; basic infrastructure for the safety and welfare of the people. Raiding special funds has consequences, and the consequences down the

line are that many public services will not be provided because the funds to do so that were special funds were not there.

“Secondly, what we do by raiding funds—and it was reflected in a Supreme Court decision that is maybe salient in these particular issues, too—is we turn special funds and fees into taxes, which possibly could conflict legally with the way that things should be managed in the State of Hawai‘i. So, for these and other reasons, I urge my colleagues to give a second look at this bill as it weaves its way through the process.

“Madam President, I don’t want to stand up and talk about ways to save taxpayers’ moneys without having an alternative. What we seem to be doing this session is what we’ve done all too often in the past: raiding funds, cutting charities, raising taxes to support financially one huge special interest group that does not want to be furloughed, does not want to share in the burden of the terrible economic plight we’re in. And that, of course, is public workers. I would suggest to the public workers, in considering all of the initiatives that we’re going to be debating today on the floor and throughout this session, that we’re all in this economy together. When schools are bad, when highways are broken, when the economy is bad, when your children move to the mainland because there are no jobs and economic opportunity here, it affects us all, whether or not you’re unionized, public employee or not. We’re all in this economy together, and I would make a plea, especially to the leaders of the HGEA, UPW, the HSTA—the 800 lb. gorillas in our economic process—that you may be getting some reprieve from the economic plight of the state now, but there will be a price to pay in the future, and the eroding economy and the quality of life in our state and the quality of government services are what we all share in common. I suggest that raiding funds is another step in the wrong direction, and I hope the Majority Party takes this to heart because I’ve been watching this go on for ten years now. We have gone backwards in managing the resources of this state. And as I said, we continue to get a rating, in many areas of public service, less than adequate on the national level, not the least of which is public education, our highways showing up being amongst the worst in our country, and the list goes on. If we continue this formula of just expansive government and paying for it by raiding funds, raising taxes, we’re going to continue to get what we got. Thank you, Madam President.”

Senators Chun Oakland, Ige, Baker, Fukunaga, and Green requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2695, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Baker, Chun Oakland, Fukunaga, Green, Ige). Noes, 2 (Hemmings, Slom).

S.B. No. 2007, S.D. 1:

Senator Kim moved that S.B. No. 2007, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This is a continuation of the battle that’s going on now for nearly eight years between this Legislature trying to reclaim or to claim powers that traditionally and constitutionally have been reserved for the Executive Branch. It certainly is an infringement on separation of powers; and while I know that most of my colleagues under the current Administration believe that that Administration is not properly allocating the budget as proposed by the Legislature, that in fact is the duty of the Executive Branch. And I certainly remember back in previous Administrations when the Legislature and the Executive Branch

went in different directions because of fiscal policies. I think this is a bad precedent. I don’t think it is a legitimate separation of powers, and I would urge a ‘no’ vote. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2007, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BUDGETARY POWERS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 2866, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 2866, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 2771, S.D. 1:

Senator Hee moved that S.B. No. 2771, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senators Ige, Ihara, and Espero requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2771, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO KALAUPAPA,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Espero, Ige, Ihara). Noes, none.

S.B. No. 2399, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2399, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2700, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2700, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DENTAL LICENSURE EXAMINATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2358, S.D. 1:

On motion by Senator Gabbard, seconded by Senator English and carried, S.B. No. 2358, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2957, S.D. 1:

Senator Gabbard moved that S.B. No. 2957, S.D. 1 pass Third Reading, seconded by Senator Hee.

Senator Baker requested that her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2957, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker). Noes, 1 (Slom).

S.B. No. 2120, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, S.B. No. 2120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2183, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2183, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2936, S.D. 1:

On motion by Senator Espero, seconded by Senator English and carried, S.B. No. 2936, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 2394:

Senator Takamine moved that S.B. No. 2394 pass Third Reading, seconded by Senator Taniguchi.

Senator Sakamoto requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2394, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Sakamoto). Noes, 1 (Slom).

S.B. No. 2566:

On motion by Senator Takamine, seconded by Senator Ige and carried, S.B. No. 2566, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2532:

On motion by Senator Hee, seconded by Senator Tokuda and carried, S.B. No. 2532, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2409:

Senator Hee moved that S.B. No. 2409 pass Third Reading, seconded by Senator Tokuda.

Senator Ihara requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ihara). Noes, none.

S.B. No. 2779:

On motion by Senator Ige, seconded by Senator Green and carried, S.B. No. 2779, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PROCEDURES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hemmings).

S.B. No. 2141, S.D. 1:

Senator Ige moved that S.B. No. 2141, S.D. 1 pass Third Reading, seconded by Senator Espero.

Senator Sakamoto requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Sakamoto). Noes, 1 (Hemmings).

S.B. No. 2220, S.D. 1:

Senator Baker moved that S.B. No. 2220, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

"What we're doing is creating another task force and a task force for site examinations. We already have that responsibility for the Department of Labor, and we don't need another agency. Thank you."

Senator Baker rose in support of the measure as follows:

"Madam President, colleagues, this is an attempt to assist our agencies to enforce our licensing and contracting laws. This is a type of effort that has worked very well in California. And before we attempt to put it into statute and allocate funds for it, we wanted to give it an opportunity to see exactly how it might work here, get some information, have them come back to the Legislature with a report, and we think that this is the most judicious way to proceed. So, I encourage my colleagues to vote 'yes' on this measure."

The motion was put by the Chair and carried, S.B. No. 2220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1062, S.D. 1:

Senator Baker moved that S.B. No. 1062, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

"Professional employer organizations, those that lease employees, are very important in our community. They've had problems with unequal taxation requirements over the past years. That has, to a large extent, been mitigated, but now what we're doing is adding a new requirement for licensure, for bonding, and for also fees to be paid, and this is an unfair burden upon these organizations. Thank you."

Senator Baker rose in support of the measure as follows:

"Madam President, this actually came from the industry asking for registration so that we don't have some of these unscrupulous organizations come into our state and take advantage of small business by putting a bonding up. It's not

really licensure; it's registration. We want to make sure that any organization that is standing in for a small business function in their collecting of taxes and payment of taxes, collecting for unemployment insurance, for workers' compensation, all of those kinds of human resources functions that small businesses need to provide, we want to make sure that their money is safe, is secure, and that they're dealing with an honest organization. And one of the only ways to do that is to provide registration to ensure compliance with our laws and to put a bond in place. We think this is a very fair way to make sure that business-to-business relationships are on the up and up. Thank you, Madam President."

The motion was put by the Chair and carried, S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2396 (S.B. No. 2174):

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 2396 was adopted and S.B. No. 2174, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2399 (S.B. No. 2020):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2399 was adopted and S.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2403 (S.B. No. 2386):

Senator Kim moved that Stand. Com. Rep. No. 2403 be adopted and S.B. No. 2386 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"This is the first of several bills that creates yet another new special fund, so I'm opposed to it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2403 was adopted and S.B. No. 2386, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2405 (S.B. No. 2610):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2405 was adopted and S.B. No. 2610, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2406 (S.B. No. 2159):

Senator Kim moved that Stand. Com. Rep. No. 2406 be adopted and S.B. No. 2159 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"The bill increases the fee for a traffic abstract from \$7 to \$10; and while those that support that increase mentioned other states and their amount of fees, there was no justification for the need for the increase. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2406 was adopted and S.B. No. 2159, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2407 (S.B. No. 2549, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2407 was adopted and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2408 (S.B. No. 2107, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2408 was adopted and S.B. No. 2107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2410 (S.B. No. 2157, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2410 was adopted and S.B. No. 2157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2411 (S.B. No. 2594, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2411 was adopted and S.B. No. 2594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2417 (S.B. No. 2494, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2417 was adopted and S.B. No. 2494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2418 (S.B. No. 2491, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2418 was adopted and S.B. No. 2491, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2419 (S.B. No. 2271, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2419 was adopted and S.B.

No. 2271, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE PREMIUMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2424 (S.B. No. 2175, S.D. 1):

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 2424 was adopted and S.B. No. 2175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2427 (S.B. No. 2599, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2427 be adopted and S.B. No. 2599, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Baker rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB 2599.

"SB 2599 ensures that all insured patients in Hawaii have access to the only way to prevent and screen for colon cancer—Colonoscopy.

"Colon cancer will strike 1 in every 20 residents of Hawaii. Many of the unfortunate who get diagnosed with colon cancer will get diagnosed too late. They will ultimately die from this preventable and curable disease. This is because colon cancer is somewhat unique, in that it starts out as pre-cancerous polyps, then over the course of years it grows into a small cancer. Eventually, if not detected and treated, it spreads throughout the body causing death.

"The key here is that most patients who die from colon cancer were living for months to years with a preventable, treatable, and potentially curable form of the disease, if only they had access to proper screening.

"Everybody in Hawaii is at risk for colon cancer, regardless of lifestyle or risk factors. It is one of the diseases of aging, and that is why most organizations including the American Cancer Society and the United States Preventive Services Task Force recommend all Americans get screened for this deadly disease beginning at age 50. Colonoscopy is a procedure doctors can use to not only identify patients with an early treatable form of the disease, but also to prevent colon cancer completely by removing pre-cancerous polyps.

"Colonoscopy has been shown numerous times to be extremely effective in reducing deaths from colon cancer. If utilized, it can prevent up to 70% of deaths from colon cancer. This puts it as one of the most effective cancer screening tools doctors have. By comparison mammograms only reduce mortality 30%.

"Unfortunately, right now, not all insurance plans in Hawaii cover this life-saving procedure. This in part explains why less than half of all patients over age 50 have had a colonoscopy. To put it another way, half of all residents of Hawaii who are at risk for colon cancer aren't getting screened!

"Colonoscopy can be an expensive procedure, prohibitively so for patients who are forced to pay out of pocket. Studies have shown however that it is cost-saving when compared to treating a patient with an advanced form of the disease. The

state Auditor's office reviewed these studies and concluded in their report that insured Hawaii residents would benefit from coverage for colonoscopy. When the cost is absorbed across the risk pool, the cost to screen those older than 50 years old is only fifty-five cents per month per enrollee.

"SB 2599 will mandate that all insurance plans in Hawaii provide coverage all patients over age fifty for this life-saving and cost-saving procedure.

"I urge all my colleagues to join me in support SB 2599 as another tool in the fight against cancer."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2427 was adopted and S.B. No. 2599, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2428 (S.B. No. 2081, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2428 was adopted and S.B. No. 2081, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2431 (S.B. No. 2502, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2431 was adopted and S.B. No. 2502, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hemmings).

Stand. Com. Rep. No. 2433 (S.B. No. 2493, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2433 was adopted and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2434 (S.B. No. 2600, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2434 was adopted and S.B. No. 2600, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2435 (S.B. No. 2026, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2435 was adopted and S.B. No. 2026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2437 (S.B. No. 2563, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2437 was adopted and S.B. No. 2563, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO ENERGY EFFICIENCY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2438 (S.B. No. 2661, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2438 be adopted and S.B. No. 2661, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in support of the measure with reservations as follows:

“This is the bill that we have every year for the State to pay claims, and every year the amount continues to rise as we pay those claims. In the current version, the single most important claim is a civil settlement, not criminal, but a civil settlement in the Ka Loko Dam disaster on Kaua‘i. While we note that the counties and other parties have actually paid more than the State, it is significant that while we were told that all litigation has been finalized and if we pass this bill it will be taken care of, there are still outstanding claims that somehow are not in this bill and not in this discussion. Further than that, we still find that people look at the State for its deep pockets and find that they can get additional moneys from the State because if you look at the arguments for proceeding in a judiciary manner, it costs more to litigate than to pay off some of these people. So, I think we should be more careful. If we’re talking about budget shortfalls and all, this is one area that we should look at very carefully. So I support the bill with reservations. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2438 was adopted and S.B. No. 2661, S.D. 2, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Stand. Com. Rep. No. 2441 (S.B. No. 2810, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2441 was adopted and S.B. No. 2810, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2442 (S.B. No. 2919, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2442 be adopted and S.B. No. 2919, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Tokuda rose to speak in support of the measure as follows:

“I introduced this measure as a result of long-standing resident and employee concerns over safety and security issues at the hospital.

“Most recently, there has been much discussion and great concerns raised by my constituents and community groups, like the Kane‘ohe Neighborhood Board, as a result of the most recent escape on December 3, and the removal of all security officers as a result of the Department of Public Safety’s Reduction in Force efforts.

“At any given time, almost all, if not 100 percent, of the patients at the Hawaii State Hospital have been remanded there by the courts. This means that a facility that was never meant to house forensic patients now finds itself catering almost entirely to this population of patients.

“The results of this forced forensics state in a facility is not equipped or staffed to house these patients have been numerous acts of violence and assaults upon employees and patients, and numerous safety risks to the general public when escapes occur.

“While the Department of Public Safety has claimed in their testimony that they do not have the financial resources to assist with security at the State Hospital, the bottom line is that had these individuals not been found to have some kind of mental defect or disability, these patients would be inmates in our correctional system and would be the legal and financial responsibility of the Department of Public Safety.

“In my humble opinion, simply dropping these individuals off at the doorstep of the State Hospital does not negate the Department of Public Safety of any further responsibility for these patients, many of whom have a history of violent and abusive acts.

“This measure would provide a level of accountability for security at the Hawaii State Hospital and call upon the Department of Public Safety to step up and acknowledge the responsibilities they have toward these patients.

“In addition to security personnel issues in this measure, S.B. No. 2919 also calls upon the Department of Health and the Department of Public Safety to work together to submit a report on plans and strategies for ensuring appropriate levels of security at the facility, and identify how we are going to deal with this increasing and aging forensic population in the short and long term, especially as it relates to facility needs.

“I am particularly disappointed that while I can understand, but not agree with PSD’s objections to providing security for the State Hospital, I do not understand their objections to working with the Department of Health to address these ongoing security concerns. It further highlights the Department’s unwillingness to accept even some level of responsibility for these patients, who would otherwise have been inmates, and makes clear why a measure such as S.B. No. 2919 is absolutely necessary.

“I would strongly urge your strong support and affirmative vote for this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2442 was adopted and S.B. No. 2919, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2445 (S.B. No. 2454, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2445 be adopted and S.B. No. 2454, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“The bill would allow the court to impose fees for the public who will wish to obtain documents (pleadings, proceedings, transcripts, and so forth). The state agencies would be exempt from the payment of these costs. There are several things that are troublesome about this bill. Number one, I think it would make it harder for the public—certainly more expensive for the public—to get public documents and public records. The bill does not indicate what the fees would be, nor does it indicate how the court will determine what those fees would be. And I think also the Attorney General has raised the issue as to whether or not this bill actually contains more detail than is listed in its title. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2445 was adopted and S.B. No. 2454, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2446 (S.B. No. 2659, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2446 was adopted and S.B. No. 2659, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2447 (S.B. No. 2786, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2447 was adopted and S.B. No. 2786, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2448 (S.B. No. 1309, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2448 was adopted and S.B. No. 1309, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2450 (S.B. No. 2393, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2450 was adopted and S.B. No. 2393, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2451 (S.B. No. 2884, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2451 was adopted and S.B. No. 2884, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2454 (S.B. No. 2529, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2454 be adopted and S.B. No. 2529, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"Again, this bill creates a new special fund for the State, so I'm opposed. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2454 was adopted and S.B. No. 2529, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE CLAIMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2455 (S.B. No. 2267, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2455 be adopted and S.B. No. 2267, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"While we certainly are compassionate with people with disabilities, we believe that the ADA already requires certain modifications in certain construction standards. This bill goes far beyond that and requires that there be a team at the very outset for every construction project to monitor the building design, to make the changes, and then to create fees that would be paid by the developer to the Disability Council. This, of course, is going to increase the cost of buildings, particularly residential buildings, and I think is an unfair additional assessment. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2455 was adopted and S.B. No. 2267, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2456 (S.B. No. 2103, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2456 was adopted and S.B. No. 2103, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2459 (S.B. No. 2578, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2459 be adopted and S.B. No. 2578, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"We're talking about a tax credit for construction; however, it's an unspecified amount. I think we have to look more carefully at any additional tax credits this year. We don't have the money to pay for it, and we should be emphasizing reduced construction cost amounts. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2459 was adopted and S.B. No. 2578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2461 (S.B. No. 2500, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2461 be adopted and S.B. No. 2500, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure as follows:

"I think that for too long now we have seen in hearings that the Office of Hawaiian Affairs is reluctant or negligent to disclose the amounts of money that it's paying or has paid and to whom. OHA is a major State agency with a great deal of appropriations, and I think that we need both a financial and a management audit of this State agency. Thank you."

Senator Chun Oakland requested that her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2461 was adopted and S.B. No. 2500, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Chun Oakland). Noes, none.

Stand. Com. Rep. No. 2465 (S.B. No. 2236, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2465 be adopted and S.B. No. 2236, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"While we certainly need to be vigilant about invasive species, the idea of having yet another fee is going to impact the cost of consumer goods in the state, and ultimately all of the families and individuals will pay for it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2465 was adopted and S.B. No. 2236, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2469 (S.B. No. 2780, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2469 be adopted and S.B. No. 2780, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Hee rose to speak in support of the measure as follows:

"Members, this is a bill that calls to question the importance in each of us of what in the future is sustainable; that is—the sustainability of Hawai'i, as far as agriculture is concerned. This bill is not perfect. Presumably, if it gets out of the Senate this morning, it can be debated and discussed more in the other chamber. But let's be clear about this bill. It is an honest effort to protect ag suitable lands on O'ahu, meaning lands with the productivity rating of A or B, and to provide for mandatory extensions of ag leases.

"Your Committee on Water, Land, Agriculture, and Hawaiian Affairs heard this measure that was supported by 6 organizations and 33 individuals. One State agency submitted comments and one State agency was in opposition. But members, let me read former Governor Ariyoshi's comments with the state of agriculture today. He said this in a recently published pamphlet:

Originally the job of the land use commissioners was to serve the broad public interest over the long term. When I came into office, I appointed a representative of the League of Women Voters to the commission, because the League had worked hard on understanding land use decisions. I also appointed a young Hawaiian activist who spoke eloquently from a Hawaiian cultural viewpoint about the land; I felt her views needed to be represented....

Today the intent and functioning of the Land Use Law has been extensively subverted. The commission membership prominently includes a realtor, a development lawyer, and a corporate lawyer. Members with large constituencies are similarly tied to development (such as electrical contractors and the carpenters' union). The [Land Use] Commission's executive director previously

headed the Land Use Research Foundation, a lobbying group for developers and [large] land owners.

The decisions of the Land Use Commission to urbanize go a long way toward explaining why the number of construction workers in Hawai'i has doubled in the past decade, and why the general public is increasingly disturbed by the congestion that results from overly rapid development.

Contrary to the original idea of the Land Use Law, the public is substantially shut out of the process. The commission's quasi-judicial proceedings...have limited participation to only those with a direct interest in the outcome. Attorneys examine, cross-examine and redirect the examination of witnesses as if in a court of law. Developers seeking rezoning arrive with attorneys, consultants and expert witnesses to pursue their agenda, but the public interest is not represented.

The most widely embraced goal of the Land Use Law was the preservation of prime agricultural land... The 1978 Constitutional Convention mandated [the] protection of agriculturally important lands, but this mandate has never [sic] been...implemented.

"When you look at today's Land Use Commission, there are two contractors, three lawyers, one former union business agent, one realtor, one planner who is also the vice president of a real estate development firm, and one individual who represents an organization of top contractors and the largest construction union. This measure seeks to balance the scale; his measure seeks to stem the tide of urban sprawl; and specifically, so no one's kidding each other, this measure was introduced in response to Ho'opili Development. Although this measure is not retroactive, it is prospective. This measure responds to 12,500 more homes in the golden triangle of agriculture, and once the urbanization occurs, there shall be no more agriculture at the development where Ho'opili is intended to be. Let there be no mistake: D.R. Horton and Schuler Development have no entitlement and no vested right to build homes. They bought the land as it is today, zoned in agriculture. It is the entitlement of the public interest that these lands remain in agriculture. This bill, should it move to the House, gives the lawmakers an opportunity to level the playing field in the interests of the public for a sustainable Hawai'i and for agriculture to have a prominent place on the most valuable ag-zoned land—from a commodity point of view—on the most populated island in the state. Thank you."

Senator Hemmings rose in support of the measure as follows:

"Several years ago on the opening day, I addressed the underlying issue here. It is a profound issue. It affects the quality of our lives. What is the sustainability of these precious islands? What is the carrying capacity of the island of O'ahu? How many cars? How many homes? How many people can we have on this island and reasonably expect to be safe and live the lifestyle that the blessings of this state has brought us? Will we have enough energy? Will we have enough food? These are issues that were discussed in the Sustainability Task Force, which I had the honor of serving on, and these are profound issues. Can we continue grow? I think that it's an issue that goes way beyond our shores, but we have to deal with our state in this legislature, and I would suggest that this bill is a step in the direction towards addressing issues such as this.

"Once land is lost that we could grow agricultural products on, we become increasingly vulnerable for the most basic of human life—food to eat. In the wake of Hurricane Katrina,

there was a massive effort to get relief to the state of Louisiana. They had highways; took commodities, especially food and clean water, right to the doorsteps of the needy. And, of course, the airports and ports were very busy. Here in Hawai'i, we're totally dependent for any substantive relief on our ocean carriers, and we're very vulnerable there, also. Just imagine what some cataclysmic event, such as a large freighter going aground at the entrance of Honolulu Harbor, would do to our food supply. This state is vulnerable, and unless we address this issue, we're going to continue to slide into a very precarious position of having the very essence of our substance imperiled. I would suggest this is one of many bills that we should look at in the future to try to create for our state some sort of steady state economy. Those words are heresy coming from a fiscal conservative, but nothing is forever. And I believe unless we start addressing issues such as sustainability in this state, we may fall victim to catastrophes way beyond our control; they would imperil our very existence. Thank you, Madam President."

Senator Espero rose in opposition to the measure as follows:

"Colleagues, the importance of agricultural land has been in our Constitution since 1959, and it has been decades since we passed any meaningful legislation. Just a couple of sessions ago, we did pass some important IAL measures, and these measures must be allowed to be implemented and followed through in our development.

"There has been opposition to this measure. Not only the City and County of Honolulu Department of Planning and Permitting, not only the State DBEDT Office of Planning, but ironically, the Hawai'i Farm Bureau has been against this measure.

"This measure does target some areas within west O'ahu which the good Senator from the Windward side mentioned. If we look at the future growth of O'ahu, from Hawai'i Kai to Ko'olina is where the growth is being directed. We are now looking at the last parcel of land from Hawai'i Kai to Ko'olina that could include—in this one parcel—up to 12,000 homes. But this parcel is right next door to UH West O'ahu, which will be built on agricultural land which may include not only another 4,000 homes and many opportunities for businesses and commercial entities, but a four-year institution for West O'ahu. This parcel of land is just north of DHHL land, which is currently being built on agricultural land up to 2,000 homes. This piece of property is within the urban growth boundary designated by your government in 1997, and discussed 20, 30 years ago in terms of master planning for O'ahu.

"We're going through a census right now, and what you will find is since statehood, our population will continue to grow. We are just under one million residents today. I foresee a time where we will have 1,000,100 people on O'ahu; 1,200,000 people on O'ahu; 1,300,000 people on O'ahu. And quite frankly, where do you expect these people to live? It should be in the area that government decades ago considered to be the primary growth area for O'ahu—below H-1. That's what this is. If you go above H-1 in Kunia, central O'ahu, North Shore, you will see thousands of acres of ag land, ag land which today is fallow, on which crops are not being grown. And by the way, the community of Mililani—a great community, an award winning community, where thousands of families have bought homes and raised families—Mililani was built on agriculture land. Unless we stop population growth on O'ahu, and unless we tell our children and grandchildren, 'You cannot buy a home in O'ahu in the next 10 or 20 years,' this bill must not pass because what is also at stake is lands for homes. We are running out of lands for homes. Where will the next generation buy affordable homes? Kaka'ako? Hawai'i Kai? Lanikai? These homes are slated, as I said, decades ago for population growth that is part of the master planning for our state. And this

area right now is experiencing some growth, some limited growth in this economic time, but it's important that we keep the lands available for what they were planned for 20, 30, 40 years ago. Remember, part of sustainability is not just crops and food and energy; it's where we will live. Where will you raise your children? Where will you grow your family? This development that was mentioned is expected to also have at least 7,000 jobs.

"So colleagues, please consider the vision that was established 30, 40 years ago, and look at this area as the continuation of that vision from Hawai'i Kai to Ko'olina. That is where the population growth for our constituents will live, work, play, and learn. And in most circumstances, I would support the preservation and conservation of agricultural land, but we do not have a shortage of agricultural land on O'ahu. It is being used up because that is what a human society does, whether we're trying to figure out where to put the next landfill, the next power plant, the next university, the next child care center, the next job center. It has to be on land somewhere, and let's put that on the urban boundary below H-1, and let's try to keep massive growth and development out of the North Shore, out of Windward, out of Waimanalo. Thank you."

Senator Slom rose in opposition to the measure as follows:

"I think we've had a very interesting discussion and debate so far, and I must admit that I agree with many parts of all of my colleagues who have talked about this issue, but if I may, let me add another perspective as to why I am voting 'no'. First of all, I think all of us have previously and still do support important agricultural lands, so that's not an issue. I think many of us may be divided about specific projects that have been enumerated; I personally oppose that project that was discussed, as I had opposed previous projects that didn't make any sense in terms of congestion, traffic problems, infrastructure, and so forth.

"But this body is always used to talking about the process, and, of course, we do have a process for all of these things. If we have criticism of the Land Use Commission and how it's made up, then we should address that in a bill and change the way that the appointments are made, just as we did with the University of Hawai'i, just as we've done with so many other areas. This bill does not address the Land Use Commission, specifically.

"Also, if we're talking about major plans that we've had in the past, master plans and all, the people have the right to change those master plans, and in many cases probably should. I think that we have the ability to do that.

"But what does this bill specifically do? This bill specifically has the Legislature interfering with the private contractual process and, yes, I know, we've done it before and we'll probably do it again. But what it does is to make mandatory the extension of leases in agriculture A and B types of properties. I know that the bill has been amended so that it's prospective right now from July 1 of this year; however, there is a defective date in the bill, and so under further discussion it could go back to, again, retroactive periods of time. I think that, number one, that is the concern that I have—any interference and mandatory extension of leases, because, as was testified in committee, one of the things that that might lead to, among unintended consequences, are the land owners not extending leases, or the question of different types of farms and agricultural pursuits, and that's why the good senator from Mililani brought up the Farm Bureau and their opposition and concern.

"So, before we go headlong into a bill like this, let's remember it doesn't stop a specific project. It doesn't realign the Land Use Commission. What it does do is interfere with the

leasehold process in one area in agriculture, and I think we would be best to, in my viewpoint, not to do this at all but secondarily, to be very careful into what we do, telling people they have to do it. I know even in my area of Hawai'i Kai, where we have a major issue going on right now—a valley with farmers, and I know the Senate President visited that area. Part of the problem is that many of the farmers have grown old and don't want to continue agricultural pursuits, and/or they have family members, younger people, that have seen how hard farming really is and they don't want to do it. So to say that we must maintain and we must extend leases, there's got to be a better way to do that. So, I would suggest further thought on this type of measure. Thank you, Madam President."

Senator Hee rose in rebuttal and said:

"Point well-taken; I think target missed, unfortunately. You know, let's start with the Farm Bureau because that's stuck in my craw, as the two previous speakers have enunciated the support of the Farm Bureau for the project and their opposition to this particular bill. The president of that august organization is the campaign chairman of your good friend the Mayor of the City and County of Honolulu. I don't think it's a coincidence that the first segment of the rail was designed right smack in the middle of prime ag land. One of the previous speakers indicated that DPP, OSP had indicated opposition to the bill, and it stands to reason—these are planners. When their job is done, they do what the previous seven planners have done: They go work for a construction outfit. It's in their blood, because I'm sure these planners would freely admit that they didn't plan to have H-1 congested like an artery full of cholesterol. They didn't plan on having domestic abuse rise in urban cores because of people living as pigeons do—one on top of another in a coop. They didn't plan on the increase of the cost of fossil fuels and all other trappings that surround each of us. They didn't plan on the tsunami causing lines of people in a panic at a gas station and lines of people buying anything that they can eat from Costco or from Safeway or from Longs out of sheer panic. 'We're going to die today when the wave comes.'

"The seven planners, each who support Ho'opili—to come together like poi', pipili ka poi, the poi stuck together. I'm inspired by the two previous speakers; and maybe someday the people in Maui will understand when HC&S announces that they have put the land up for sale, and D.R. Horton and Jimmy Schuler, my friend, have decided to put another Hawai'i Kai over there just as they did at Ho'opili and just as Kaiser did mauka of Maunaloa Bay. And where are the people going to live if we do not pave over ag land? 'What the people going to eat?' should be the question. For me, the tsunami means nothing because I live in the mountain where avocados grow, and if you got to eat avocados for dinner, so be it. But I'm not like most people. Your district, Madam President, there was a caravan out of the leeward coast; they went up Makakilo, sat around.

"This is a fish-or-cut-bait bill. It's real simple. There's not any razzmatazz about some developer and where people going to live and what are they going to eat. This is a fish-or-cut-bait bill. And where are people going to live? Go build the house on the rocks, mauka of the freeway, where you cannot grow crops. You can run pipi, but you cannot grow crops. Pipi: cows, Senator. You can run pipi, but you cannot grow crops. So put them where you cannot farm. That's where you put the houses, if you got to put houses.

"But when this land is paved over, and the next tsunami arrives, then all the little ants—12,500 homes times 4—50,000 people going be running around saying, 'Save yourself. Go to Costco; buy all the water. Never mind the cost. Go buy all the gas. Never mind the cost, because we're going to die.' That's what this bill is about: This is a fish-or-cut-bait bill. Where do you stand? You stand with ag or you don't. And all of the

improvements that may need to be done shall have that opportunity in the other chamber, but this bill takes a modicum of courage to say that policy makers stand with the 1978 Con Con to protect not marginal—not marginal—prime A and B land. Thank you."

Senator Slom rose in rebuttal and said:

"Just a brief rebuttal. I always enjoy the good speaker from Kahaluu; he perspires me, too. Just points of clarification, however, just so that there's no misunderstanding. I think he lumped the two speakers together; and he talked about the support for the project, and he may recall that I specifically said I oppose the project. I specifically said that you need not stand with a 15-, 20-, 30-year-old master planning decision; that it is up to the people to change those positions and plans as changes occur, and we've talked about that before. And also the good speaker from Kahaluu knows that I am the biggest opponent of the fixed rail \$6 billion train to nowhere, and I don't work for any housing or other developer.

"So I stand here, not to fish or cut bait—I like the idea of the avocados up in the mountains—but to say again, this bill is about mandatory lease extension. That's what it's about. It's not about all of the other good things that the Senator was talking about. It's about whether or not we interfere with the process, the process between a lessor and a lessee, and whether or not we are wise enough to see that there could be unintended consequences that would actually harm those in agriculture.

"And finally, to make sure that there's no misinterpretation, I stand absolutely for the important agricultural lands and for agriculture and those that bear the brunt of this very difficult process and industry. Thank you."

Senators Ihara, Nishihara, and Kidani requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2469 was adopted and S.B. No. 2780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ihara, Kidani, Nishihara). Noes, 3 (Espero, Gabbard, Slom).

Stand. Com. Rep. No. 2471 (S.B. No. 2391, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2471 be adopted and S.B. No. 2391, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in opposition to the measure as follows:

"This bill will, in part, reinstate \$1.6 million in OHA's budget. It was lost in the shuffle. I would like to suggest to my colleagues that this state is in economic malaise of unprecedented proportion. I think the Chairman of the Ways and Means Committee can validate that, trying to bring some semblance to the process. While we're cutting human services, cutting funding to charities, raising taxes that will further erode our tax base and hurt the economy even further, the Office of Hawaiian Affairs is sitting on \$300 million, the ultimate special fund.

"I happened to be watching C-SPAN when there was congressional coverage of the House debate on the version of the Akaka bill in the House. I heard a lot about autonomy, self-determination. Well, it's time for OHA to practice what they're preaching. If a bill does come from Congress granting some sort of sovereignty to the native peoples, I would suggest that there will be no more OHA, and Hawaiian Home Lands may be included in the land transfer. The bottom line is that

those interests that are beneficiaries of OHA now will have to find a way to sustain themselves with their own resources, but that's in the future.

"Today, we're looking at an organization that is taking money from the general fund to fund their administrative processes, while they're sitting on, last we could tell, approximately \$300 million in assets. The least they could do is run their administration out of their own corpus. So I would suggest that as this bill weaves it way through the process that it be amended and include total administrative costs and the funding of OHA from their resources and not the general funds of the State of Hawai'i. Thank you, Madam President."

Senator Hee rose in support of the measure as follows:

"Members, I appreciate the previous speaker's comments. He has been, if nothing else, consistent; and frankly some of his comments I agree with. But let's be clear on this bill. This bill represents what was agreed to by the Legislature on the conference committee in a public vote that somehow got lost, fell through the proverbial crack as it might be, from the time it was agreed to in conference committee and from the time the budget bill was published for us to take action. It may have been to no one's error that this unfortunate circumstance occurred, but this bill makes good on the commitment—the public vote by the conferees—at the time. To the extent that this bill may move forward today restores some measure of this body keeping its word it gave last year during the conference. I would ask my colleagues to please support the effort, at least this morning, and allow this measure to move forward. Thank you."

Senator Hemmings rose in rebuttal and said:

"The previous speaker is so very accurate. I definitely try to be consistent; and I voted 'no' in conference committee and that's why I'm standing to rebut the comments previously made. Circumstances have changed. Our state is in dire straits. This Legislature convenes to address the issues at hand. For OHA once again to be sitting on \$300 million and expect money that could be going to help the needy, the hungry, the poor, the aging, and the dying does not make sense. And that's why we're here at the Legislature—to do, hopefully, what makes sense. So I urge my colleagues once again to reconsider this when it goes through the process. Thank you, Madam President."

Senator Hee rose in rebuttal and said:

"This bill does not give money to OHA. Let's be clear about that. You know, if it did, this is not the vehicle. And, in agreement to the previous speaker, this bill does just the opposite. It commits OHA to provide funding for native Hawaiian children, students at HIMB (the Hawai'i Institute of Marine Biology) at Ho'okulaiwi in the College of Education at the University of Hawai'i, and at what the new UH President indicated on this very floor—on achieving the dream at the University of Hawai'i Community College System.

"This bill also commits the Department of Hawaiian Home Lands to assist in the construction of a new academy on the leeward coast and has the support of the SCHHA, the community organization in support of the Department of Hawaiian Home Lands, whose president is Kamaki Kanahele, the son of 'Auntie Aggie' Cope.

"This bill—if indeed circumstances have changed as they have—this bill would allow the other chamber to continue to work on it, and if it came to pass, would allow the Governor and her department heads to review it appropriately. But let us be clear: This bill does not gift or appropriate any funds to the Office of Hawaiian Affairs or the Department of Hawaiian Home Lands, but rather does just the opposite—it requires them

to commit to the education, post-high school education, of native Hawaiian students in programs on the Big Island and on O'ahu. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2471 was adopted and S.B. No. 2391, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2472 (S.B. No. 2387, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2472 was adopted and S.B. No. 2387, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ihara). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2473 (S.B. No. 2840, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2473 be adopted and S.B. No. 2840, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"In the original draft was a requirement for 80 percent of local workers for government projects, and of course, in the last couple of weeks we've been able to hear commercials in support of this measure from the unions. But what I worry about is if you have projects like many of my colleagues support, the government rail, where we've been told that the specialized nature of the construction requires people to come from outside the state, that means that that rail might not get built after all, and all the tax money that's being taken would be used for other purposes. So, I think that local preferences, while Professor Van Dyke has argued that they are legal and constitutional, I think the jury is still out on that issue; and secondarily, I don't think it's a good process because it always results in higher prices for local taxpayers. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2473 was adopted and S.B. No. 2840, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2474 (S.B. No. 2604, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2474 was adopted and S.B. No. 2604, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2475 (S.B. No. 2819, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2475 was adopted and S.B. No. 2819, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2477 (S.B. No. 2809, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2477 was adopted and S.B. No. 2809, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2478 (S.B. No. 2490, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2478 was adopted and S.B. No. 2490, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Nishihara).

Stand. Com. Rep. No. 2479 (S.B. No. 2533, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2479 be adopted and S.B. No. 2533, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in opposition to the measure as follows:

"This is very difficult to believe that we're going to be auditing a company that is saving the taxpayers an incredible amount of money. As we all know, it costs approximately twice as much—not quite, but almost twice as much—to house a prisoner here in Hawai'i as it does on the mainland. All the while, colleagues, all the while, we're not auditing the economic abyss that the DOE is—\$2.4 billion, and the reports just keep coming and coming and coming on their malfeasance—and we're auditing a private company that's providing a service to the people of Hawai'i that saves taxpayers a tremendous amount of money. So I would suggest that this is a misplaced priority, and if we want to do some auditing, we should start in our own backyard and start especially with the DOE. Thank you, Madam President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2479 was adopted and S.B. No. 2533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hemmings, Slom). Excused, 3 (Kidani, Nishihara, Taniguchi).

Stand. Com. Rep. No. 2480 (S.B. No. 2213, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2480 be adopted and S.B. No. 2213, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"While I certainly support the intent of the bill and support compassion centers—and as a matter of fact we've opened a compassion center up in my office in room 222, so if people want to be compassionate, they can come up there. However, what I don't like about the bill is that it imposes a new tax, a general excise tax of \$30 an ounce on the product under discussion, so I cannot support that. Thank you."

Senator Sakamoto rose in opposition to the measure as follows:

"After hearing the testimony of the police chiefs and prosecutors and the problems they pointed out, I don't think this

measure will help us to alleviate the drug problems we have, so I stand in opposition."

Senator Hemmings rose in opposition to the measure as follows:

"I wish to offer to my colleagues a consideration that should be included in this whole debate on medical marijuana. Marijuana may have a medical value that could be utilized in compassion centers. But until medical marijuana, as it's so called, goes through the rigorous process of the Federal Drug Administration that all other drugs have to, I would suggest that we're doing our people a tremendous disservice.

"Quite frankly, I sat in on a couple of committee hearings concerning medical marijuana and I was astounded by the testimony, in the manner in which it was given; and you can read into that as you please. My point is that we are talking about a very, very strong drug that seems to be, as with alcohol for some, a tremendously bad addiction that lasts a lifetime, but yet it may have some medicinal value. But we don't know. What we really should be doing here in the State of Hawai'i and nationally is requiring marijuana to go through the FDA process. But it really is rather comical to think that the 5,700 people plus that are registered as medical marijuana users, or most of them, are doing it for any other reason than medical; and I would suggest that itself is a problem. Thank you, Madam President."

Senator Hooser rose in support of the measure as follows:

"You know, I was not going to speak. We have a long day, but the previous speaker's remarks were offensive to many in our community who have serious illness. I know of people afflicted with cancer, with HIV, with other illnesses, whose only relief that they can find is through the use of marijuana prescribed by a physician who agrees with them. This State has already gone down the path of saying medical marijuana is permissible, and we're supporting that. This bill merely provides a vehicle, merely provides the counties with the authority to establish a system which allows those people who are legally using this substance to acquire it in a safe and legal manner to deal with their illnesses. It does nothing more than that. I urge my colleagues to vote in support. Thank you."

Senator Hemmings rose in rebuttal and said:

"Good Senator from Kaua'i: I think you did not hear me or did not care to hear me. I, too, agree that medical marijuana can have a tremendous medicinal value to those who have a genuine medical need. But I also know as a matter of fact that there are people that are exploiting the process for recreational purposes. I probably share your compassion for those who need marijuana to relieve their pain and are in dire medical straits, and that's all the more reason why this should go through the FDA to get approved to do just that. So I don't think there's any disagreement between myself and the previous speaker other than I see this bill furthering the misuse of marijuana. Thank you."

Senator Espero rose in support of the measure as follows:

"I just want to briefly say that this measure is a work in progress. This is the first time this Legislature has attempted to look at medical dispensaries; and its effect is not until August 2012, so two and a half years, which would give ample time for the counties and the feds to look at this, but, most important, for our State to see what is the best route to deal with it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2480 was adopted and S.B. No. 2213, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Sakamoto, Slom, Tsutsui). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2481 (S.B. No. 2544, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2481 be adopted and S.B. No. 2544, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in support of the measure with reservations as follows:

“You know, five years ago, when we were asked to authorize \$48 million in special purpose revenue bonds, I supported the measure. I think technologically it’s sound and all of that. But I think we should be very careful in our issuance of these bonds. We should require stricter deadlines, rather than extending time periods, stricter deadlines on the developers of whatever the project is. We’ve also expanded the use of special purpose revenue bonds over the years, and we’re going to have another one coming up shortly about carbon and fossil fuels and so forth. I think we should have a much better and more transparent way of requiring that we actually see construction started, development done, and then we can authorize the use of these bonds. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2481 was adopted and S.B. No. 2544, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2482 (S.B. No. 2461, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2482 was adopted and S.B. No. 2461, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Nishihara).

Stand. Com. Rep. No. 2483 (S.B. No. 2231, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2483 was adopted and S.B. No. 2231, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2484 (S.B. No. 2270, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2484 was adopted and S.B. No. 2270, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MEDICAID REIMBURSEMENTS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2485 (S.B. No. 2124, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2485 be adopted and S.B. No. 2124, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Sakamoto rose in support of the measure as follows:

“It’s a sad day that we’re here with a bill like this to fund furloughs. Friday’s coming; we still have six furlough days this

year. Some people get lulled into thinking, ‘Well, that’s just how it is.’ I was at a school this morning, reading to fourth graders. The librarian asked the kids, ‘Well, what do legislators do?’ One kid shyly said, ‘Furlough days?’ Obviously everyone out there has talked to all of us—urging us to cure furlough days. And although we didn’t start this conversation and we’re not party to collective bargaining, we definitely need to do our part. This measure is, in part, creating an opportunity to use dollars that we’ve left there in this particular fund. The State has been in dire straits for many years. Many funds have been touched; and I believe this is an opportunity to use dollars in this fund because this purpose—education of our kids—rises above many of the other choices that we’ve had in the past. So, Madam President, let’s all do our part. Move this measure forward, and hope that the parties will take advantage of these dollars to come to a resolution, hopefully by Friday. If not, by the next Friday. If not, as soon as possible. Thank you, Madam President.”

Senator Kim rose in support of the measure as follows:

“Madam President, this bill will utilize \$86.1 million of the Hurricane Relief Fund. This will take care of the remainder of this year—the furlough days for this year—as well as all of it for next year. And this will also be appropriated to the charter schools, as well as all of the public schools; and so, like the previous speaker, I urge all my colleagues that we move this out quickly so that there’s no excuses why we can’t solve the problem. Thank you.”

Senator Slom rose in opposition to the measure as follows:

“It is indeed a sad day. It’s been a sad day for several months that the Board of Education, the Department of Education, the teachers’ union have held parents and students hostages. And now what we’re seeking to do, even though we’re not a part of the collective bargaining, we are getting involved in collective bargaining and we’re going to give money—extortion money—to the unions. We’re throwing more money at education. We’re not even listening to the three former Democrat governors who stress that systemic change is what we should be doing. This doesn’t provide any systemic change. It again throws money at the problem; and as we’ve seen, more than \$2 billion a year goes to Department of Education. We have not solved the problem. We’ve not improved class structure. We’ve not added instructional days. So, to me, I think this is a very bad precedent that we’re setting. We should not be doing it. And, again, it gets back to the heart of special funds. We had a special fund for hurricane relief. We’re raiding that fund, taking it for an entirely different purpose. Thank you.”

Senator Hemmings rose in opposition to the measure as follows:

“In forensics, they often talk about following the money. I’d like to follow the money in the DOE, but it’s impossible to do because they don’t know what they’re doing. A recent audit by Grant Thornton had a paragraph that was particularly interesting: ‘The DOE has reported workers’ compensation claims liability in the amount of \$66,893,192 as of June 30, 2007. The DOE was unable to provide sufficient evidential matter supporting the amounts accrued for this estimate, nor were they able to satisfy ourselves as to the recorded amount of the liability by other auditing processes.’ So what that really means is the DOE has \$66,893,192 workers’ comp liability, but they don’t know where it is.

“There’s a bill that went through the Higher Ed Committee—and I want to thank the Chairman of that committee for having the wisdom to hear it and pass it—about transparency. It’s such a chic word in the parlance of political process. Transparency for the DOE, modeled after legislation in Colorado where all

the budget matters of their departments of education are required at the state level to be posted on the internet. Testimony came from the acting superintendent that they really couldn't do it for a number of reasons: It would be very difficult, and one of the reasons included that for their administrators of this \$2.4 billion department, they keep their salaries on index cards.

"So I would suggest that giving more money—and I try so desperately to not offend anybody in speaking on these issues, but it has to be said. This organization's malfeasance and audacity to spend \$2.4 billion and produce, by standard testing, one of the worst products in the nation, and we have to raid funds to keep the teachers working? It is an insult.

"And we always talk about the keiki. Well, there was an art display, and interestingly enough, I looked into it, and it was by some children that weren't even in elementary school yet, but most of them were, and it was about furlough Fridays. To use children to plead your cause, children that are so impressionable and obviously hear what they are told in the classroom, I think is unconscionable.

"And I want to enter into the record the excuses we've heard—because they've been rebutted so well—for the public education system's abject failure. We've heard in the past: 'Give us more money and we'll do a better job,' and, 'We're having a difficult time because of the private school drain on public education.' Hawai'i does not have the highest percentage of students in private schools; we're ranked twelfth. So, bye-bye that lame excuse. Poverty: The percentage of poor students in Hawai'i is lower than the national average. Bye-bye that lame excuse. Special education: The percentage of special education need students in Hawai'i is lower than the nation average, so we can bid adieu to that excuse. Ethnic diversity; that's often used. You know, we have such a diverse culture. We do. That's oftentimes an insult to minority groups. I know, for instance, the Portuguese do very well in public schools. (Thank you for laughing good Senator; got one laugh.) But that's a lame excuse, too, because we all know that there are other states with much more problematic ethnic groups that are doing better. Educational funding: Hawaii's per pupil spending and average teacher and principal salaries are all higher than the national average. And yet, this organization, year in and year out, produces test results that rank us amongst the poorest performing system in the nation.

"Now, I know some people that are running for higher office or have other motives will stand up and tell us he's insulted or she's insulted by the fact that lots of schools are good and they're not all bad. Lots of kids are smart. And you know what? I agree. But too many are not. And I feel so sorry for those parents, and I feel so sorry for those children for several generations now that have a diploma from the public education system and can barely read it.

"When are we going to stop funding this huge, huge problem? When are we going to reorganize the Department of Education and put the resources in the classroom with the teachers and the students? Until we do that, we're going to continue to have these endless debates in the Legislature on how to fund a failing system and try to fool the people in Hawai'i to thinking we're fixing the problem by throwing their hard-earned money at it. I would urge my colleagues to hold them accountable. Something was mentioned about collective bargaining, and I will say this again for purposes of that issue pertaining to budget items: We should not rubberstamp collective bargaining agreements by simply funding them like it's some sort of mandate. I would remind everyone on this floor: We're the elected officials. I would remind everybody on the floor that we have a state constitution that says that we make the laws; that we make the budget; that we appropriate the money—not collective bargainers and union people whose only

interest is to fatten their own interest at the expense of children and taxpayers.

"This bill is probably going to pass, as many have this morning. It's not hard to keep the buck score here: 23-2. But I'll let you stand on your record, Majority Party, and I'd love to hear some people rebut me, tell me what a wonderful job the DOE is doing, and what a wonderful job the Board of Education is doing, and what a wonderful job those caring HSTA union leaders are doing. These are the very people that say we're keeping our kids out of school. 'Shame on us,' by not throwing more money at their cause when they themselves went on strike in the earlier part of this millennium and kept kids out of school for 21 days. Oh, but, shucks, we forgot that one, didn't we? Madam President, sooner or later, this Legislature's going to have to come to grips with this, and maybe the silver lining to the dark economic clouds that hover over the State is it will be sooner because we can't afford to continue like this. Thank you."

Senator Galuteria rose in support of the measure as follows:

"First of all, I'd like to, in many ways, agree, colleagues, with the past two speakers who articulated so well and illustrated points of value, but I believe that their particular position is totally misdirected towards this measure.

"My bottom line position on this, and I'm sure it illustrates the last two speakers as well as the chamber: Our keiki must receive quality education. What went down last year through furloughs led our children to receive the most meager education in our nation, colleagues. Now, this episode continues to bring shame on us as a state, as well as punishes our children by making them inadvertent casualties to our economic woes. Now, we can qualify and quantify and ponder about the difference between quantity and quality of education, but at the end of the day, it's our keiki who are being short-changed. Seventeen days is seventeen days is seventeen days; there's no other way to cut it.

"Now, some protest the use of the hurricane fund, obviously, and their points are well taken, but this will provide a course to remedy the problem, even if temporarily. If you ask our junior and senior high school students and their parents as well if they need temporary relief, most will say they concur. The reason I don't say 'all' is because some people are getting used to furloughs. That's unfortunate, but it's the truth. These kids are on their way to college. We are trying to save six more days, but time is running out. And in the spirit of full disclosure, colleagues, I'm a parent of a senior at McKinley High School who asks me constantly, 'How come, Dad? Why aren't you giving us our full measure of education?' We'll never know her full potential because we're not providing her with what we as students had in high school, and hopefully, what we can provide for those following this year. Ask the parents of the elementary school students. They know what's happening and they're not pleased either. Above and beyond the educational system, colleagues, we're creating a whole new generation of latchkey kids. Unacceptable.

"So, colleagues, I ask for your favorable consideration of this measure. We will address some of the concerns of the past two speakers in some other bills that are forthcoming, but for now, the public is paying attention. They're expecting a solution. Thank you, and thank you, Madam President."

Senator Sakamoto rose in rebuttal and said:

"I agree with the previous speaker: This is about the students and the kids. This is not about the adults arguing what could/should be. But in response to some of the comments, this body has bills before us today dealing with instructional days, more classroom time, common curriculum, the teacher standards board, junior kindergarten, principal and vice

principal certification, longitudinal data—many things, in addition to Board of Education changes. So, we're trying to do our part, and yes, there's a lot that needs to be done, but let's not penalize the kids as that debate goes on. We need to do this, and we hope—I pray—that our Administration and the respective teachers and other bargaining units can use this measure and other things to move us forward and resolve this as soon as possible for the kids. Thank you."

Senator Hemmings rose in rebuttal and said:

"If this really was about 'the keiki', then the teachers and the unions and all of those organizations would have found a way not to have furlough days. They simply could have used vacation days, they could have used teacher enrichment days, and all the other fancy names they have for not doing work and collecting a big paycheck."

Senator Baker rose in support of the measure as follows:

"Madam President, I have some remarks I'd like to have inserted, but I just want to say one thing to all of my colleagues here: It really is about the kids. I remember standing on a picket line with teachers, with parents, and some young children, and this one student had a sign that said—and she had actually a little jingle. I don't remember the whole gist of it, but the upshot of what she was saying was, 'We don't want more vacation. We want our education.' And to have a little third grader, who's, you know, lost a few teeth, and she really understands what maybe some of us adults don't get: It really is about time in the classroom, quality time in the classroom, and that's what we're trying to get with this measure. Thank you, Madam President."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB 2124.

"Despite our repeated efforts to address educational needs in our community our schools continue to rank as the lowest in the nation. Too often fiscal shortfalls are born by the children of our community. This measure will address the needs of our keiki and get them back in school.

"The purpose of this bill is to ensure that Hawaii's students receive the education they deserve by restoring public school instructional days in the 2010-2011 school years that would otherwise be lost to furloughs. Specifically, this bill appropriates \$67 million out of the Hawaii Hurricane Relief Fund (HHRF) to the public schools, including charter schools. The intention is to return all DOE personnel who are in the classroom and support the classroom are returned to work.

"Some colleagues are concerned that the Hawaii Hurricane Relief Fund is being inappropriately tapped to pay for furlough days. Let's examine the purpose and function of the fund. The HHRF closed its doors at the end of 2001. According to HRS 431P-4(a) and the Insurance commissioner's own testimony, the purpose of the remaining HHRF funds is to redeploy the HHRF if there is another market scarcity in property insurance in Hawaii. Its purpose is to function as reinsurance for the private market. Therefore, the HHRF funds will not be used to cover individual property losses if we have a hurricane. These funds will not cover homeowners for their loss. Those losses are covered by private insurance companies from whom the homeowner has purchased insurance. The HHRF money is held, like an insurance policy, in the event that insurance companies pull out of Hawaii after a hurricane as they did after Iniki. Your Committee on Commerce and Consumer Protection believes that there are sufficient funds remaining to satisfy initial reinsurance needs and recommends that the funds used by this bill be replaced with bond funding or cash when economic prosperity returns. Since the closure of the program

in 2001, the fund has functioned as a savings account. It can continue to serve that function and its reserves can be bolstered by future legislatures.

"The chance of a hurricane hitting Oahu cannot bear more weight than the reality of our children missing school. The HHRF is the most reasonable vehicle to address school furloughs. Furthermore, the suspension of the mortgage fee in 2001 that went toward funding the HHRF, can be reactivated if we are worried about the depletion of the funds. The Insurance commissioner has that mechanism to address any shortfall that he foresees in the HHRF.

"One of the tools we can give our school system is the funding it needs to go forward. We ask that the bar be raised, we passed a bill for more instructional days and hours; we ask for better test scores, but due to lack of judgment all around we have kept the children out of school. We have the shortest instructional year in the county – 163 days. That cannot go forward for another year. This measure will provide children with what they need to succeed, more time in the classroom.

"This bill will ensure that needed funding is provided. I urge all my colleagues to support this important step to show the world that Hawaii cares about education and we are willing to put our money where our mouth is. Mahalo."

Senator Hooser rose in support of the measure as follows:

"Colleagues, I also enthusiastically support this measure. There are parts of it that I have a problem with, but my vote will be in support.

"You know, I think it's too little, too late. For the record, the Majority of the Senate stood up in late October-November and said clearly that the furlough solution is unacceptable and that we proposed taking money from one of the special funds, the Hurricane Fund or otherwise, and restoring at least the rest of this year, wholly. And I'm very proud to be part of that group in the Majority that wanted to do that. Shortly thereafter, the House essentially concurred, and then the Governor finally said, 'Well yes, maybe if we can get agreement, we'll do that, too.' And it's unfortunate—it's more than unfortunate, it's... The word will come to me, but it's very, very bad the Governor has not been able to come to terms with this, and we frankly don't have the power to negotiate by Constitution. We don't have the power to cut the deal, and that's where my objections, my concerns, my reservations to this measure comes from is the provisions within this that require teachers to give up a certain number of planning days in return for the furlough days. I don't support that. I believe we should leave that to negotiations. But that is up to the Governor; and I would say that in that respect, there's been a total absence of leadership on the part of the Governor. There is no leadership. And while we try as a legislative body to exert leadership, it's like pushing on a string, which is very, very frustrating: the failure of leadership.

"Recently, the Governor, as a symbol of the kind of leadership that's being utilized, accused the Hawaii State Teachers Association about caring more about the money than they do about the children. You know, I would say that's the pot calling the kettle black. Actually, I think there are far too many people who care more about the money than they do the children.

"As mentioned earlier, there are a growing number of latchkey children. I know of families personally whose 11-year-old children are watching 7-year-old children while mom and dad are at work. We had a tsunami warning—could have been a disaster—on Saturday, and fortunately, that earthquake originated in Chile and not on the Big Island. If that had originated here, locally, on a Friday, we would not have had the warning we had, and those children would be stuck alone in

their homes on a furlough Friday when a major disaster could have occurred.

“There is no question that the current budget crisis is a temporary crisis, while the impacts of furlough Fridays could last a lifetime. We trust teachers with our children. We trust them to mold their brains, their personalities, their lives, and their futures. For some, the only positive role model that these students have is their teacher, but now they’re stuck home without that role model. Sometimes it’s the only place they get a decent meal. Sometimes that’s the only safe place they have to go, and now they’re without that.

“Some want to blame the teachers, but, you know, I don’t blame the teachers. If I was them, I’d feel the same way: working twelve hours a day; hot, crowded classrooms; taking money out of pocket only to get bashed over and over again, sometimes by politicians, oftentimes by columnists and the media; trying to do their best; dealing with parents and community who expect miracles. And they’re getting better actually, Madam President, colleagues. If you look at the test scores, test scores are improving, but they don’t get any kudos, they don’t get any congratulations, they don’t get any more support. All they get is criticized and put down: more top-down directions, more forms to fill out more IEPs, more directives. You take away their health care system. Then we give it back to them, but then not really. It’s only a year, it’s only two years. We give them planning days, then we take the planning days back from them. They’re some of the most important people in our community, and we end up dumping on them over and over again. We need to support our teachers. We need to pay them what they deserve. We need to provide them the support and the planning and the respect they deserve and let them do their jobs.

“To punish our children because we’re mad at the Department of Education is just totally beyond me. You know, I also agreed and supported bills to audit the Department of Education. I agree we could do better; I agree they could function much better. But you know, you don’t hear from anyone on this floor today—you certainly don’t hear from the Minority Party—talking about the billion dollars the Administration has locked up in a Ponzi scheme that we can’t get to. They call it auction-rate securities, but to me it’s no different than a Ponzi scheme. It paid way higher than normal rates of interest. You buy it and then you sell it. You get your money back when the next investor buys in a month or two later. We have a billion dollars in it. I don’t hear any criticism, any demands for audits of the Administration for that. We have a quarter of a billion dollars tied up in special funds, and yet our kids aren’t going to school. We have a failure of leadership, and it’s time that we move on; and I believe that this Legislature, this Senate, by passing this measure, will send a statement that our children and their education is important to us.

“And it’s not just about teachers. I suppose we have not heard the rest of the discussion today, but I’m sure there will be much more bashing of public workers. There’ll be bashing of cafeteria workers, custodians, clerks—all of those people essential to running our schools. We need nurses. We need to fund the schools properly. This budget crisis is a temporary situation but again the damage is permanent.

“There’s much bandying about of statistics earlier, Madam President. Our teachers, entry-level teachers, get paid less than \$40,000 a year. When you figure in the cost of living, we’re at the bottom in terms of the comfort score that organizations that rank teachers by state calculate. We need to take action. We need to stop blaming the DOE and punishing our kids because we’re not happy with the system. We need to ask the Governor to put aside the ego and to sit down with the HSTA, the BOE,

and the DOE, take a big deep breath, and put our kids back to school. Thank you, Madam President.”

Senator Nishihara rose in support of the measure as follows:

“I share the concerns of the previous speakers; however, this measure will not correct the system’s failure, but it will not further penalize students. As a former teacher and administrator, I would not have chosen the path that led us here, but at this point in time, those larger questions and concerns need to be more thoughtfully carried out outside of this body with a larger discussion that involves all of our community. I will vote in support of this measure and ask others do to so as well. Thank you.”

Senator Chun Oakland rose in support of the measure as follows:

“As a proud public school graduate and mother of public school children, I echo the sentiments of the Kaua’i senator. Thank you.”

Senator Espero rose in support of the measure as follows:

“I just want to reiterate my support for this measure and for all of those who have spoken. As was stated, in October a group of parents and students came up in our rotunda and advocated against Friday furloughs, almost five months ago. Many of us wanted to have a special session before December. We wanted to be taking a vote similar to this one in 2009, but unfortunately we weren’t able to get to that point, and now five months later and many school days and hours of loss of classroom instruction, we are in a position to correct a situation which never should have occurred.

“Other countries have 240 days, 220 days, 200 days. We have 161 days, the lowest in the nation, probably one of the lowest in the industrial world. We saw the attention in the media, not only nationally, but internationally. We heard from President Obama and his education secretary. We were not directly responsible for this situation, but we could’ve resolved it in 2009. We did not. We are now taking it up. This is obviously the right thing to do. We can no longer jeopardize our children’s future, their education. This is unacceptable to allow these Friday furloughs to continue; and I want to thank the WAM Chair and everybody who worked on this bill to get this through. End Friday furloughs; get our students educated. Thank you.”

Senator Hee rose in support of the measure with reservations as follows:

“This bill should be tied to an audit of the Department of Education. This is like giving a diabetic candy and rewarding the diabetic for having a sugar fix that’s wrecking the diabetic’s life. The fact of the matter is the Department of Education does not have change agents. The Board of Education couldn’t care less about change agents. The Board of Education is complicit with the teachers. The Superintendent of Education is complicit with HSTA. They can’t remember if they represent the employer or the employee. The Governor understands she’s the employer, but the four-legged stool has three employees and one employer when it should be the other way around.

“The interim superintendent indicated that closing schools wouldn’t save enough money. She’s wrong. Anybody, anytime, can take the DOE handbook, divide the number of teachers into the number of students, and you will come out with 1 to 15. The student-teacher ratio is 1 to 26.1. I can hear the defenders now. ‘Well, the reason is because special ed is 1 to 1.’ That’s correct. But surely, is there anyone with a reasonable amount of sanity that could not assert that teachers should be redeployed to save taxpayers money and to move that student-teacher ratio closer to where it belongs? Any school.

Any school, any district; and I regret that I don't have the book with me. Divide the number of teachers into the number of students; if it's at the elementary level, it's closer to 1 to 13. If it's at the intermediate level, it's 1 to 15. If it's at the high school level, it's closer to 1 to 16. So where did all the teachers go? Well, there's a high school in my district, at one time had two and a half athletic directors. Two and a half athletic directors. Not too many championship teams, but two and a half athletic directors. Maybe they need three and a half athletic directors; maybe that's the problem. Instead of two and a half, it should be three and a half.

"The fact of the matter is the Department of Education needs change agents, not defenders of the status quo. Uh-oh, I sound like somebody who might be making sense. It's easy to stand up here and say, 'Well, geez, support this bill because it's the teachers.' I used to be a teacher. I taught at five elementary schools on Moloka'i. I taught at Kailua High School, Kalāheo High School, Moloka'i High School, Windward Community College, Maui Community College, the Community College of Micronesia—that's how desperate I was to get a job.

"This is like giving candy to a diabetic; real simple. But if you want to put a stick on that candy, then attach an audit to the Department of Education so that change can be expected along with the sugar. The time has long passed for an audit of the Department of Education, and there's no better reason than now to do so. But unless that four-legged stool changes to how it should be—three employers and one employee—the tail, as stubby as it is, will continue to wag the dog. Thank you"

Senator Slom rose in rebuttal and said:

"I do appreciate the comments of the last speaker. I think he's absolutely correct. Change agents: That's what it's all about. As I mentioned initially, all we're doing is throwing money at a problem which—my colleague from Waikiki is quite correct—has gotten us national and international shame. But there's no solution here; all there is is more money. There's no solution. If this bill said, 'and we're going to transfer this money and this is what's going to happen or this is what's going to change,' then we could support it, perhaps, but there's none of that. And for all of these speeches about how we love the keiki and how we're going to improve things and save them and give them food and give them sustenance—and oh, by the way, I learned that the tsunami came on Saturday, and Friday in certain districts, but not on Saturday—for all of that discussion, that's not in this bill. All we're doing is transferring money out and we're giving more money. Nobody has stood up here and bashed teachers or bashed public employees, as so often is the subject of a speech here. We respect these professions. We want them to be adequately paid. We want them to have adequate benefits, and health and safety, and all of that. That's not in this bill. All this bill is doing is taking more money and giving it to the same people with the same low expectations and benchmarks.

"And this idea of the DOE, of an audit, you know people from the outside really don't understand why the Legislature for so long has dug in its heels and said, 'Yeah, well, we'll audit everybody else but not the DOE.' Not the single source, the largest source of general fund money. Not the largest expectation for education of our children. We won't do it. We don't care how they spend the money. And they don't know, because we've had hearing after hearing, we've had investigations, and we've asked them, and they don't know. So how could we, in acting prudently say, 'Well, we understand all that, so let's give them more money.'

"As a diabetic, I would welcome the sugar without the stick, but that's another issue. And I know this is a wonderful opportunity for those people that want to bash the Governor to continue doing that, but that's not the issue either. The issue is

a mistake was made on furloughs. We should end the furloughs. All of us should be together on that, but it should not be dependent on another \$86 million or \$150 million or \$300 million. We need those change agents, and we have the ability and the clout to demand them, but only a few of us in this body seem to think that that's important enough and that's the right direction.

"So, again I say, Madam President, I'm opposing this bill because unless and until we make these systemic changes, we are not going to progress. And maybe that's why the acting superintendent of education has her children in private schools. Thank you."

Senators Ihara, Gabbard, and Bunda requested that their votes be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2485 was adopted and S.B. No. 2124, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Bunda, Gabbard, Hee, Ihara). Noes, 2 (Hemmings, Slom).

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 p.m.

S.B. No. 707, S.D. 1:

Senator Baker moved that S.B. No. 707, S.D. 1 pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

"It was difficult to take a position because I think both positions on the bill were informative and important. But you know, we spent so much time with the procurement process over the last couple of years, so when it comes to procurement and exemptions, I will almost always defer to the chief procurement officer. And he was opposed to this bill, saying basically that the PEG access—the public education government component of cable television—really does not rise to having the services exempted; and for me I think that's important enough. I support autonomy from the different agencies, but I think that transparency and regulation, if we're going to have it, is important as well, and the procurement process should be the defining factor. Thank you."

Senator Baker rose in support of the measure as follows:

"Madam President, this is an issue that is not new to this body. We've worked on it for several sessions, and the Department of Commerce and Consumer Affairs has tried unsuccessfully for at least three times to get a procurement solicitation out the door that would work. Those efforts have been a failure. The PEG access services are not like procuring paper or pencils or computers or widgets. It is very different. It's a service that doesn't even fall into the category like health and human services that has special rules. We even went so far as to put a working group together made of the PEG access representatives, other folks in the community that could loosely be defined as stakeholders, as well as members of both the House and the Senate, to see what else we might come up with to procure it in a 'more normal fashion'; and the resounding recommendation was that the discretion, like with cable television, should be with the director of the DCCA to negotiate the best deal for these services to make sure that the services continue to live up to their mission, which is supporting public education and government TV.

"These services are very important on the neighbor islands because they give us one of the only opportunities we have to

have something akin to local programming and local television. When you look at the testimony, you find that even the director of DCCA recommended support for this measure, as did the Comptroller. The all acknowledge—and actually if there had been one less person ill at the time of the last procurement policy board meeting, they would have granted the exemption.

“It’s time for us to move on and make sure that we have appropriate services, appropriate contracts in place, and that’s what this measure does, and I urge my colleagues to support it. Thank you.”

The motion was put by the Chair and carried, S.B. No. 707, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Hee).

S.B. No. 2790, S.D. 1:

Senator Sakamoto moved that S.B. No. 2790, S.D. 1 pass Third Reading, seconded by Senator Kidani.

Senator Slom rose in opposition to the measure as follows:

“This bill requires the timely notification of parents and guardians and procedures for the discussion of potentially controversial issues in the classroom. I was very troubled by this. I think part of the impetus may have been the discussion of controversial sexual issues—abortion and so forth—but then I thought about it. Suppose a member of the Republican Minority were invited to school to discuss issues, and some people might think that that would be harmful or a potentially difficult situation and we wouldn’t be allowed to speak. The idea is that this is very broad and very vague, and I think issues of free speech and First Amendment rights come up to the level of importance, and I don’t think we should be legislating this kind of bill. So, I stay in opposition. Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“For clarification to the previous speaker, this measure, the active part, says, ‘after the occurrence of a situation that may have caused physical, psychological, emotional harm to the child,’ etc. I think that perhaps in one of the summaries it still talks about ‘pre-’ or ‘prior to’, but this bill deals with ‘after’. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2790, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Hee).

S.B. No. 2927, S.D. 1:

On motion by Senator Gabbard, seconded by Senator English and carried, S.B. No. 2927, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Hee).

S.B. No. 2551, S.D. 1:

On motion by Senator Gabbard, seconded by Senator English and carried, S.B. No. 2551, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NET ZERO ENERGY BUILDING PERMITTING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Hee).

S.B. No. 2341, S.D. 1:

Senator Chun Oakland moved that S.B. No. 2341, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Baker rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madam President, I rise in support of SB 2341.

“Despite our repeated efforts to address the causes of domestic violence in our community and assist the victims of domestic violence, our community has not been able to stop this scourge. There are an estimated 3 million incidents of domestic violence reported each year in the United States. Too often these incidents result in severe bodily injury, long-term psychological harm and even death.

“One of the primary reasons women do not leave an abusive relationship is economic. If a victim of abuse cannot support themselves with employment, they will stay in the abusive relationship and risk injury or even death.

“We, as a legislative body, must try to fill the policy gaps to help the victims of domestic violence. In doing so, we strive to reduce the number of incidents of domestic violence and give the victims the tools they need to end the abuse.

“One of the tools we can give those victims is to ensure that their employment search and attainment will not be hindered by the past or their current status. That is what SB 2341 sets out to do. SB 2341 prohibits employers from discriminating against an employee based on an employee’s or applicant’s domestic abuse victim status.

“This bill will ensure that victims of domestic violence are not held economic hostage in an abusive relationship. Victims will be able to seek employment without discrimination and continue on a road to recovery and freedom from abuse. I urge all my colleagues to support this important Women’s Legislative Caucus bill. Mahalo.”

The motion was put by the Chair and carried, S.B. No. 2341, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Hee).

S.B. No. 2339, S.D. 1:

Senator Takamine moved that S.B. No. 2339, S.D. 1 pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

“I think all of us certainly want to expedite workers’ compensation proceedings, but we want to make it right and we want to have flexibility to make sure that all of the information is timely and is helpful, particularly for the worker. This bill takes away that flexibility from the director of the Department of Labor and Industrial Relations, and I think that there are certain times when we should wait if the circumstances define that. It’s not a question of delaying compensation or delaying service; it is a question of getting it right. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2339, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Hee).

S.B. No. 2287:

Senator English moved that S.B. No. 2287 pass Third Reading, seconded by Senator Chun Oakland.

Senator Espero requested that his vote be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2287, entitled: “A BILL FOR AN ACT RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Espero). Noes, none. Excused, 1 (Hee).

S.B. No. 2747, S.D. 2:

Senator Kim moved that S.B. No. 2747, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure with reservations as follows:

“This is the annual bill that we have—the conformity bill—conforming Hawai‘i state income tax laws with the federal internal revenue. But every year I have to get up and make the same speech because every year one of the sections that is not conformed is the amount of personal exemption. In Hawai‘i, we are one-third of a citizen if you compare it with the federal exemption. I think that should be remedied. I don’t know what the reluctance is year after year because we’ve had this reluctance when we were in the best of financial times as well. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2747, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

S.B. No. 2249, S.D. 1:

Senator Taniguchi moved that S.B. No. 2249, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“This bill would create yet another special class for victims; in this instance, water safety officers. And while I have the utmost respect for water safety officers—primarily, we’re talking about lifeguards—I don’t think that they should be in a special class. I think that by this law, which would change a current misdemeanor into a felony, what you’re doing—we have special classes for police and fire and different officials. If a crime is committed against an individual, that crime should be punished to the maximum, and the fact that a person is not in a special class should not be the determining factor for the prosecution of individuals. If somebody assaults me as an individual person, a family member, a small business person, it should be just as egregious as if somebody assaults a lifeguard or someone else. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2249, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PENAL CODE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 2877, S.D. 1:

Senator Taniguchi moved that S.B. No. 2877, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senators Ihara, Hooser, Tsutsui, and Baker requested that their votes be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2877, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Hooser, Ihara, Tsutsui). Noes, none.

S.B. No. 2878, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, S.B. No. 2878, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRUSTEES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ihara, Slom).

S.B. No. 2937, S.D. 1:

Senator Taniguchi moved that S.B. No. 2937, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“A couple of years ago, we passed a bill about a vexatious individual. It was a bill basically for one individual who was harassing many of us in the Legislature, continually asking for information, and if we didn’t provide the information in a timely manner to go to different agencies. This bill is a little bit different. This bill talks about vexatious requestors and individual or individuals that continually ask the same type of questions. The genesis of this bill is the Department of Health and people that are asking about the birth certificate of our President. And it is true they have gotten a lot of requests, locally, nationally, and all of that. But this bill is so broad that it would affect individuals who are asking government agencies for information; and, as we know, oftentimes government agencies do not provide that information in a timely manner, and so it would allow agencies basically to classify this person as a ‘vexatious requestor’, thus denying the information altogether.

“I think that the number and amount of people that are involved in really creating extra work for individuals and for agencies is very small. The damage that would be done to the public by allowing greater discretion from departments to withhold information or to label a person as someone who basically is a troublemaker because they say, ‘Have you done that yet? Can you give me that information yet?’ It would be like someone, for example, going to the Department of Education and asking over and over and over and over and over again for the financial information. Why, they could be determined to be a vexatious requestor, and they could be totally ignored. I think this goes far beyond what we should do in terms of people that are causing problems within the system or in the agencies that are designed to provide information and paid for by the taxpayers. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2937, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2252, S.D. 1:

Senator Taniguchi moved that S.B. No. 2252, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Ihara rose in support of the measure with reservations as follows:

“Madam President, this bill was drafted and introduced at the request of the Campaign Spending Commission. Senate Bill 2252 adds several good and necessary things to the state election campaign law; however, the bill before us has three important provisions missing that were deleted by the Judiciary Committee. For the members’ edification, I’d like to describe the deleted provisions.

“No longer in this Campaign Spending Commission bill is the requirement that corporations make contributions only through the corporations’ political action committee. This requirement would have been triggered when the corporation makes contributions or spends over \$1,000. Deleting this requirement removes transparency from corporate campaign contributions and expenditures. The U.S. Supreme Court recently ruled in the Citizens United case that independent expenditures could not be limited, and because of this ruling, there’s much concern that we’ll see even greater corporate influence on elections through their political advertising. So now, Congress is planning to require reporting of these activities, but Hawai’i is moving backwards by deleting reporting requirements as proposed by the Campaign Spending Commission.

“This bill also deletes an existing provision that limits corporate contributions to PACs at an aggregate amount of \$1,000.

“The final deletion is the amount that a corporation can give to its own political action committee.

“Madam President, I also have concerns about two provisions proposed by the Campaign Spending Commission. I agree with the Commission’s proposal to repeal the requirement that it adopt a code of fair campaign practices, but I would have preferred making such a code optional, which I think would have helped or could help to encourage fair campaign practices.

“Finally, the Commission proposes making fines for violations discretionary rather than mandatory. I believe there should be mandatory fines for violations because the Commission would and can today still have discretion in choosing the amount of the fine: the less severe the violation, the smaller the fine. Instead, this bill makes all fines discretionary and does not provide any criteria for when a fine should be assessed. At the very least, I believe the Commission should be instructed to assess fines based on the severity of violations.

“Madam President, these are my concerns, and I hope that they would be considered in conference committee. Thank you.”

Senators Slom and Hooser requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator Hemmings rose in support of the measure as follows:

“I would like to enter into the record a consideration for this bill as it weaves through the process, and to the often heard rationale for a lot of initiatives’ fairness. And I would submit to you that singling out corporations and their contributions is extremely one-sided and, I might submit, unfair. I think all of us know that on election day in the general election, which is on a Tuesday, that the taxpayers in the State of Hawai’i are subsidizing the voting of the single biggest and most powerful special interest group in the State of Hawai’i—public workers, who have the day off, who are being paid by the taxpayers, oftentimes as being told by their steward to stand on the side of the road waving signs for a candidate they may not even know. And how do I know this? Because I’ve talked with them.

“The bottom line is there are many improprieties and things that could be dubbed unfair by one side or the other in the

campaign process. I personally agree with the recent Supreme Court decision allowing corporations to make donations simply because of the in-kind contributions of other special interest groups, one of which I just mentioned, far exceeds the influence and leverage given to one candidate or another by a special interest group.

“The public has a way of sorting things out in a free society, and the minute we start trying to make rules and regulations in campaign spending that try to inhibit one side oftentimes leads to problems, and I hope this is taken into consideration as this bill goes through the process. Thank you, Madam President.”

Senators Ige and Kidani requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator Ihara rose in rebuttal and said:

“I would point out that, in my remarks, corporations include unions. Unions are corporations. A lot of private organizations, they are non-profit corporations. In their case, they may be a trade association type of corporation, but they are all within the definition of a corporation, so I’ll have to clarify in the future that corporations include unions. What makes unions perhaps different is that where they collect small donations from many members in a political action committee, that’s treated different than the treasury of the union—when the union takes union dues—or when a corporation has its profits or revenues, there’s a corporate treasury; and my remarks about limiting contributions deal with contributions from a corporate treasury or even a non-corporate treasury, and not PACs. Thank you, Madam President.

Senator Hemmings rose in rebuttal and said:

“I fully appreciate the previous speaker’s intent. I did not misunderstand that at all. What I am saying is that government employee unions get an incredible contribution from all the taxpayers by getting the entire day off on election day, which amounts to a huge asset politically for those lucky enough to receive their endorsement and support. So that’s the point I was trying to make. It’s totally unfair to everyone else has to go to work and get some minimal amount of time off just to vote, as opposed to public workers’ unions who spend a good portion of their day on assignment for a particular candidate that the union has chosen to endorse. And I would remind everyone that this Legislature does a really, really good job of taking care of those unions. Thank you, Madam President.”

The motion was put by the Chair and carried, S.B. No. 2252, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Hooser, Ige, Ihara, Kidani, Slom). Noes, none.

S.B. No. 2617, S.D. 1:

Senator Taniguchi moved that S.B. No. 2617, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Ihara requested that his vote be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2617, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ihara). Noes, none.

S.B. No. 2251, S.D. 1:

Senator Taniguchi moved that S.B. No. 2251, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Ihara rose in support of the measure with reservations as follows:

“Madam President, first I’d like to note that the bill description conceals what it actually does. I’m sure not intentionally, but it says that the bill updates, organizes, and clarifies current campaign spending laws. But the bill actually changes the current law in a number of important ways, and I’ll point them out.

“First, Senate Bill 2251 deletes an existing provision that limits corporate contributions to PACs at an aggregate amount of \$1,000. That is in the current law. The bill also deletes the requirement that all corporations must register as a political action committee. That is in the current law; and these deletions are substantive changes to the current law.

“While this bill is consistent with last year’s Tavares Appeals Court ruling, the ruling allows corporations to make direct contributions to candidates, but this bill does not provide for any reporting requirement. The purpose of our campaign finance laws is to provide transparency so the public can easily learn the funding sources of campaigns. For many years, until the Tavares case, which was ruled by Circuit Court a couple years ago, voters could conveniently see the expenditures corporations—which includes unions—made to influence elections, but now there’s the cumbersome task of looking up dozens of candidate reports to tally how much a corporation or union contributes. That’s if the bill passes the way as it’s drafted today.

“I am also troubled by section 11-DD on page 50 that allows ten donors to contribute up to \$500 at a political event without having to record the donor names or amounts donated. This could allow one donor to give \$400 in cash and nine others to give \$10 each, and all of these donations could be, under this current language, anonymous. I believe allowing these anonymous donations as I’ve just described can only lead and cause unnecessary mischief, and I hope the chairs could consider this in conference committee.

“My other concern is allowing campaign spending commissioners to participate in political party activities. This would allow commissioners to have ongoing political relationships with the very people they regulate. I believe this is not acceptable.

“Finally, I note that Senate Bill 2251 triples the amount of campaign funds that can be donated to charitable causes; in particular, community groups and public schools and libraries. Currently, for Senators, we can give up to \$4,000 in campaign funds in an election cycle to community causes. This bill would increase this amount to \$12,000. A decade ago, there was no limit. Today, it’s \$4,000, and this bill proposes, for Senators, to triple that amount. Legislators and candidates could donate previously, when there was no limit, thousands and thousands of dollars to community groups from their campaign war chests, but a decade ago or so, news articles reported on numerous donations to community groups made by well-funded and well-meaning public officials. These news stories describe donations that many in the community perceived as improperly influencing nonprofit groups’ support of their campaigns for these generous candidates. Public trust was harmed then, and I worry about again allowing abuses that originally led to the limits currently on the books today.

“As this bill is considered in conference, I would request that the bill’s section 1 purpose statement be amended to include the above changes to the current law, rather than saying that this is simply a recodification of existing law because this would more accurately reflect what the bill does. I also would like to request that the original declaration of policy that was in section 1 of the bill be reinserted. This was language proposed

by the Campaign Spending Commission, and I’ll quote: ‘The purpose of this part is to ensure the integrity and transparency of the campaign finance process. Integrity is essential to promote the public’s confidence in government. Transparency provides disclosure of contributions and expenditures to assure the public is fully informed.’ This language was deleted, and I request that it be reinserted during conference. Thank you, Madam President.”

Senators Slom, Kidani, and Hooser requested that their votes be cast “aye, with reservations” and the Chair so ordered.

At 1:06 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:09 p.m.

Senators Tsutsui, Chun Oakland, Gabbard, Tokuda, Espero, Ige, Baker, Green, and Nishihara requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2251, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Chun Oakland, Espero, Gabbard, Green, Hooser, Ige, Ihara, Kidani, Nishihara, Slom, Tokuda, Tsutsui). Noes, none.

S.B. No. 2800, S.D. 1:

Senator Taniguchi moved that S.B. No. 2800, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Hooser requested that his vote be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2800, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Hooser). Noes, none.

S.B. No. 2045, S.D. 1:

Senator Taniguchi moved that S.B. No. 2045, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“The bill sought to toughen up or to add laws related to human trafficking, both sexual trafficking and labor; and while I absolutely support strong laws in that area, the Attorney General, the City Prosecutor, and other law enforcement people testified that existing laws already do everything that this bill proposed to do. There were a number of extensive amendments that were proposed, and the good Chairman of the Judiciary Committee I think included most of them in the Senate draft one of the bill, but we are still left with a bill that is a little bit vague and goes beyond what at least the law enforcement community thought was necessary. So on that basis, I’ll be opposed to the bill. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2045, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIME,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2450, S.D. 1:

Senator Taniguchi moved that S.B. No. 2450, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Sakamoto rose in opposition to the measure as follows:

“Similar to the earlier measure discussed, the police chiefs and prosecutors all opposed the measure. So, I’d ask colleagues to oppose the measure as well.”

The motion was put by the Chair and carried, S.B. No. 2450, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MARIJUANA,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Sakamoto, Tsutsui).

S.B. No. 2460, S.D. 1:

Senator Hee moved that S.B. No. 2460, S.D. 1 pass Third Reading, seconded by Senator Fukunaga.

Senators Hooser, Tsutsui, and Ihara requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2460, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE KAHŌ‘OLAWĒ REHABILITATION TRUST FUND,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Hooser, Ihara, Tsutsui). Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2516 (S.B. No. 2770, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2516 be adopted and S.B. No. 2770, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“Originally, there was no testimony received on this bill, and then there was testimony I believe from the Board of Pharmacy who did not reach any consensus whatsoever, yes or no. So, I would say on the basis of that information, we do not need this bill and I oppose it. Thank you.”

Senator Baker rose in support of the measure as follows:

“Madam President, there was testimony in the first committee. To speak to the concerns raised by the Minority Floor Leader, these are housekeeping amendments. It’s not unusual that you wouldn’t have a lot of testimony on this, although there was testimony in the prior committee, and that’s why we continued to move it out is because it’s clarifying. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2516 was adopted and S.B. No. 2770, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2517 (S.B. No. 2817, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2517 be adopted and S.B. No. 2817, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“Here we have another example of the Legislature overriding things that a homeowners’ association can do. We got a lot of publicity last year with the clothesline bill, and this year in the House with the flagpole bill so far. You know, we should have a consistent policy, and the policy should be: It should be up to the homeowners’ associations as to what they do. As long as they follow their own rules, as long as people have an opportunity to have input, we shouldn’t be dictating to them

what they can and cannot do, particularly in this instance here where we pick a percentage of lack of productivity for solar devices. Again, that should be up to the associations. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2517 was adopted and S.B. No. 2817, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2518 (S.B. No. 2858, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2518 be adopted and S.B. No. 2858, S.D. 2 pass Third Reading, seconded by Senator Ige.

Senator Gabbard rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Gabbard’s remarks read as follows:

“Madam President, I rise in support of S.B. 2858 S.D. 2.

“In the world of electricity production, wheeling is a powerful concept.

“Wheeling makes electricity less expensive by removing the middle man.

“That means that power producers can sell electricity directly to consumers and pay the utilities only a transmission fee for the use of their grid.

“This bill narrows the approach by allowing only power producers generating electricity from renewable sources on state land to sell electricity to state agencies on the same island, thereby locking in energy costs at an affordable rate.

“This means that a solar farm on the campus of UH West Oahu also could supply power to UH Manoa.

“Or a wind farm or solar array at Honolulu International Airport could supply electricity to the State Capitol.

“This bill would help reduce the state’s expenditures on electricity.

“So I ask that you join me in passing this bill.

“Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2518 was adopted and S.B. No. 2858, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RETAIL WHEELING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2519 (S.B. No. 2844, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2519 be adopted and S.B. No. 2844, S.D. 1 pass Third Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“This bill is very interesting because it puts restrictions on insurers and other associations and bars them from denying or limiting the coverage on the basis that the covered person in an anatomical organ transplant is infected with the HIV virus. I think that insurers are allowed to limit or restrict or ban transplants if someone had cancer or certain other diseases, and so I find it curious that we’re just picking this and limiting it as far as HIV. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2519 was adopted and S.B. No. 2844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2521 (S.B. No. 2331, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2521 was adopted and S.B. No. 2331, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2523 (S.B. No. 2105, S.D. 2):

On motion by Senator Kim, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 2523 was adopted and S.B. No. 2105, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2524 (S.B. No. 2324, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2524 be adopted and S.B. No. 2324, S.D. 2 pass Third Reading, seconded by Senator Chun Oakland.

Senator Slom rose in opposition to the measure as follows:

"Here we are troubled with the unemployment compensation reserve fund, and we're about to raise the rates substantially on employers; and yet, this bill would allow those employees who are working part-time, even if they voluntarily quit or separate themselves from a business, to be able to claim part-time unemployment compensation benefits, even if they're working in addition with another job where they can claim it. So basically, it's double-dipping. It will take more benefits, more cost, and again I remind everyone that only employers pay unemployment compensation tax. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2524 was adopted and S.B. No. 2324, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2525 (S.B. No. 2466, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2525 was adopted and S.B. No. 2466, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN FARMERS' MARKET NUTRITION PROGRAM," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2528 (S.B. No. 2926, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2528 was adopted and S.B. No. 2926, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2529 (S.B. No. 2420, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2529 be adopted and S.B. No. 2420, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"I continue my opposition to this deposit tax on beverages, which is significant. Now what we're going to do is add hard spirits and wine containers to the ever-growing list of beverages. What we really need is a single recyclable program. It should be a program of the counties; the State should not be involved. The State should not be getting additional revenue from this in competition with the counties. In addition to that, those people that have gone to the recycling organizations find that many of those organizations have not lived up to the spirit of the law and they get far less than what they are returning, but it is a tremendous cost. It is a tax, and the State is benefitting from it. Thank you."

Senator Gabbard rose in support of the measure as follows:

"Colleagues, this bill would make our successful deposit beverage container program even better by including dietary supplements (a.k.a. energy drinks), hard liquor, and wine. Last year, we recycled 79 percent of the 895 million containers sold in the state, but that staggering number doesn't include the millions of containers that aren't currently in the program. For example, in 2009, residents in our state consumed 22 million bottles of wine. Some of these containers are recyclable, but millions of bottles end up in the landfill or as litter. This is a common sense way of getting one step closer to our goal of reusing everything that we can in order to reduce waste and protect our environment. So, I ask that you please join me in supporting this bill. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2529 was adopted and S.B. No. 2420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2530 (S.B. No. 2625, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2530 be adopted and S.B. No. 2625, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"I think that the hearing was very compelling and that we certainly need more transparency for the two Chinese offices operated by the Department of Business and Economic Development, but until we have a financial and management audit of DOE and their billions of dollars, I think that this is really a charade, going after these two offices. In addition, I asked the Legislative Auditor during that hearing if there were going to be additional costs for these kinds of audits, and the answer was 'yes' because they have to go to China. They cannot do the audits here; and they may find reluctance from the people in China to provide the information that we need. So, as I say, my main concern is: Let's do priorities in terms of audits. I'm very happy to audit these offices after we audit the DOE. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2530 was adopted and S.B. No. 2625, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE OFFICES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2531 (S.B. No. 2874, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2531 was adopted and S.B. No. 2874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2533 (S.B. No. 2709, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2533 was adopted and S.B. No. 2709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2538 (S.B. No. 2350, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2538 be adopted and S.B. No. 2350, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Hemmings rose in support of the measure as follows:

"I'll keep my remarks brief. I think that the students purported themselves real well in the testimony, so well that I think maybe we could probably turn over more authority to them. They seem to have their acts together, and they bring to the board some institutional knowledge regarding public education; I'm confident they will be a welcome addition to the process. Thank you, Madam President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2538 was adopted and S.B. No. 2350, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2539 (S.B. No. 2570, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2539 be adopted and S.B. No. 2570, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in support of the measure with reservations as follows:

"If I had my druthers, we would abolish the Board of Education. Changing it from an elected board to an appointed board, again, just rearranges the deck chairs. We need systemic changes, we need major directional changes, and we need change agents, and this bill alone does not do that. Thank you."

Senators Chun Oakland and Baker requested that their votes be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2539 was adopted and S.B. No. 2570, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Chun Oakland, Slom). Noes, none.

Stand. Com. Rep. No. 2541 (S.B. No. 2873, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2541 be adopted and S.B. No. 2873, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"Why would we exempt teachers from the Code of Ethics? Why would we exempt anyone, public employees, from the Code of Ethics? I thought we were trying to strengthen ethics and integrity, and to provide this exemption just sends the wrong information. And it is not bashing teachers; it is standing up for strong and meaningful ethics. Thank you."

Senator Sakamoto rose in support of the measure as follows:

"This measure is in support of the students. And part of it says, 'for special circumstances beyond the control of the teacher or student, such as the furlough of public school teachers or the lengthy illness of a student,' the teacher would be able to tutor or help current or prospective students."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2541 was adopted and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ihara, Slom).

Stand. Com. Rep. No. 2544 (S.B. No. 2356, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2544 be adopted and S.B. No. 2356, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Hemmings rose in opposition to the measure as follows:

"It is rather duplicit from the bill I'm reading. In the findings clauses, it talks about the ill effects of noise that's logarithmic, ten times worse as it goes up; vibrations carried by commercial leaf blowers on the back of operators can cause hearing damage. Additionally, the act of stirring up dust and debris increases risks to asthma and allergy sufferers, and increases the risk of breathing pesticides, animal feces, and viruses; and a landscaper in Long Island died after using a leaf blower of this nature. But then the bill goes on and it exempts government entities from leaf blower restrictions. So, if this is the end of the world as we know it, these leaf blowing problems, possibly it should apply to everybody. Thank you, Madam President."

Senator Gabbard rose in support of the measure as follows:

"Colleagues, this measure would bring health and peace of mind to many people around the state who suffer because of loud, polluting, gas-powered leaf blowers. By banning gas-powered leaf blowers but still allowing electric leaf blowers, we would join many towns and cities in California that have passed ordinances to improve the quality of life in their communities.

"We've listened to the testimony, and we've in turn amended this measure to exempt government agencies to prevent any undue hardships to those who clean up our parks. And it was interesting because in the testimony, we heard from a landscaper from the windward side who I will call a 'landscaper with a conscience' who owns gas-powered blowers, who is in the process of switching over to electric.

"Additionally, we have a July 1, 2011, effective date which will give the industry enough time to transition to quieter electric leaf blowers, which cause less harm to our environment and people's health. So, I urge you to join me in voting in support of this measure. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2544 was adopted and S.B. No. 2356, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEAF BLOWERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Kidani, Slom).

Stand. Com. Rep. No. 2545 (S.B. No. 2559, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2545 be adopted and S.B. No. 2559, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Baker rose in support of the measure with reservations as follows:

"Madam President, I appreciate the work that our Energy and Environment Committee has done with regard to advancing the cause of getting rid of plastic bags in our community. However, my county—Maui county—has already placed a stricter ordinance on the books that goes into effect beginning January 11, 2011, and they've already started taking the information on implementation and what it's going to mean across our county. Plastic checkout bags will be banned in Maui County beginning January 11, 2011. They're already running ads in the paper to make sure that all our visitors know, that all the residents know, that all the businesses know. It went on the books a year or so ago, and giving people lead time.

"My complaint with the bill that's before us is that it would undo what Maui County has already done; and so I ask the Chair of the Energy and Environment Committee, as well as anyone else working on this measure as the bill goes forward, exempt out those laws at the county level that are stricter because we don't want any plastic bags in Maui County and we have already taken steps to get that. Every year, more than 50 million single-use plastic bags are used in Maui County. As the ordinance says, 'It's time to change our ways,' and that's what I hope we can do with this measure. Not only allow the strict ordinance in Maui County to stand, but help advance the cause in other areas. Thank you, Madam President."

Senator Slom rose in opposition to the measure as follows:

"Let me see. Let me get this straight. The people that are supporting this bill were the same people that wanted to ban paper bags and they were extolling the virtues of plastic bags. Now we have the plastic bags and they want to ban the plastic bags. Madam President, you have a dog, and for people that have dogs, it's very important to have those plastic bags to pick up after the dogs. And there are other things as well. I don't like bans. I like choice for individuals. Those stores that have already gone to recyclable, reusable bags and all, I say, 'That's great,' but to force people not to have this choice, I think, is wrong. Thank you."

Senator Tsutsui requested that his vote be cast "aye, with reservations" and the Chair so ordered.

Senator Gabbard rose to speak in support of the measure as follows:

"Madam President, if you would direct the Clerk to enter my remarks in favor of this bill into the Journal. And in response to the good senator from Maui, the date has been defected; so it is a work in progress, and we will take her points into consideration. Thank you."

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madam President, I rise in support of S.B. 2559 S.D. 2.

"Colleagues, we all know too well the problems associated with plastic bags: litter, marine debris, and increased use of fossil fuels.

"This bill would help us to solve these problems by reducing the amount of plastic littering our landscape and oceans, while also reducing the amount of fossil fuels required to produce these bags.

"You might be shocked by these facts put together by the Rise Above Plastic Bag Coalition, which highlight this wasteful problem:

- Plastics are the number one source of marine debris and each year over a million seabirds and hundreds of thousands of marine mammals die from ingestion of and entanglement in plastic bags.
- Americans go through more than 100 billion plastic bags every year, requiring more than 12 million barrels of oil to produce.
- Less than 5% of plastic bags are recycled.
- The average American uses 400 plastic bags a year.

"It's time we start using reusable bags instead of disposable plastic bags.

"It's the right thing to do for our oceans, our marine and bird wildlife, and for all of Hawai'i nei.

"Please join me in voting to pass S.B. 2559 S.D. 1.

"Mahalo."

Senators Kidani, Nishihara, English, and Kim requested that their votes be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2545 was adopted and S.B. No. 2559, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, English, Kidani, Kim, Nishihara, Tsutsui). Noes, 1 (Slom).

Stand. Com. Rep. No. 2553 (S.B. No. 2099, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2553 was adopted and S.B. No. 2099, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2556 (S.B. No. 2383):

Senator Taniguchi moved that Stand. Com. Rep. No. 2556 be adopted and S.B. No. 2383 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"As I pointed out in the Judiciary Committee, the Department of Labor already has the ability, the authority, to talk to employers or to even provide fines for employers who violate the dislocated worker law. This is unnecessary, and I think gives the wrong impression that we don't have those protections now. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2556 was adopted and S.B. No. 2383, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED

WORKERS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2557 (S.B. No. 2883, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2557 was adopted and S.B. No. 2883, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2562 (S.B. No. 950, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2562 be adopted and S.B. No. 950, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senators Ihara and Hooser requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2562 was adopted and S.B. No. 950, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Hooser, Ihara). Noes, none.

Stand. Com. Rep. No. 2565 (S.B. No. 2187, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2565 be adopted and S.B. No. 2187, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Nishihara rose in support of the measure as follows:

“I rise in support of this bill, but there have been some concerns about transparency and sunshine. I believe that this bill attempts to ensure the viability of our state’s primary economic engine through data collection and planning. While providing for appropriate oversight, it ensures HTA to effectively carry out its mission to benefit our state’s interests while ensuring the public that their ability to determine the efficacy of HTA’s efforts can be determined. So, I ask for your support in favor of this measure. Thank you, Madam.”

Senator Slom rose in opposition to the measure as follows:

“While I understand there are certain circumstances in which HTA and other agencies need confidentiality, I think over the years we’ve built up too much confidentiality. We talk on one hand about transparency; on the other hand, neither the public nor—in some cases, other agencies—can get information. I think HTA has been able to operate successfully with the law as it currently is, and I think again the public gets very frustrated with us when we do more and more things behind closed doors. Thank you.”

Senator Bunda requested that his vote be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2565 was adopted and S.B. No. 2187, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Bunda). Noes, 2 (Ihara, Slom).

Stand. Com. Rep. No. 2566 (S.B. No. 2169, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2566 was adopted and S.B. No. 2169, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SHARK FINNS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2567 (S.B. No. 2807, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2567 be adopted and S.B. No. 2807, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“This is a constitutional amendment proposal that effectively would take away the ability for individuals to get tax rebates if and when we return to a surplus position. It gives the Legislature the power to take that money instead and deposit it in the rainy day fund, which then we know will be raided later on. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2567 was adopted and S.B. No. 2807, S.D. 2, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2568 (S.B. No. 2593, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2568 was adopted and S.B. No. 2593, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2570 (S.B. No. 2434, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2570 be adopted and S.B. No. 2434, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in opposition to the measure as follows:

“Madam President, in speaking against it, I have to check my index cards to see what the salaries are of a certain number of these officials because with their \$2 billion plus budget, they don’t know who’s getting paid what. But they do know that certain principals are making more than superintendents in district offices and others in the bureaucracy. I would suggest in reorganizing the Department of Education the best thing to do is get the district office personnel back to the classroom and to the schools where the children are being taught, rather than figuring out ways to pay them more money for pushing paper around in an office. Sounds rather harsh, doesn’t it? But I would once again remind this body that some of the best educational institutions in Hawai’i, including the Catholic Church, do not have Departments of Education. They do what charter schools do very successfully: They run themselves and hold themselves accountable. So, we don’t need to be raising salaries and jobs that aren’t needed. I would urge my colleagues, if you’re really serious about holding public education accountable for their misgivings, you should not be rewarding it with salary increases for the people that really

should be in the classroom with the kids. Thank you, Madam President.”

Senator Galuteria rose in support of the measure as follows:

“Madam President, I rise in support of the measure, but I do understand and appreciate the previous speaker’s concerns. However, this seems to be a part of the process of reformation given that right now it is difficult to attract qualified, experienced applicants with a \$150,000 salary cap. By increasing the salary, the Hawai’i School Board will have more latitude to do a nationwide search for a new and willing, shall we say, ‘change agent’ perhaps. This can only happen through finding the best and most extraordinary educational leadership for our kids. We need the best educational leaders for Hawai’i’s keiki, now more than ever. I encourage my colleagues to pass the bill. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2570 was adopted and S.B. No. 2434, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2571 (S.B. No. 2960):

Senator Kim moved that Stand. Com. Rep. No. 2571 be adopted and S.B. No. 2960 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“Just calling a bill ‘reform’ or ‘change’ does not make it so. What this bill does is to restructure the DOE into two divisions and adding two senior deputy superintendent positions plus staff and everything else. So, it’s going to add more staff, more bureaucracy, more people not in the classroom providing instruction; and at the end of the day, we will not see any improvement. Thank you.”

Senator Hemmings rose in opposition to the measure as follows:

“This is a classic doublespeak bill. ‘Restructuring it.’ This is turning the DOE into the blob that ate New York City by replicating itself; and dividing the DOE into two divisions is a huge step in the wrong direction. To call it ‘restructuring’ in positive terms is quite misleading. It’s almost like passing a bill and calling it ‘reinventing education’. I urge my colleagues to vote ‘no’.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2571 was adopted and S.B. No. 2960, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2574 (S.B. No. 2595, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2574 be adopted and S.B. No. 2595, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Kidani rose in opposition to the measure as follows:

“Passing Senate Bill 2595 is a disincentive for the military to relocate and stay here. The gross income provision in this bill dramatically changes how the state would treat housing eligibility for military personnel living in Hawai’i.

“The Basic Allowance for Housing is not a part of their monthly income. Rather, it is an allowance paid by the government as their responsibility to cover the cost of housing active duty military.

“Colleagues, I ask that you bestow the same aloha on our military families as you do other families in Hawai’i. Mahalo.”

Senator Sakamoto rose in support of the measure as follows:

“This and several related measures address the issue of when we give a housing tax credit, GET exemption, to the landlord who is benefitting by not paying the 4 percent tax to the State. In the statute that we’ve passed, we’ve set certain requirements about who’s to get these exemptions, what levels of income; and when it’s a housing exemption being granted, this particular measure addresses the question: ‘Shouldn’t we use a method that the US Housing and Urban Development—HUD—uses in federal guidelines?’ And in this case, at least it’s my understanding that HHFDC doesn’t require the landlords to include the housing allowance in income-based calculations when we are determining whether a landlord qualifies for the housing exemption. And for the members and public’s information, this is not a small amount. It ranges from \$1,555 a month to \$3,401 a month.

“And this measure doesn’t in any way take away from any of our men and women in uniform. This does address, though, the landlords who ought to be paying the 4 percent tax and it does address how to calculate an income. This measure says we should include the housing allowance, as HUD does in its federal housing program, in particular when we provide an exemption of 4 percent tax for the housing. And the difference in income for someone who has the level of 80 percent Hawai’i’s area median income is \$67,000 for our regular resident—but for someone who has a housing allowance, if you add \$1,555 a month, that income level rises to \$86,000 plus. If you add a housing allowance of \$3,400, that’s \$108,000 plus; and that raises the question, ‘Should we ignore the difference between \$108,000 and \$67,000?’ It doesn’t make sense. It doesn’t make sense. We didn’t pass that statute in the Legislature. There are requirements we passed by law, here, that are in the statute. HHFDC has taken it on their own to somehow expand the income requirement to even 140 percent, not 80 percent. They’ve ignored the HUD guidelines. They’ve ignored some other things.

“And this isn’t only about military housing allowances; it refers to McCully, ‘Aiea, as well. So the landlords are unjustly benefitting, perhaps, and our local residents are not benefitting where they should, and we as state government are not collecting taxes that are owed by the landlords. So, I ask my colleagues to support the measure and other related measures like it.. Thank you very much.”

Senator Hemmings rose in opposition to the measure as follows:

“Regarding the previous speaker, it came upon me that there’s one fundamental principle that maybe a lot of people that make laws don’t understand. Businesses do not pay taxes with money that they manufacture themselves in some printing press. Landlords, big business, small business, pass the tax on, especially excise tax, onto consumers. And there’s been a lot said about the excise tax down through the years, but it’s known to everyone that it is one of the most regressive taxes you could have. Also, if you took away the 4 percent excise tax and replaced it with an over-the-counter retail sales tax, you’d have to collect over 12 percent to have the state collect the same amount of money. So what you can say, regarding taxes passed on to consumers is it drives up the cost of just about everything—right off the top, 12 percent—and then secondly, it is extremely regressive because the excise tax impacts the poor people the most. So, I suggest that we reexamine our motives here and do what’s best and fair for everyone by voting ‘no’ against this bill.”

Senator Sakamoto rose in rebuttal and said:

“Just for clarification and rebuttal to the previous speaker: I fully understand, as a businessperson, how taxes work. This measure deals with: Does the landlord pay the tax on the rent for appropriate units? If the basic housing allowance is \$1,555—that’s a single person now, mind you. So, you take two military people living in ‘Aiea—\$3,000 on top of salary. Many times there are three or four. They’re living in my community; I’m not sure about yours. So, they’re getting their money. This isn’t in any way taking away from the tenant, in this case a military person, but this issue calls into question: Is the landlord paying the taxes? And we are asking, ‘Shall we give an exemption to the landlord who is housing someone with an income of \$136,000 including their housing allowance, or \$159,000, or \$86,000, or \$108,000?’ The landlord should pay taxes when he’s renting to people with those types of income because the goal of the statute was to provide housing for people whose income is below \$67,000, below \$50,000, but not those high incomes. So the point is: If it’s military, they’re getting their housing allowance; and if it’s residents competing with them, we want landlords to give our local residents a fair competition. Landlords need to pay their taxes that are owed.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2574 was adopted and S.B. No. 2595, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (English, Gabbard, Hemmings, Kidani, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2576 (S.B. No. 2357, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2576 was adopted and S.B. No. 2357, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2577 (S.B. No. 2488, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2577 be adopted and S.B. No. 2488, S.D. 2 pass Third Reading, seconded by Senator Ige.

Senator Gabbard requested that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Gabbard’s remarks read as follows:

“Madam President, I rise in support of SB 2488 SD2.

“Colleagues, there is a saying that we should not put all our eggs in one basket.

“I believe that we should not rely solely on a few enormous power plants to supply the electricity that is so vital to our lifestyle.

“What happens if a power plant goes down?

“That is why I am a staunch advocate for distributed generation of electrical power.

“This pertains to the photovoltaic systems that homeowners and business owners place on their rooftops to supply their electrical needs and provide any surplus into the grid.

“This bill would guarantee that the existing customer-generators in the very successful net energy metering system have the option to continue even if alternatives, such as feed-in tariffs, are implemented.

“Net energy metering means that a customer generator can offset the amount of electricity that he uses from the grid by the amount of electricity that he supplies to the grid.

“This bill would also take the ceiling for net energy metering from half of one percent of peak demand of the entire system and raise it to 15 percent per circuit, as Hawaiian Electric had agreed to in the Hawaii Clean Energy Initiative.

“And this bill would allow customer generators to be paid for their surplus credits after 36 months.

“This bill will help make our state more energy self-sufficient, and I ask you to join me in passing this bill.

“Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2577 was adopted and S.B. No. 2488, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2578 (S.B. No. 2548, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2578 be adopted and S.B. No. 2548, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“The bill creates yet another new special fund, and is going to create additional personnel costs. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2578 was adopted and S.B. No. 2548, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2583 (S.B. No. 2942, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2583 be adopted and S.B. No. 2942, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Ihara, Baker, Fukunaga, and Chun Oakland requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2583 was adopted and S.B. No. 2942, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Baker, Chun Oakland, Fukunaga, Ihara). Noes, 3 (Hemmings, Ige, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2584 (S.B. No. 2470, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2584 was adopted and S.B. No. 2470, S.D. 2, entitled: “A BILL FOR AN ACT RELATION TO EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2586 (S.B. No. 2469, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2586 was adopted and S.B. No. 2469, S.D. 2, entitled: “A BILL FOR AN ACT

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2587 (S.B. No. 2575, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2587 be adopted and S.B. No. 2575, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Espero requested that his vote be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2587 was adopted and S.B. No. 2575, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Espero). Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2589 (S.B. No. 2849, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2589 was adopted and S.B. No. 2849, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2590 (S.B. No. 2576, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2590 be adopted and S.B. No. 2576, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"School impact fees are another way of creating a tax, but it's insidious because we wonder why the price of housing goes up and more and more people cannot afford housing, even if we talk about affordable housing. These school impact fees to provide services that used to be provided by government eventually are passed on to the consumer, and they will pay higher housing costs. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2590 was adopted and S.B. No. 2576, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2591 (S.B. No. 2030, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2591 was adopted and S.B. No. 2030, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2592 (S.B. No. 2405, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2592 be adopted and S.B. No. 2405, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"I'll rise before my colleague rises. We do this every year; we do the dance of the streamlined tax. It is a new tax, even though the proponents like to call it the 'Streamlined Sales and Use Tax Recovery' legislation, and they speak in terms of

recovering taxes that are due to the state but escape the state. What it really means is that again it is a backdoor tax on consumers, particularly on those that use the internet and make sales from out of state. It is a bad tax, it is an expensive tax, and it's going to affect a large segment of our population. Thank you."

Senator Fukunaga rose in support of the measure as follows:

"You would think one of these years we would finally pass it so we could end this charade. However, Madam President, I rise to speak in rebuttal to the prior speaker. I am rising to speak in support of this measure, and I would simply note that Hawaii's use tax law, which is section 238-2, Hawai'i Revised Statutes, has been on the books for over 40 years and is similar to use tax laws in more than 45 other states. If we are going to be looking for ways to plug the budget deficit, it makes sense for us to collect those taxes that are on the books and that are due and owing. Thank you. I urge my colleagues to vote in support of this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2592 was adopted and S.B. No. 2405, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2595 (S.B. No. 2336, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2595 be adopted and S.B. No. 2336, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Kidani, Ihara, Fukunaga, and Chun Oakland requested that their votes be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2595 was adopted and S.B. No. 2336, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Chun Oakland, Fukunaga, Ihara, Kidani). Noes, 1 (Ige). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2597 (S.B. No. 2372, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2597 be adopted and S.B. No. 2372, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"You know, we use and rely on the Legislative Auditor for many things, and one of our legislative initiatives was that before we started a new program or a new department or anything else, we would have the Auditor do a sunrise audit to find out if it was necessary, first of all, any unintended consequences, and the actual cost of the program. By taking this away, we do ourselves a great disservice, and that's one of the reasons we're in the financial problem that we are today, because we've initiated so many new programs and new areas of expenditures even when the Legislative Auditor had advised against that. But to take this out altogether and not have that information preliminarily to starting a program, I think, is an unwise financial decision. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2597 was adopted and S.B. No. 2372, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUNRISE REVIEWS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2599 (S.B. No. 2797, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2599 be adopted and S.B. No. 2797, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Kokubun rose in opposition to the measure as follows:

“The Legislature has been trying to deal with health insurance coverage for our state employees and retirees for a number of years now. And I think the policy when we established EUTF was a very positive action because it brought everybody under one umbrella; and the idea was that through the sheer numbers of employees and retirees, we would be able to negotiate the best possible premium rates and the best possible coverage for our workers. There was a decision made subsequently that we would allow HSTA to re-establish a pilot program for a VEBA Trust again, even though we had found previously that these individual union health plans, in fact, were detrimental to the wellbeing of the State, particularly to our retirees.

“When we did that, we asked the Auditor, who we rely on for many things, including her consistent and sound findings, to monitor and report on HSTA VEBA Trust. Well, in 2008, through Act 5, we asked the Auditor to determine the effects of the HSTA VEBA Trust pilot program on EUTF, and there were her findings in a report filed with us on December 2, 2009. Essentially, what she said was she couldn’t really provide a complete and comprehensive report because the information from HSTA that was essential to her report was not forthcoming. That was one thing. Secondly, based on whatever she could put together, given the information at hand, this is what she stated in her letter: ‘We found that the VEBA Trust pilot program: (1) promotes adverse selection and increases premium costs for EUTF enrollees; (2) duplicates administrative costs borne by the state employer, and; (3) cannot ensure transparency and accountability in providing health benefits for teachers and teacher retirees. Overall, the HSTA VEBA trust breaks up the EUTF health plan and negatively impacts the EUTF.’ Later in that report, she says that the HSTA VEBA Trust administrative fees are paid by the State as the employer based on the same administrative rate structure implemented by the EUTF. Since March 1, 2006, the Department of Budget and Finance has paid the HSTA VEBA Trust a total of \$2.4 million in administrative fees billed to the State.

“These findings are compelling, in my opinion. In light of administrative costs totaling over \$2.4 million paid to the HSTA VEBA Trust instead of the EUTF, it is asserted that the HSTA has not proven that implementation of its VEBA would result in actual savings to the State. Accordingly, the Legislative Auditor recommends that the VEBA Trust pilot program established by Act 245 in 2005, as amended, be allowed to sunset on July 1, 2010.

“I ask my colleagues to vote in opposition to this bill. Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“Why would anyone want to take koi in a clear pond and throw it in a muddy hole? If the EUTF was a nice, clear pond with bright swimming koi in it, perhaps these koi can intermingle, and perhaps it’s a better deal. But there are several points in question. In the newspaper, we talked about HMSA and Kaiser being the two big medical providers. If we’re going to provide more competition, one of the points of the VEBA

proponents said, ‘They can get more competition because you’re not creating a bigger elephant; you’re creating opportunity for them to have competition among providers.’ They claim that they have given money back to the State. Maybe they didn’t take into account the fees; maybe they did, but it’s my understanding they feel they gave money back to the State. This VEBA plan reclaims HSTA’s retirees to minimize or prevent the adverse effect—the reason why EUTF was created. EUTF provided retirees with plans for their high medical costs that were not in the individual union plans. So the VEBA plan does address many of the points that were problematic back then. But certainly the biggest issue right now is when EUTF is in such turmoil, this is certainly not the time—not the time—to say, ‘Just dump them back into a problematic muddle.’ Thank you.”

Senator Slom rose in opposition to the measure as follows:

“Madam President, I don’t know about koi and throwing them in muddy waters—as long as we don’t throw them in our moat here—but when the good Senator talked about elephants, now you’re talking. I know about elephants; I mean, that’s us, you know.

“Look, the whole EUTF started from the Legislative Auditor’s report which said that we were going to be bankrupt in the State if we didn’t consolidate all of the public employees. That theme was picked up by then Governor Cayetano. The Legislature then picked up the idea of making the EUTF and bringing this about to give us fiscal sanity. It is true that EUTF is having difficulties right now, some of which are short-lived because of the nature of personnel and changes and all of that. Other things must be taken care of, but you don’t, you know, solve those problems by creating more of a subsidiary in terms of a VEBA for other unions and to extend it. It’s not only to extend to HSTA, but the other unions want their own VEBA as well. Can they negotiate better rates? Yes, they can, and they have because of adverse selection.

“I can remember back in the early days when we were trying to find out information from various unions about savings that they had incurred, and all of a sudden the money was not available, did not come back to the State as it was supposed to. The good Senator from the Big Island just quoted from the latest auditor’s report on VEBA, and basically he’s reiterating again: It’s very difficult to get the financial information. Anything that has to do with the DOE seems to be extremely difficult, if not impossible, to get. And we should ask why, and we should refuse to allow any more expenditures or outlays that have to do with education. Not bashing teachers, you understand, but financially. And so, it is the prudent thing to do to say, ‘Okay, we gave them a try. The Auditor said they didn’t live up to what they said they were going to do. That’s on the basis of information she could get, and we couldn’t get the other information.’ So why would we extend and broaden it?

“I think that we should, as a Legislature, if we want these kinds of improvements and we want sound fiscal policies, then we’ve got to act on them; and you can start by voting ‘no’ on this bill. Thank you.”

Senator Kokubun rose in rebuttal and said:

“I stand in brief rebuttal to the previous statements made by the good Senator from Moanalua. The issues now with EUTF—particularly with the fact that the Governor has failed to name all the board members—is not something, in my opinion, that gets fixed by continuing the VEBA Trust for HSTA. I think we need to request that the Governor fill those positions so that EUTF can again become the functioning agency that it was intended to be, and that’s the way we’re going to get better health coverage as well as better premium rates for all of our employees and our retirees. This VEBA

Trust, in my opinion, has run its course. The findings from the Auditor have indicated that, in fact, it's cost us money; and so in that regard I think we need to move on. They have been given the opportunity. We need to terminate that. And with all due respect to all teachers and their families who are members of the VEBA Trust, this doesn't mean that they do not get health coverage. It just means that we're all in the same canoe together, looking for that koi. Thank you, Madam President."

Senator Hooser rose in support of the measure as follows:

"I just want to clarify that the bill before us does not broaden anything. It just extends it for two years, as best as I can tell. It extends it just for two years, and I support the Education Chair's position and remarks that now is certainly not the time to muddy the waters and to dump all of these teachers into a program, into EUTF, until things are sorted out. And I continue to wonder about the bashing of the teachers that the Minority Leader continues to present on the floor. Thank you."

Senator Hemmings rose in opposition to the measure as follows:

"I rise to speak against the legislation, and in doing so, I'd like to rebut the previous remark and set the record straight as I've been trying to do for ten years now. We're not bashing teachers. We're bashing a bankrupt, financially immoral system that spends \$2.4 billion of everyone's money."

Senator Baker rose on a point of order and stated:

"The subject of this bill is not the DOE or their budget or how they expend it. The folks that would be affected by this bill are teachers who happen to be employed by the DOE, but it's not giving money or anything to the DOE. So, I wish the speaker would speak to the bill if he has concerns about it and not extraneous matters. Thank you."

The Chair responded:

"Point well taken. Senator Hemmings?"

Senator Hemmings continued:

"Thank you, Madam President. Thank you, good Senator from Maui. I will speak to the fact that the DOE and the public education system employs HSTA union members, whom this bill concerns. And the previous speaker seemed to be able to employ a comment about bashing teachers that I thought would be relevant to respond to in an open and free democracy that we're supposed to be. I'm sorry I don't sit in your caucus when you close your doors and decide you're going to come out here and pretty much rubberstamp everything you do. Madam President, I'm sorry that we have a two-party system, as weak as it is. I'm sorry you don't have a total monopoly."

The Chair interjected:

"Senator Hemmings, you don't have to apologize. Please state your point and proceed."

Senator Hemmings continued:

"Thank you, Madam President; I appreciate it. My point is that this has nothing to do with bashing the teachers. My point is this is trying to make a retirement system more solvent and beneficial for public employees and to save everyone money in these austere times. And I would say once again, with all due respect to the censor from Maui, that I am not bashing teachers. I support them and like to see money go to the classroom and their benefits remain efficient that benefits them and not \$2.4 billion going to union lunas rather than going into the benefits for all employees. Thank you very much for the opportunity, Madam President."

Senator Kim requested that her vote be cast "aye, with reservations" and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2599 was adopted and S.B. No. 2797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20; Ayes with Reservations (Kim). Noes, 3 (Hemmings, Kokubun, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2600 (S.B. No. 2592, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2600 be adopted and S.B. No. 2592, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Kidani rose in opposition to the measure as follows:

"This measure adds a 'qualified resident' requirement and is unfair to our military families. This is not sending a message of aloha to our military. It is incomprehensible that a US military family, sent to Hawai'i on government orders that includes for some deployment to combat, would be denied eligibility when a resident alien family with the same income would be able to qualify. Colleagues, I ask that you bestow the same aloha on our military families as you do other families in Hawai'i. Is their service to our country not worth a GET waiver? Please do not pass this bill. Thank you."

Senator Sakamoto rose in support of the measure as follows:

"I'd like to insert comments in the Journal. And just to clarify: The landlords, not just on military bases—the landlords in 'Aiea, McCully, Kailua—they are the ones who need to pay the tax for housing those who are not qualified. On the issue of defining a qualified resident: It's already in the statute, and that provision is not being enforced or it's being ignored. If this measure, when it goes the House, should pass this body, if we as the Legislature want to make a policy statement regarding active duty military, that's one point, but we shouldn't expand affordable housing qualifications to include somebody from Canada who's coming to stay on a pension, qualifying for affordable housing, somebody from California, etc. We need to enforce the laws we have and not allow, by rule, landlords to avoid paying what's due. Thank you."

The Chair having so ordered, Senator Sakamoto's additional remarks read as follows:

"Madam President, I rise in support of SB2592 and several other measures related to it.

"In our Hawaii Revised Statutes, §201H-Part II establishes a Housing Development Program administered by the Hawaii Housing Finance and Development Corporation and §201H-36 authorizes HHFDC to approve GET exemptions to qualifying landlords who meet requirements of providing a percentage of units to affordable housing. The purpose of this statute is to keep housing costs down and to provide for more affordable housing units in Hawaii. However, what is said in our statutes is not reflected in some of the administrative rules established by HHFDC. Questions are raised about landlord requirements for tax exemption eligibility and the rules set by HHFDC regarding the approval of landlords' GET exemptions.

"Some of the problems arising are that 1) landlords are preferring to rent to those with housing allowances when no proof of their residency is enforced and 2) a lack of assessments confirming that landlords are continuing to meet the exemption requirements are causing a potential loss in revenues for the State. These measures help to clarify our statutes to provide Hawaii residents with an equal opportunity in qualifying for

affordable housing and to ensure that landlords are appropriately receiving the GET exemption benefits.

“Our interest is not to single out tenants, rather we would like to address which **landlords** should be receiving the benefit of the GET exemption based on the intent of the statute. We would like to provide incentives to our landlords so that more affordable housing units are made available in Hawaii, while simultaneously, creating a level playing field for Hawaii residents in the competitive housing market.

“I would like to submit into the Senate Journal a document that outlines these specific issues and the approach we would like to take to address them. I urge my colleagues to vote in favor of SB2592 and other related measures.”

Senator Sakamoto’s additional documents are identified as “**ATTACHMENT A**” to the Journal of this day.

Senator Ihara requested that his vote be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2600 was adopted and S.B. No. 2592, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17; Ayes with Reservations (Ihara). Noes, 5 (English, Gabbard, Hemmings, Kidani, Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2601 (S.B. No. 2543, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2601 was adopted and S.B. No. 2543, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2602 (S.B. No. 2349, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2602 be adopted and S.B. No. 2349, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Tokuda, Kim, Tsutsui, Hooser, Ige, English, Baker, and Fukunaga requested that their votes be cast “aye, with reservations” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2602 was adopted and S.B. No. 2349, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EXTRACURRICULAR ACTIVITIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, English, Fukunaga, Hooser, Ige, Kim, Tokuda, Tsutsui). Noes, none. Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2607 (S.B. No. 2291, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2607 was adopted and S.B. No. 2291, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2608 (S.B. No. 2441, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2608 was adopted and S.B. No. 2441, S.D. 2, entitled: “A BILL FOR AN ACT

RELATING TO ENDANGERED SPECIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Hemmings). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2610 (S.B. No. 2745, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2610 was adopted and S.B. No. 2745, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Gabbard). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2616 (S.B. No. 2626, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2616 was adopted and S.B. No. 2626, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SERVICE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hemmings, Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2621 (S.B. No. 2818, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2621 be adopted and S.B. No. 2818, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“The bill does create a special fund and does, I think, create more bureaucracy rather than making it easier to determine who’s in control in the environmental area.”

Senator Gabbard rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Gabbard’s remarks read as follows:

“Madam President, I rise in support of S.B. 2818 S.D. 2.

“Colleagues, two years ago, the Legislature appropriated funds to the University of Hawaii to study our environmental review system and develop recommendations to reform the system.

“This bill is the result of their work.

“But we’re not done.

“Last month, I convened a working group of 12 involved stakeholders with a considerable amount of experience and expertise to propose further amendments to improve the bill.

“This working group has met four times so far and has made considerable progress. And, just yesterday, they got input from various state and county agencies.

“Because of the complexity of this issue, I have extended the working group to the end of March

“I then plan to incorporate the working group’s recommendations into a proposed conference draft.

“As the Hawaii Supreme Court has reminded us, the stakes are high.

“We cannot afford to fail.

“Therefore, I ask for your help in moving this bill forward.

“Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2621 was adopted and S.B. No. 2818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2622 (S.B. No. 2806, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2622 was adopted and S.B. No. 2806, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hemmings, Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2623 (S.B. No. 2290, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2623 was adopted and S.B. No. 2290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hemmings, Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2624 (S.B. No. 2144, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2624 was adopted and S.B. No. 2144, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Bunda, Hee, Nishihara).

Stand. Com. Rep. No. 2625 (S.B. No. 2068, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2625 be adopted and S.B. No. 2068, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Baker, Ihara, Espero, Kidani, Chun Oakland, Fukunaga, Green, Tokuda, and Taniguchi requested that their votes be cast "aye, with reservations" and the Chair so ordered.

Senator Sakamoto rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"The Junior Kindergarten program is not working as we had envisioned. The program has not been effectively implemented at the school level, with junior-K students often mixed in with regular kindergarten classes. As one of the originators of Jr-K, I realize, sadly, it is not helping our young learners.

"The Jr-K program allows students the blessing of an additional year of preparation, if their teacher assesses that they need more time to develop in order to be fully ready to enter the first grade. But, some students at the junior-k level, who are not properly assessed or are assessed as 'not ready', are being promoted to the first grade. As a result, our young learners who participate in the program are struggling in school. One reason many of these students struggle, is because they are much younger than their peers. In fact, some are a full year younger upon entering school.

"The proposed bill changes the entry date into school to August 1<sup>st</sup> because our system continues to allow too many youngsters to run after the school bus as their more ready classmates zoom off seated in the bus.

"Hawaii has the youngest school entry age in the country. Many Hawaii private schools have age cut-off dates in June, July, or August. Under Hawaii's current law, a child entering public school needs to be five years old by December 31<sup>st</sup>. This forces our late-born children to run after the school bus. It sets a precedence for them to be continuously behind their peers because they are younger and less able to do what schools demand.

"Malcolm Gladwell, in his book *Outliers*, points out that those born in January, February, and March make up the majority of membership in professional sports teams, all star teams and in other competitive categories. Why?

"They were stronger and better coordinated upon entering a sport; they were chosen to be the leaders, starters, and received extra opportunities to excel.

"If a youngster is assessed and ready to enter school, that is something to celebrate. But, if a youngster is not ready, it is tragic to say, 'They will catch up, don't worry.'

"For those that claim studies show all is 'caught up by third grade,' I say that it is not because the youngsters are caught up, but because we made the bus stop and wait for those who were running, walking, and crawling behind or along the side of the road.

"For those who say we need more time to prepare the 3 or 4-year-old and they are not poised for school, we can look at ways to change the implementing year.

"There will be opportunities for changes as this bill moves forward. We look forward to continued dialogue. We welcome your comments and suggestions to help our children succeed.

"Let us start our children off at the right level and with a seat on the bus."

Senator Kim rose to request that comments in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Kim's remarks read as follows:

"I rise in support of this measure.

"Hawai'i is the only state that allows children to attend school at age 4. While many are advocating a standardize curriculum we haven't standardized the age a child enters school.

"This is part of the systemic change that everyone says is needed.

"As our students are compared against the rest of the nation we consistently rank low.

"On a personal note: While my son was age 5 when he entered Kindergarten and all assessments showed that he was ready, he struggled throughout his elementary grades. Don't get me wrong, he finished high school with an excellent GPA and maintained A minus and above grades, but I know that he would have done better had he had started school a year later.

"In sports, speech and debate, and band competitions, he kept encountering his peers in private schools that while they were the same age as him they were one grade below him and just as advance.

"The real testament came when my son himself asked me, 'Mom why didn't you wait another year before starting school?'

"I urge my colleagues to support this measure that could make remarkable differences in not just our test scores but in our children's readiness to learn."

Senator Tsutsui rose to request that comments in support of the measure be entered into the Journal and the Chair so ordered.<sup>1</sup>

Senator Hooser requested that comments in support of the measure be entered into the Journal and the Chair so ordered.<sup>2</sup>

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2625 was adopted and S.B. No. 2068, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Baker, Chun Oakland, Espero, Fukunaga, Green, Ihara, Kidani, Taniguchi, Tokuda). Noes, 4 (Hee, Hemmings, Ige, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2626 (S.B. No. 2052, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 2626 be adopted and S.B. No. 2052, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"You know, all of us have had a lot of information from our constituents. A lot of people want to ban fireworks or they want to severely limit them. We in the Minority want to enforce the laws that we have. What this bill does is, basically, add another tax to fireworks. So, we're not going to help the public or solve the problems that we have by having yet another tax and causing greater consumer expenses. Thank you."

Senator Espero rose in support of the measure as follows:

"Briefly, this measure is our attempt to deal with all of the concerns that have come up regarding the illegal use of fireworks. This bill does raise the permit for wholesalers; however, it also provides funding for law enforcement, which is a key part of the measure. Thank you."

Senator Hemmings rose in opposition to the measure as follows:

"Madam President, I heard the people of Hawai'i and especially O'ahu and my constituents loud and clear: They want a ban on fireworks. Increasing fees is not going to increase enforcement. There seem to be enforcement problems, the police often saying that unless they see someone in the act of blowing up an illegal firecracker or an aerial, they can't do anything. So, this bill will do little or nothing other than adding to the cost. And I think you remember this last New Year's where it was unprecedented for the aerial bombs that were sending out shockwaves, they were so powerful; and I know of several instances where people were seriously injured by fireworks. Their impact on Kona wind days, when the wind is not blowing, is devastating for those with any type of respiratory problems; and I could go on and on and on with a list of complaints that people sent us here to address concerning fireworks. And I believe the real solution is to ban fireworks, and it's easy to enforce, and would make the difference the island of O'ahu is definitely calling out for. Therefore, voting in favor of this bill just extends a bad and explosive situation. Thank you, Madam President."

Senator Green rose in support of the measure as follows:

"I think this is a tough one. I think the Chair has struck a good balance. For one, times have been very tough, and I think

that we should recognize just the reality that people have fewer things to enjoy right now and this is something that's been very culturally valued and, at least from the Big Island perspective, has been very important to celebrations. And I just don't want to neglect that; I think that there is something to be said for that. On the other hand, we had pretty compelling testimony from people about pulmonary conditions, which is of some significance concern. I know it is to you, Madam President, as well. And so, I do hope that if we pass this bill that we will direct some of those resources to people with pulmonary conditions and some public safety matters; put this in the emergency departments, what have you. Thank you, Madam President."

Senator Hee rose in support of the measure with reservations as follows:

"This is a step, I suppose, in the right direction, but it really is a cosmetic effort. Albeit, it may be well-intended to some of my colleagues on the floor, but frankly, it does not address the core problem, and that simply is that the time for fireworks—other than at commercial establishments like Ala Moana Center or Aloha Tower—has long passed. I don't think there's a single soul gathered on this blue carpet that would question or rebut the comment that come—if not July 4<sup>th</sup>, next year at New Year's—the same problem, the complaints, the illegal aerials, and I don't think it's a coincidence that on New Year's Eve there's no wind. And we're going to get the same complaints because unfortunately, this body has been unable to come to grips with the reality, and this problem will only compound itself. And frankly, although I believe that this should be a statewide issue, I would yield to the other island representatives and members of the Senate to deal with it as they believe to be in their best interest. But there's no doubt in my mind that when there comes fireworks on New Year's Eve and even before, beginning with the close of Halloween, that far more people are inconvenienced by a health hazard. And at some point this will become an election issue if it hasn't already, but ignoring the health problem is not solving it. So, while I will support with strong reservations, it is a small step in the right direction, but it is not nearly what is required to the respond to the public outcry when it comes to fireworks. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2626 was adopted and S.B. No. 2052, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Hee). Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2627 (S.B. No. 2143, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2627 was adopted and S.B. No. 2143, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2628 (S.B. No. 2369, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2628 be adopted and S.B. No. 2369, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"This is an omnibus bill on domestic violence, and I think it's gone through two drafts. There was a lot of discussion. I think again the Judiciary Chairman bent over backwards to try to include many of the suggestions that came from the Attorney

<sup>1</sup> Request withdrawn at later date

<sup>2</sup> Request withdrawn at later date

General and from the Prosecutor's. There are a lot of good things in the bill, but there are also a lot of things that trouble me enough for opposition, and mainly because they put additional burdens and costs on employers and they leave some areas that were not addressed in terms of some of the amendments that were suggested. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2628 was adopted and S.B. No. 2369, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Nishihara).

Stand. Com. Rep. No. 2630 (S.B. No. 2545, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2630 was adopted and S.B. No. 2545, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Bunda, Nishihara).

S.B. No. 2083, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Chun Oakland and carried, S.B. No. 2083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Nishihara).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later today."

Senator Gabbard rose to request that comments in support of S.B. No. 2488, S.D. 2 be entered into the Journal, and the Chair so ordered.

#### ADJOURNMENT

At 2:36 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 3, 2010.

**ATTACHMENT A**

**Education & Housing Committee (EDH)**

**EDUCATION  
First Decking  
February 26, 2010**

<p><b>Facilities</b></p> <p>SB2117 SD1 DOE, Minor School R&amp;M work                  SB2172 SD2 Kaimuki Christian; SPRB                  SB2576 SD2 School Impact Fees; Housing Devel. Exemptions                  SB2589 SD2 Charter Schools; Vacant School Facilities                  SB2769 SD1 Health; School Cleaning Requirements                  SB2828 SD2 School Impact Fees – LURF                  SB2874 SD1 School Level R&amp;M; Tax check off box</p>	<p><b>Administration</b></p> <p>SB2115 SD1 DOE, Presuit of Invoices                  SB2116 SD2 DOE, Indemnification of County                  SB2120 SD1 DOE, Principal/VP Certification                  SB2256 SD1 Parking Fees                  SB2257 SD2 DOE, Electronic Documentation                  SB2432 Hawaii Institute for Educational Partnerships                  SB2434 SD1 BOE Salaries; Under Board Authority                  SB2786 SD2 DOE Searchable Database Website                  SB2890 DOE; Restructuring Divisions</p>	<p><b>BOE Accountability</b></p> <p>SB2570 SD1 BOE ConAm - All Appointed                  SB2571 SD2 BOE Appointed Nomination Board</p> <p><b>Accountability</b></p> <p>SB2122 SD1 DOE; Longitudinal Student and Workforce Data                  SB2431 SD2 Education Accountability</p>	<p>For further information: Please visit <a href="http://www.capitol.hawaii.gov">http://www.capitol.hawaii.gov</a> and go to bill status and documents; the bill information can be obtained.</p> <p><i>Senator Norman Sakamoto</i> Chair, Senate Education &amp; Housing Committee Phone: 586-8585 Fax: 586-8588 sensakamoto@capitol.hawaii.gov</p> <p><b>Charters</b></p> <p>SB2589 SD2 Charter Schools use of vacant properties (SB2586 &amp; SB2588 included)                  SB2889 Keakealani Education Center                  SB2903 SD2 Hawaiian Language College</p> <p><b>Learning</b></p> <p>SB2121 DOE, Early Learning Council                  SB2124 SD2 Hurricane Relief Fund; Instructional Days                  SB2478 SD2 Instructional Days; 200 Days Minimum                  SB2567 SD1 Common Curriculum/Single textbook</p>
<p>11/22/2010</p>	<p><b>Students</b></p> <p>SB2068 SD2 Education; Pre-Kindergarten; ELC Report                  SB2063 SD1 After School Programs; Keki Caucus                  SB2336 SD2 JK and Kindergarten Programs                  SB2349 SD2 Homeschool Extracurricular                  SB2350 SD1 BOE Student Voting Member                  SB2451 SD2 WSF; Remote Schools                  SB2452 SD2 Transportation; School Children                  SB2790 SD1 School Response Protocol</p> <p><b>Teachers</b></p> <p>SB2346 SD1 HTSB – Duties delegated to ED or other                  SB2589 SD2 Hawaii Teacher Standards Board – Omnibus                  SB2797 SD2 VEBA Trusts                  SB2873 SD1 Code of Ethics</p>	<p>11/22/2010</p>	<p>11/22/2010</p>

**Education & Housing Committee (EDH)**

**HOUSING  
First Decking  
February 26, 2010**

<p><b>Other</b></p> <p>SB2473 SD1 Elderly Housing; Kupuna                  SB2578 SD2 Hawaii Residential Housing; Tax Credit; New Construction                  SB2649 SD2 UH Sunset Provision on Construction or Renovation</p>	<p><b>Affordable Housing</b></p> <p>SB2110 SD2 Affordable Housing; 45 Day Review                  SB2111 SD2 Affordable Housing; 60 Day Infrastructure requests                  SB2575 SD2 Affordable Housing &amp; Rentals                  SB2592 SD2 GET Affordable Housing                  SB2594 SD1 Affordable Housing; Residency Requirement                  SB2595 SD1 Affordable Housing; HUD Calculation</p>	<p><b>Hawaii Public Housing Authority</b></p> <p>SB2108 SD1 HPHA Board Membership                  SB2276 SD1 HPHA Alcohol Prohibition                  SB2277 SD2 HPHA Common Area Expense                  SB2278 SD2 HPHA Criminal Trespass</p>	<p>For further information: Please visit <a href="http://www.capitol.hawaii.gov">http://www.capitol.hawaii.gov</a> and go to bill status and documents; the bill information can be obtained.</p> <p><i>Senator Norman Sakamoto</i> Chair, Senate Education &amp; Housing Committee Phone: 586-8585 Fax: 586-8588 sensakamoto@capitol.hawaii.gov</p>
<p>11/22/2010</p>	<p><b>Hawaii Housing and Devel. Corp</b></p> <p>SB2593 SD1 HHFDC Periodic Reviews</p> <p><b>Hawaii Community Development Association</b></p> <p>SB2408 SD2 HCDA Reserved Housing</p> <p><b>Rental Housing</b></p>	<p>11/22/2010</p>	<p><b>Low Income Housing Tax Credits (LIHTCs)</b></p> <p>SB2109 SD2 Low-Income Housing Tax Credits</p>

## TWENTY-THIRD DAY

Wednesday, March 3, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:36 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Norman Sakamoto, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Galuteria who was excused.

The President announced that she had read and approved the Journal of the Twenty-Second Day.

At this time, the following introductions were made to the members of the Senate:

Senator English introduced delegates from the United States–Japan Political Study Tour. From the Democratic Party of Japan: Ms. Fuyou Nakamura, Public Relations Committee Staff Member; Mr. Masaaki Kurano, Assistant to the Honorable Goshi Hosono, Member of the Japan House of Representatives; Mr. Yasuharu Zenki, Assistant to the Honorable Motohisa Furukawa, Member of the Japan House of Representatives. From the Liberal Democratic Party: Ms. Reika Yanagimoto, Staff Member from the Treasury Bureau; Mr. Tomohiro Minagawa, Assistant to the Honorable Koichi Kato, Member of the Japan House of Representatives. From The New Komeito Party: Mr. Nobuki Komatsu, Reporter from the Komei Shimbun; and Ms. Hiyyoko Fujita, Program Assistant from the Japan Center for International Exchange. From the Department of State Interpreters: Mr. Frederick Harriman, Ms. Kayo Shiraishi, and Ms. Stacy Smith. From the American Council of Young Political Leaders: Ms. Elizabeth Johnson.

Senator Taniguchi recognized and congratulated the Honolulu Japanese Chamber of Commerce on celebrating 110 years of business and culture leadership and member connections. Representing the Chamber were Chairman Sidney Hamada and President Wayne Ishihara.

At 11:45 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 334 to 337) were read by the Clerk and were placed on file:

Gov. Msg. No. 334, dated March 2, 2010, transmitting the Annual Report on the Progress of Hawaii 3R's School Repair and Maintenance Fund, prepared by the Department of Education pursuant to Section 302A-1502.4, HRS.

Gov. Msg. No. 335, dated February 23, 2010, transmitting a Report on the Expenditures from the Bond Protocol Account for FY 2010, prepared by the Office of the Governor pursuant to Act 162, SLH 2009.

Gov. Msg. No. 336, dated February 26, 2010, transmitting a Report Relating to Education and Safe Routes to School, prepared by the Department of Transportation pursuant to Act 100, SLH 2009.

Gov. Msg. No. 337, dated March 2, 2010, transmitting the Governor's statement of objections to Senate Bill No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

March 2, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 1311Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1311, entitled 'A Bill for an Act Relating to Aquatic Resources.'

The purpose of this bill is to exempt the University of Hawaii from any law that requires a permit or application to carry out repair and maintenance of the Hawaii Marine Laboratory Refuge. The bill also allows the University of Hawaii to use Department of Land and Natural Resources staff without charge.

This bill is objectionable because it grants the University of Hawaii an overly broad and unnecessary exemption from permitting requirements that protect and preserve Hawaii's natural public trust resources.

A permit allows a privilege conveyed to individuals or agencies to perform an activity not normally available to the general public. A permit carries a responsibility to uphold high standards that will benefit society and protect our environment. To exempt a single State agency, in this case the Hawaii Institute of Marine Biology, from this obligation is inappropriate and conveys to them disproportionate powers without adequate public accountability.

The legislation fails to define what constitutes repair and maintenance activities. It is unclear what projects would be granted a permitting exemption under this measure. The lack of guidance provided by the ambiguous bill language could exempt a broad range of activities from the State's permitting requirements.

Further, the measure is unnecessary since routine repair and maintenance of facilities existing in conservation districts are already permissible under current conservation district rules. Any activities that extend beyond basic repair and maintenance projects in a conservation district should be subject to the additional oversight and standards established in the permitting process.

Additionally, the bill would allow the University to use the Department of Land and Natural Resources staff at no charge in the operations of the Hawaii Institute of Marine Biology. The department does not have surplus personnel to take on additional responsibilities. This legislation would impose a durable and indeterminate potential fiscal liability on the Department of Land and Natural Resources.

For the foregoing reasons, I am returning Senate Bill No. 1311 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 53 to 252) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 53, transmitting H.B. No. 40, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 40, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was referred to the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 54, returning S.B. No. 466, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

By unanimous consent, action on S.B. No. 466, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," was deferred until Thursday, March 4, 2010.

Hse. Com. No. 55, returning S.B. No. 549, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

By unanimous consent, action on S.B. No. 549, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT," was deferred until Thursday, March 4, 2010.

Hse. Com. No. 56, transmitting H.B. No. 823, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 823, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 57, transmitting H.B. No. 840, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 840, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARGING BY WRITTEN INFORMATION," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 58, returning S.B. No. 898, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

By unanimous consent, action on S.B. No. 898, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Thursday, March 4, 2010.

Hse. Com. No. 59, transmitting H.B. No. 1019, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1019, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 60, transmitting H.B. No. 1287, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1287, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading by title and was referred jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 61, transmitting H.B. No. 1808, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1808, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 62, transmitting H.B. No. 1852, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1852, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 63, transmitting H.B. No. 1854, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1854, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 64, transmitting H.B. No. 1902, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1902, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed First Reading by title and was referred to the Committee on Human Services.

Hse. Com. No. 65, transmitting H.B. No. 1922, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1922, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 66, transmitting H.B. No. 1927, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1927, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 67, transmitting H.B. No. 1961, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1961, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOLAWE REHABILITATION TRUST FUND," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 68, transmitting H.B. No. 1978, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1978, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 69, transmitting H.B. No. 1985, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1985, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 70, transmitting H.B. No. 1987, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1987, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed First Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 71, transmitting H.B. No. 2020, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2020, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 72, transmitting H.B. No. 2022, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 73, transmitting H.B. No. 2052, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 74, transmitting H.B. No. 2053, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2053, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 75, transmitting H.B. No. 2054, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2054, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 76, transmitting H.B. No. 2058, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2058, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROPERTY," passed First Reading by title and was referred to the Committee on Economic Development and Technology.

Hse. Com. No. 77, transmitting H.B. No. 2061, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2061, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed First Reading by title and was referred jointly to the Committee on Public Safety and Military Affairs and the Committee on Human Services, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 78, transmitting H.B. No. 2074, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2074, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS," passed First Reading by title and was referred to the Committee on Education and Housing.

Hse. Com. No. 79, transmitting H.B. No. 2076, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2076, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH," passed First Reading by title and was referred jointly to the Committee on Education and Housing and the Committee on Higher Education and the Committee on Labor.

Hse. Com. No. 80, transmitting H.B. No. 2084, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2084, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," passed First Reading by title and was referred jointly to the Committee

on Health and the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 81, transmitting H.B. No. 2086, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2086, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 82, transmitting H.B. No. 2087, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2087, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 83, transmitting H.B. No. 2092, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2092, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 84, transmitting H.B. No. 2094, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2094, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 85, transmitting H.B. No. 2133, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2133, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 86, transmitting H.B. No. 2152, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 87, transmitting H.B. No. 2163, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2163, entitled: "A BILL FOR AN ACT RELATING TO SALARY AND PENSION PAYMENTS," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 88, transmitting H.B. No. 2170, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2170, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 89, transmitting H.B. No. 2186, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2186, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROPER PAYMENTS ELIMINATION AND RECOVERY," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 90, transmitting H.B. No. 2208, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2208, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 91, transmitting H.B. No. 2239, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2239, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed First Reading by title and was referred to the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 92, returning S.B. No. 2246, S.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

Hse. Com. No. 93, transmitting H.B. No. 2248, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2248, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 94, transmitting H.B. No. 2267, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2267, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 95, transmitting H.B. No. 2271, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2271, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," passed First Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 96, transmitting H.B. No. 2277, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 97, transmitting H.B. No. 2284, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 98, transmitting H.B. No. 2289, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2289, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 99, transmitting H.B. No. 2290, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2290, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 100, transmitting H.B. No. 2291, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2291, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 101, transmitting H.B. No. 2293, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 102, transmitting H.B. No. 2294, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2294, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 103, transmitting H.B. No. 2297, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2297, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 104, transmitting H.B. No. 2311, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2311, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 105, transmitting H.B. No. 2312, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2312, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 106, transmitting H.B. No. 2349, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 107, transmitting H.B. No. 2354, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2354, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 108, transmitting H.B. No. 2381, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2381, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading

by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 109, transmitting H.B. No. 2382, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," passed First Reading by title and was referred jointly to the Committee on Economic Development and Technology and the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 110, transmitting H.B. No. 2383, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2383, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed First Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 111, transmitting H.B. No. 2404, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 112, transmitting H.B. No. 2409, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2409, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 113, transmitting H.B. No. 2417, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2417, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed First Reading by title and was referred to the Committee on Tourism, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 114, transmitting H.B. No. 2421, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2421, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 115, transmitting H.B. No. 2434, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2434, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING," passed First Reading by title and was referred jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 116, transmitting H.B. No. 2441, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2441, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 117, transmitting H.B. No. 2449, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2449, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BOARDS OF WATER SUPPLY," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 118, transmitting H.B. No. 2461, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2461, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 119, transmitting H.B. No. 2464, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2464, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRACTICE OF PHARMACY," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 120, transmitting H.B. No. 2486, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2486, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred jointly to the Committee on Education and Housing and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 121, transmitting H.B. No. 2497, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2497, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE

REVENUE BONDS,” passed First Reading by title and was referred to the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 122, transmitting H.B. No. 2503, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2503, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,” passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 123, transmitting H.B. No. 2505, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2505, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE,” passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 124, transmitting H.B. No. 2523, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2523, entitled: “A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION,” passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 125, transmitting H.B. No. 2532, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2532, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY,” passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 126, transmitting H.B. No. 2533, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2533, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES’ RETIREMENT SYSTEM RETIRANTS,” passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 127, transmitting H.B. No. 2538, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2538, entitled: “A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES’ RETIREMENT SYSTEM BENEFITS,” passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 128, transmitting H.B. No. 2548, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2548, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,” passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 129, transmitting H.B. No. 2575, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2575, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRAUMA,” passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 130, transmitting H.B. No. 2583, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2583, entitled: “A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS,” passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 131, transmitting H.B. No. 2594, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2594, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE,” passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 132, transmitting H.B. No. 2596, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2596, entitled: “A BILL FOR AN ACT RELATING TO TAX CREDITS,” passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 133, transmitting H.B. No. 2605, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2605, entitled: “A BILL FOR AN ACT RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES,” passed First Reading by title and was referred jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Energy and Environment.

Hse. Com. No. 134, transmitting H.B. No. 2631, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2631, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING,” passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 135, transmitting H.B. No. 2639, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2639, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 136, transmitting H.B. No. 2641, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2641, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII PROJECTS," passed First Reading by title and was referred jointly to the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 137, transmitting H.B. No. 2642, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2642, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 138, transmitting H.B. No. 2643, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2643, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS," passed First Reading by title and was referred to the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 139, transmitting H.B. No. 2644, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2644, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed First Reading by title and was referred jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 140, transmitting H.B. No. 2661, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2661, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 141, transmitting H.B. No. 2676, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2676, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWE ISLAND RESERVE COMMISSION," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 142, transmitting H.B. No. 2693, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2693, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 143, transmitting H.B. No. 2706, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2706, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 144, transmitting H.B. No. 2708, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2708, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 145, transmitting H.B. No. 2724, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2724, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 146, transmitting H.B. No. 2740, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2740, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 147, transmitting H.B. No. 2741, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2741, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 148, transmitting H.B. No. 2775, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2775, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 149, transmitting H.B. No. 2783, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2783, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Tourism, then to the Committee on Ways and Means.

Hse. Com. No. 150, transmitting H.B. No. 2784, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2784, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 151, transmitting H.B. No. 2796, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2796, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 152, transmitting H.B. No. 2829, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2829, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 153, transmitting H.B. No. 2831, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2831, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 154, transmitting H.B. No. 2855, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2855, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 155, transmitting H.B. No. 2897, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2897, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 156, transmitting H.B. No. 2901, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2901, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 157, transmitting H.B. No. 2904, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2904, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY GENERAL PLANS," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Hse. Com. No. 158, transmitting H.B. No. 2921, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2921, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 159, transmitting H.B. No. 2922, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2922, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed First Reading by title and was referred jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 160, transmitting H.B. No. 2948, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2948, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 161, transmitting H.B. No. 2984, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2984, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 162, transmitting H.B. No. 415, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 415, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed First Reading by title and was referred to the Committee on Public

Safety and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 163, transmitting H.B. No. 674, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 674, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 164, transmitting H.B. No. 744, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 744, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 165, returning S.B. No. 771, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

By unanimous consent, action on S.B. No. 771, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS", was deferred until Thursday, March 4, 2010.

Hse. Com. No. 166, transmitting H.B. No. 1205, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1205, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TAX INCREMENT BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 167, transmitting H.B. No. 1752, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1752, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS," passed First Reading by title and was deferred.

Hse. Com. No. 168, transmitting H.B. No. 1756, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1756, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed First Reading by title and was deferred.

Hse. Com. No. 169, transmitting H.B. No. 1818, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1818, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," passed First Reading by title and was referred jointly to the Committee on Public Safety and Military Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 170, transmitting H.B. No. 1859, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1859, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 171, transmitting H.B. No. 1868, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1868, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed First Reading by title and was referred to the Committee on Labor.

Hse. Com. No. 172, transmitting H.B. No. 1904, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1904, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 173, transmitting H.B. No. 1905, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1905, entitled: "A BILL FOR AN ACT RELATING TO STATE PAYMENTS," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 174, transmitting H.B. No. 1907, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 175, transmitting H.B. No. 1921, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1921, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONTROLLING INTEREST TRANSFER TAX," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 176, transmitting H.B. No. 1926, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1926, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 177, transmitting H.B. No. 1947, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1947, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 178, transmitting H.B. No. 1948, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1948, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 179, transmitting H.B. No. 1991, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1991, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 180, transmitting H.B. No. 2085, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2085, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 181, transmitting H.B. No. 2091, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2091, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID ELIGIBILITY," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 182, transmitting H.B. No. 2129, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 183, transmitting H.B. No. 2157, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2157, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Human Services.

Hse. Com. No. 184, transmitting H.B. No. 2171, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2171, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed First

Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 185, transmitting H.B. No. 2257, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2257, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 186, transmitting H.B. No. 2250, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2250, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CHILD ABDUCTION PREVENTION ACT," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 187, transmitting H.B. No. 2266, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2266, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 188, transmitting H.B. No. 2283, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2283, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 189, transmitting H.B. No. 2288, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2288, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 190, transmitting H.B. No. 2301, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2301, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF STATE HIGHWAYS," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 191, transmitting H.B. No. 2306, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2306, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 192, transmitting H.B. No. 2313, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2313, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 193, transmitting H.B. No. 2318, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2318, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed First Reading by title and was referred jointly to the Committee on Education and Housing and the Committee on Human Services and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 194, transmitting H.B. No. 2347, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2347, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," passed First Reading by title and was referred jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Hse. Com. No. 195, transmitting H.B. No. 2370, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2370, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 196, transmitting H.B. No. 2376, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2376, H.D. 3, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 197, transmitting H.B. No. 2377, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2377, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 198, transmitting H.B. No. 2429, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2429, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 199, transmitting H.B. No. 2445, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2445, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed First Reading by title and was referred to the Committee on Tourism, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 200, transmitting H.B. No. 2508, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2508, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 201, transmitting H.B. No. 2542, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2542, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 202, transmitting H.B. No. 2561, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2561, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 203, transmitting H.B. No. 2582, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2582, entitled: "A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 204, transmitting H.B. No. 2587, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2587, entitled: "A BILL FOR AN ACT RELATING TO SAINT DAMIEN DE VEUSTER DAY," passed First Reading by title and was referred to the Committee on Economic Development and Technology.

Hse. Com. No. 205, transmitting H.B. No. 2595, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 206, transmitting H.B. No. 2598, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2598, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed First Reading by title and was referred jointly to the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 207, transmitting H.B. No. 2600, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2600, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 208, transmitting H.B. No. 2603, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2603, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 209, transmitting H.B. No. 2604, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2604, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 210, transmitting H.B. No. 2637, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2637, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Health.

Hse. Com. No. 211, transmitting H.B. No. 2657, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed First

Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 212, transmitting H.B. No. 2667, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2667, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FERRIES," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 213, transmitting H.B. No. 2670, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 214, transmitting H.B. No. 2688, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2688, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Energy and Environment and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 215, transmitting H.B. No. 2689, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2689, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 216, transmitting H.B. No. 2690, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2690, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 217, transmitting H.B. No. 2692, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," passed First Reading by title and was referred to the Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 218, transmitting H.B. No. 2698, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2698, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed First

Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 219, transmitting H.B. No. 2702, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2702, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 220, transmitting H.B. No. 2725, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2725, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 221, transmitting H.B. No. 2736, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2736, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 222, transmitting H.B. No. 2752, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2752, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 223, transmitting H.B. No. 2774, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2774, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 224, transmitting H.B. No. 2801, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2801, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HAWAII HEALTH SYSTEMS CORPORATION FOR OPERATIONAL COSTS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 225, transmitting H.B. No. 2817, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2817, H.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO ART," passed First Reading by title and was referred jointly to the Committee on Economic Development and Technology and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 226, transmitting H.B. No. 2832, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2832, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 227, transmitting H.B. No. 2833, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2833, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Tourism, then to the Committee on Ways and Means.

Hse. Com. No. 228, transmitting H.B. No. 2835, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2835, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Hse. Com. No. 229, transmitting H.B. No. 2845, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2845, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing.

Hse. Com. No. 230, transmitting H.B. No. 2849, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed First Reading by title and was referred jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 231, transmitting H.B. No. 2850, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2850, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 232, transmitting H.B. No. 2851, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2851, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 233, transmitting H.B. No. 2852, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2852, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE PREMIUM TAX," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 234, transmitting H.B. No. 2866, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2866, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 235, transmitting H.B. No. 2867, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2867, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 236, transmitting H.B. No. 2872, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2872, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 237, transmitting H.B. No. 2874, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2874, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed First Reading by title and was referred to the Committee on Tourism, then to the Committee on Ways and Means.

Hse. Com. No. 238, transmitting H.B. No. 2875, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2875, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RESERVE TRUST FUND," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 239, transmitting H.B. No. 2877, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2877, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred jointly to the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 240, transmitting H.B. No. 2885, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2885, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 241, transmitting H.B. No. 2887, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2887, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO SETTLEMENT MONEYS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 242, transmitting H.B. No. 2902, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2902, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EDUCATION GOVERNMENT TELEVISION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 243, transmitting H.B. No. 2905, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2905, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was referred to the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 244, transmitting H.B. No. 2918, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2918, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO COMMUNITY DEVELOPMENT DISTRICT," passed First Reading by title and was referred jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 245, transmitting H.B. No. 2919, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2919, H.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 246, transmitting H.B. No. 2923, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2923, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 247, transmitting H.B. No. 2935, H.D. 3, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2935, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Judiciary and Government Operations.

Hse. Com. No. 248, transmitting H.B. No. 2937, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2937, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 249, transmitting H.B. No. 2945, H.D. 2, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2945, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 250, transmitting H.B. No. 2962, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2962, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Economic Development and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 251, transmitting H.B. No. 2963, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2963, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FROM THE EMERGENCY AND BUDGET RESERVE FUND FOR EDUCATION," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health and the Committee on Education and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 252, transmitting H.B. No. 2964, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2964, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

#### SENATE COMMUNICATION

Sen. Com. No. 1, notice to Governor dated March 3, 2010, transmitting S.B. No. 2350, S.D. 1; S.B. No. 2570, S.D. 1; and S.B. No. 2807, S.D. 2, which propose amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"March 3, 2010

The Honorable Linda Lingle  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

S.B. No. 2350, S.D. 1  
"PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION."

S.B. No. 2570, S.D. 1  
"PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD."

S.B. No. 2807, S.D. 2  
"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT."

Respectfully,

/s/ Carol Taniguchi  
CAROL T. TANIGUCHI  
Clerk of the Senate"

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 122 to 125) were read by the Clerk and were deferred:

S.C.R. No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII."

Offered by: Senators Ige, Baker, Chun Oakland, Fukunaga, Kokubun, Tokuda, Espero, Gabbard, Galuteria, Hee, Hooser, Ihara, Kidani, Kim, Nishihara, Sakamoto, Takamine, Taniguchi, Tsutsui.

S.C.R. No. 123 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO MAKE RULES CONSISTENT WITH ACT 222, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY."

Offered by: Senators Ige, Baker, Espero, Fukunaga, Gabbard, Galuteria, Hee, Hooser, Ihara, Kidani, Kim, Kokubun, Nishihara, Takamine, Taniguchi, Tokuda.

S.C.R. No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR WEIGHT MANAGEMENT AND OBESITY TREATMENT FOR CHILDREN."

Offered by: Senators Ige, Baker, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Hee, Hooser, Ihara, Kidani, Kokubun, Nishihara, Takamine, Tokuda.

S.C.R. No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION."

Offered by: Senators Galuteria, Green, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hee, Hemmings, Hooser, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Slom, Takamine, Tokuda, Tsutsui.

#### SENATE RESOLUTION

The following resolution (S.R. No. 53) was read by the Clerk and was deferred:

S.R. No. 53 "SENATE RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO MAKE RULES CONSISTENT WITH ACT 222, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY."

Offered by: Senators Ige, Baker, Espero, Fukunaga, Gabbard, Hooser, Ihara, Kim, Kokubun, Nishihara, Takamine, Tokuda.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2636) recommending that S.C.R. No. 41 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES," was referred to the Committee on Ways and Means.

Senators Sakamoto and Gabbard, for the Committee on Education and Housing and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2637) recommending that S.C.R. No. 20, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 20, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST PUBLIC SCHOOLS STATEWIDE IN ADOPTING AND IMPLEMENTING COMPREHENSIVE CAMPUS RECYCLING POLICIES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2638) recommending that S.C.R. No. 11, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 11, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF AMERICAN SIGN LANGUAGE INTERPRETERS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2639) recommending that S.R. No. 21, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 21, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF AMERICAN SIGN LANGUAGE INTERPRETERS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2640) recommending that S.C.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2640 and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was deferred until Thursday, March 4, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2641) recommending that S.R. No. 23, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2641 and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was deferred until Thursday, March 4, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2642) recommending that S.C.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2642 and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was deferred until Thursday, March 4, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2643) recommending that S.R. No. 24, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2643 and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING

MULTIGENERATIONAL LIVING,” was deferred until Thursday, March 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2644) recommending that S.C.R. No. 76 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2644 and S.C.R. No. 76, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS,” was deferred until Thursday, March 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2645) recommending that S.R. No. 32 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2645 and S.R. No. 32, entitled: “SENATE RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS,” was deferred until Thursday, March 4, 2010.

Senator Chun Oakland, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 2646) recommending that the Senate advise and consent to the nomination of NATHAN E. SAY to the State Rehabilitation Council, in accordance with Gov. Msg. No. 201.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2646 and Gov. Msg. No. 201 was deferred until Thursday, March 4, 2010.

Senator Chun Oakland, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 2647) recommending that the Senate advise and consent to the nomination of NATHAN E. SAY to the Statewide Council on Independent Living, in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2647 and Gov. Msg. No. 202 was deferred until Thursday, March 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs presented a report (Stand. Com. Rep. No. 2648) recommending that the Senate advise and consent to the nomination of EDWARD W. ENOS JR. to the Harbors Modernization Group, in accordance with Gov. Msg. No. 226.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2648 and Gov. Msg. No. 226 was deferred until Thursday, March 4, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs presented a report (Stand. Com. Rep. No. 2649) recommending that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

PETE G. PASCUA JR., in accordance with Gov. Msg. No. 227; and

LESTER H. FUKUDA, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2649 and Gov. Msg. Nos. 227 and 228 was deferred until Thursday, March 4, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2650) recommending that the Senate advise and consent to the nomination of SUE ANN M.M. HASEGAWA to the Island Burial Council, Island of Molokai, in accordance with Gov. Msg. No. 233.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2650 and Gov. Msg. No. 233 was deferred until Thursday, March 4, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2651) recommending that the Senate consent to the appointment of LISA M. GINOZA to the Intermediate Court of Appeals, State of Hawaii, in accordance with Gov. Msg. No. 240.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2651 and Gov. Msg. No. 240 was deferred until Thursday, March 4, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2652) recommending that the Senate consent to the appointment of ROBERT M. BROWNING to the Circuit Court of the First Circuit, State of Hawaii, in accordance with Gov. Msg. No. 241.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2652 and Gov. Msg. No. 241 was deferred until Thursday, March 4, 2010.

## ORDER OF THE DAY

### FINAL READING

S.B. No. 520, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 520, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Galuteria, Ihara).

### THIRD READING

H.B. No. 2169, H.D. 2:

Senator Takamine moved that H.B. No. 2169, H.D. 2 pass Third Reading, seconded by Senator Kim.

Senator Takamine rose in support of the measure with reservations as follows:

“Madam President, all I wanted to say at this point was to thank you and leadership for getting the bill to where it is today. Thank you very much.”

Senator Slom rose in support of the measure with reservations as follows:

“We all knew coming into this session that the number one problem facing businesses in our community—and primarily small businesses—was the impact of the unemployment compensation tax. If left unattended, it would increase by an estimated average 1,000 percent for all employers having employees in this state. I concur that I am happy that we did fast-track this bill to this point, that we have just days before the Department of Labor has to send out notices to employers which would make the new rates retroactive to January 1.

“This bill will provide a modicum of very limited relief, and is far short of what could be expected and should be passed in terms of the Administration’s original position. This bill will reduce, by an estimated \$99 million, the additional burden to be faced by every business in the state over the two year period. The Administration bill would have reduced that burden by nearly half a billion dollars (\$500 million).

“I testify and I support the bill with reservations—only because many businesses came seeking relief, begging the Legislature for help. As usual, the Legislature caused the problem in the first place, and as usual, the Legislature has done very little to improve this business climate. I’ve had dozens and dozens of phone calls over just the last week alone saying that even with this bill, many small businesses are going to be forced to: (1) reduce the hours of existing employees; (2) to lay off existing employees; (3) definitely not to hire any new employees.

“So this is not a jobs bill. This is not a ‘gimme’ to businesses. And I must remind my colleagues and the public every single day because there’s still misinformation: No employee pays one penny into unemployment compensation. It is not insurance; it is a tax. We are one of the highest taxed unemployment states in the nation. And what happened three years ago when we passed Act 110—which I voted against—warning that giving a small reduction for a limited period of time, at the same time making permanent and raising the benefits, was going to be a very difficult thing for all businesses when that Act ran out. The Act has now run out; the three years have occurred.

“While we talk about an average per employee of \$90 per employer at the present time—or at least last year 2009—and we talked about the specter of increasing that to \$1000, more than \$1000 per employee, we have to ask, ‘Why?’ And the why is very simple. We had an adequate reserve fund of more than \$500 million, but because when we changed the benefits package three years ago in Act 110 and then with the economic circumstances that we’ve had, we’ve found a drawdown that has been unprecedented: more than \$30 million per month. And so, we’re in danger of having the fund completely liquidated later this year or early next year, if nothing were done. The problem is that when Act 110 was passed three years ago, the benefits to unemployed claimants were increased dramatically. And so you have a situation with increased benefits and increased numbers of people because of the recession and because of the difficult economic times, and that’s what resulted in the drawdown.

“The problem, in my humble opinion, or the solution to the problem, is not by punishing employers because ultimately you’re punishing employees. The employers, however, that came to the Legislature last week believed that they were getting half a loaf and that half a loaf was better than none. Actually, they’re not even getting crumbs in this bill. And they’re going to find it extremely difficult, not only because of this unemployment compensation tax increase—and it still is an increase, a substantial increase, from \$90 on average to more than \$600 this year, and to more than \$950 on average next year. In addition to that, they are going to also get the benefit of our increase in taxes that affect businesses, increase in fees that affect businesses, increase in regulations which cause additional taxes.

“So, in sum, what we’re doing is we’re doing the very bare minimum. And I hear some of my colleagues complaining that even this is too much, that businesses have reaped the benefits over the past three years, but they don’t talk about the benefits for workers. They don’t talk about the permanent expansion. They don’t talk about the fact that Hawai’i, while rated two or three in terms of unemployment compensation tax, is also rated three or four in terms of generosity of benefits for those

unemployed. If we truly want to solve the unemployment problem, if we truly want to solve jobs, we’ve got to improve the hostile business climate in Hawai’i, and thus far we haven’t done that. So with reluctance, I will support this measure, as I say, with the strongest reservations. Thank you.”

The motion was put by the Chair and carried, H.B. No. 2169, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Slom, Takamine). Noes, none. Excused, 3 (Bunda, Galuteria, Ihara).

At this time, Senator Tsutsui rose on a point of personal privilege and said:

“Just wanted to remind the members that my office is sponsoring a curry bowl sale today and all proceeds will be going to the Maui Food Bank. So, if you don’t have lunch or you want to support our Maui Food Bank, please stop by my office. My understanding is we have a few left; so, thank you.”

Senator Gabbard rose on a point of personal privilege and said:

“Madam President, on this day 34 years ago, a very auspicious event took place in Kāne’ohe, and that was the birth of Jill Tokuda. Little did her classmates know at Kāne’ohe Elementary School, or her classmates at Samuel Wilder King Intermediate, or her classmates at Castle High School, that she would rise to the ranks of success and become a member of this august body. So at this time, I would like to congratulate Senator Jill Tokuda on her birthday. Aloha.”

Senator Taniguchi rose on a point of personal privilege and said:

“I’d like to greet all our ‘girls’ on the floor today, Madam President, because it’s Girls’ Day, and wish them all well for today and for the future.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later today.”

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Friday, February 26, 2010:

S.C.R. No.:	Referred to:
S.C.R. No. 118	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 119	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.C.R. No. 120	Committee on Education and Housing, then to the Committee on Ways and Means
S.C.R. No. 121	Committee on Tourism

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions offered on Friday, February 26, 2010:

S.R. No.:	Referred to:
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S.R. No. 49	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs.
S.R. No. 50	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	H.B. No. 2568	Jointly to the Committee on Education and Housing and the Committee on Human Services, then to the Committee on Judiciary and Government Operations.
S.R. No. 51	Committee on Education and Housing, then to the Committee on Ways and Means		
S.R. No. 52	Committee on Tourism		

**ADJOURNMENT**

At 12:01 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, March 4, 2010.

**REFERRAL OF HOUSE BILLS**

The President made the following committee assignments of House bills received on Tuesday, March 2, 2010.

H.B. No.:	Referred to:
H.B. No. 1847, H.D. 1	Committee on Health, then to the Committee on Commerce and Consumer Protection.
H.B. No. 1944	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.
H.B. No. 2016	Committee on Transportation, International and Intergovernmental Affairs
H.B. No. 2056, H.D. 1	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Commerce and Consumer Protection.
H.B. No. 2083, H.D. 1	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Commerce and Consumer Protection.
H.B. No. 2132, H.D. 1	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations.
H.B. No. 2238	Committee on Energy and Environment, then to the Committee on Commerce and Consumer Protection.
H.B. No. 2263	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations.
H.B. No. 2298, H.D. 1	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs.
H.B. No. 2304, H.D. 1	Committee on Commerce and Consumer Protection.
H.B. No. 2371, H.D. 1	Committee on Transportation, International and Intergovernmental Affairs.
H.B. No. 2450, H.D. 1	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and

## TWENTY-FOURTH DAY

## Thursday, March 4, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Sam Slom, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Hemmings who was excused.

The President announced that she had read and approved the Journal of the Twenty-Third Day.

At this time, the following introduction was made to the members of the Senate:

Senator Slom introduced guests from Allentown and Nazareth, Pennsylvania.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 338 to 341) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 338, submitting for consideration and confirmation to the Land Use Commission, the nomination of DUANE KANUHA, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 339, submitting for consideration and confirmation to the Land Use Commission, the nomination of KYLE JAMES KALEO CHOCK, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 340, submitting for consideration and confirmation to the Land Use Commission, the nomination of RONALD I. HELLER, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 341, submitting for consideration and confirmation to the Land Use Commission, the nomination of RANSOM A.K. PILTZ, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 253) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 253, transmitting H.C.R. No. 54, which was adopted by the House of Representatives on March 3, 2010, was placed on file.

By unanimous consent, H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE UNITED STATES BUREAU OF THE CENSUS AND URGING ALL HAWAII RESIDENTS TO PARTICIPATE IN 2010," was deferred.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 126 to 146) were read by the Clerk and were deferred:

S.C.R. No. 126 "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN MEANINGFUL PARTICIPATION IN

THE INTERNATIONAL CIVIL AVIATION ORGANIZATION."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AUTHORIZE THE ESTABLISHMENT OF A NATIONAL MONUMENT FOR WOMEN IN WASHINGTON, D.C., TO RECOGNIZE AND HONOR THE LEADERSHIP CONTRIBUTIONS OF AMERICA'S WOMEN."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 128 "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL PUBLIC AND PRIVATE EMPLOYERS IN THIS STATE TO USE E-VERIFY TO CONFIRM EMPLOYEE WORKPLACE ELIGIBILITY."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY, ANALYZE, AND PROVIDE A RECOMMENDATION ON THE MOST COST EFFECTIVE HEALTH BENEFIT INSURANCE PLAN TO PROVIDE TO ALL GOVERNMENT WORKERS THAT ARE CURRENTLY COVERED BY THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Offered by: Senators Kim, Chun Oakland, Kidani, Baker, English, Espero, Fukunaga, Gabbard, Galuteria, Green, Hee, Ige, Ihara, Nishihara, Sakamoto, Takamine, Taniguchi.

S.C.R. No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE IF SAVINGS MAY BE ACHIEVED BY HAVING THE HIGHWAYS, HARBORS, AND AIRPORTS DIVISIONS SHARE CERTAIN COMMON FUNCTIONS."

Offered by: Senators Kim, Green, Espero, Fukunaga, Gabbard, Galuteria, Hee, Hooser, Ige, Kidani, Nishihara, Takamine.

S.C.R. No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING A COST-BENEFIT STUDY TO DETERMINE WHETHER LEASING INCOME CAN BE MAXIMIZED FROM AIRPORT AND HARBOR SPACE THROUGH THE USE OF RETAIL LEASING AGENTS."

Offered by: Senators Kim, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hee, Hooser, Ige, Kidani, Nishihara, Sakamoto, Takamine, Tokuda.

S.C.R. No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO FORMULATE AN EQUITABLE AND OBJECTIVE MEASURE FOR DISTRIBUTING TRANSPORTATION TAX REVENUE AND FEDERAL FUNDING FOR AIRPORT, HARBOR, AND HIGHWAY PROJECTS TO THE COUNTIES."

Offered by: Senators Kim, Chun Oakland, Espero, Gabbard, Galuteria, Green, Hee, Ige, Kidani, Nishihara, Takamine, Taniguchi, Tokuda.

S.C.R. No. 133 "SENATE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO

STUDY AND ASSESS HOW THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM MAY BE RESTRUCTURED AND ITS MISSION REDIRECTED.”

Offered by: Senators Kim, Chun Oakland, Espero, Fukunaga, Galuteria, Green, Hee, Hooser, Ige, Kidani, Nishihara, Sakamoto, Takamine, Tokuda.

S.C.R. No. 134 “SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY TO DETERMINE WHETHER THE STATE PROCUREMENT OFFICE SHOULD CENTRALIZE THE PROVISION OF COMPLEX PROCUREMENT SERVICES.”

Offered by: Senators Kim, Chun Oakland, Fukunaga, Gabbard, Galuteria, Green, Hee, Hooser, Ige, Kidani, Nishihara, Takamine.

S.C.R. No. 135 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A JOINT GOVERNMENT AND PRIVATE SECTOR HUMAN RESOURCES TASK FORCE TO STUDY THE SIMPLIFICATION OF JOB CLASSIFICATIONS WITHIN STATE GOVERNMENT AND THE STREAMLINING OF OPERATIONS BETWEEN THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT AND LINE DEPARTMENTS.”

Offered by: Senators Kim, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Green, Hee, Hooser, Ige, Kidani, Nishihara, Takamine.

S.C.R. No. 136 “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF STATE LAND ASSETS AND NATURAL RESOURCES AND A DETERMINATION OF THEIR UTILIZATION AND POTENTIAL FOR REVENUE GENERATION.”

Offered by: Senators Kim, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hee, Ige, Kidani, Nishihara, Takamine.

S.C.R. No. 137 “SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A JOINT PUBLIC AND PRIVATE SECTOR TASK FORCE TO ASSESS AND IDENTIFY WHICH CORE SERVICES SHOULD BE PROVIDED BY THE GOVERNMENT, THE APPROPRIATE LEVEL OF GOVERNMENT TO PROVIDE THOSE SERVICES, AND WHICH SERVICES MAY BE BETTER PROVIDED BY THE PRIVATE SECTOR OR THROUGH PUBLIC-PRIVATE PARTNERSHIPS.”

Offered by: Senators Kim, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hee, Hooser, Ige, Kidani, Nishihara, Sakamoto, Takamine.

S.C.R. No. 138 “SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAI’I CAPITAL CULTURAL COALITION.”

Offered by: Senator Fukunaga.

S.C.R. No. 139 “SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE WORK GROUP TO DEVELOP RECOMMENDATIONS FOR INCENTIVES TO ASSIST FILM AND CREATIVE MEDIA AND DEFENSE AND DUAL-USE INDUSTRIES.”

Offered by: Senator Fukunaga.

S.C.R. No. 140 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

EDUCATION TO RESPOND TO KPMG’S RECOMMENDATIONS REGARDING IMPROVEMENTS TO THE DEPARTMENT’S OPERATIONS AND WORKFLOW.”

Offered by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.

S.C.R. No. 141 “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SYSTEMS OR PLANS THAT MAY ACCOMMODATE THE DEPARTMENT OF EDUCATION’S NEED TO RETAIN, PROMOTE, AND COMPETITIVELY COMPENSATE PROFESSIONAL EMPLOYEES IN CERTAIN AREAS WITHOUT REQUIRING THOSE EMPLOYEES TO ASSUME SUPERVISORY RESPONSIBILITIES.”

Offered by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani, Tsutsui.

S.C.R. No. 142 “SENATE CONCURRENT RESOLUTION REQUESTING RESEARCH AND THE ESTABLISHMENT OF A POLICY GROUP TO INFORM THE DEPARTMENT OF EDUCATION’S DETERMINATION OF ITS CORE MISSION AND CORE FUNCTIONS.”

Offered by: Senators Sakamoto, Chun Oakland, Tsutsui, Galuteria, Kidani.

S.C.R. No. 143 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A SELF-HELP HOUSING TRUST FUND ADVISORY BOARD TO PREPARE FOR THE ADMINISTRATION AND OPERATION OF A SELF-HELP HOUSING TRUST FUND.”

Offered by: Senators Sakamoto, Chun Oakland, Galuteria, Kidani.

S.C.R. No. 144 “SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH.”

Offered by: Senator Takamine.

S.C.R. No. 145 “SENATE CONCURRENT RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII.”

Offered by: Senator Taniguchi.

S.C.R. No. 146 “SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A HEALTH CARE REFORM TASK FORCE TO EVALUATE METHODS TO IMPROVE THE QUALITY, SAFETY, EFFICIENCY, AND COST OF HAWAII’S HEALTH CARE SYSTEM, TO REDUCE MEDICAL ERRORS AND INCREASE PATIENT SAFETY, TO SEEK SOLUTIONS TO ELIMINATE DOCTOR SHORTAGES, AND TO ADDRESS THE ROLE AND IMPACT OF THE LEGAL SYSTEM IN COMPENSATING VICTIMS INJURED BECAUSE OF MEDICAL ERRORS.”

Offered by: Senator Taniguchi.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 54 to 66) were read by the Clerk and were deferred:

S.R. No. 54 “SENATE RESOLUTION REQUESTING MEASURES TO EXPEDITE PROCEDURES IN THE LAND COURT AND REDUCE THE BACKLOG OF CASES.”

Offered by: Senator Hanabusa, by request.  
 S.R. No. 55 "SENATE RESOLUTION  
 CONVENING A JOINT LEGISLATIVE WORK GROUP TO  
 DEVELOP RECOMMENDATIONS FOR INCENTIVES TO  
 ASSIST FILM AND CREATIVE MEDIA AND DEFENSE  
 AND DUAL-USE INDUSTRIES."

Offered by: Senator Fukunaga.

S.R. No. 56 "SENATE RESOLUTION  
 REQUESTING A STATUS REPORT FROM THE HAWAII  
 CAPITAL CULTURAL COALITION."

Offered by: Senator Fukunaga.

S.R. No. 57 "SENATE RESOLUTION  
 REQUESTING THE LEGISLATIVE REFERENCE BUREAU  
 TO STUDY, ANALYZE, AND PROVIDE A  
 RECOMMENDATION ON THE MOST COST EFFECTIVE  
 HEALTH BENEFIT INSURANCE PLAN TO PROVIDE TO  
 ALL GOVERNMENT WORKERS THAT ARE CURRENTLY  
 COVERED BY THE EMPLOYER-UNION HEALTH  
 BENEFITS TRUST FUND."

Offered by: Senators Kim, Chun Oakland, Kidani,  
 Baker, English, Espero, Fukunaga,  
 Gabbard, Galuteria, Hee, Ige, Ihara,  
 Nishihara, Sakamoto, Takamine.

S.R. No. 58 "SENATE RESOLUTION  
 REQUESTING A STUDY TO DETERMINE IF SAVINGS  
 MAY BE ACHIEVED BY HAVING THE HIGHWAYS,  
 HARBORS, AND AIRPORTS DIVISIONS SHARE  
 CERTAIN COMMON FUNCTIONS."

Offered by: Senators Kim, Espero, Fukunaga,  
 Gabbard, Galuteria, Hee, Hooser, Ige,  
 Kidani, Nishihara, Takamine.

S.R. No. 59 "SENATE RESOLUTION  
 REQUESTING A COST-BENEFIT STUDY TO DETERMINE  
 WHETHER LEASING INCOME CAN BE MAXIMIZED  
 FROM AIRPORT AND HARBOR SPACE THROUGH THE  
 USE OF RETAIL LEASING AGENTS."

Offered by: Senators Kim, Chun Oakland, Espero,  
 Gabbard, Galuteria, Hee, Hooser, Ige,  
 Kidani, Nishihara, Sakamoto, Takamine.

S.R. No. 60 "SENATE RESOLUTION  
 REQUESTING A STUDY TO FORMULATE AN  
 EQUITABLE AND OBJECTIVE MEASURE FOR  
 DISTRIBUTING TRANSPORTATION TAX REVENUE  
 AND FEDERAL FUNDING FOR AIRPORT, HARBOR, AND  
 HIGHWAY PROJECTS TO THE COUNTIES."

Offered by: Senators Kim, Chun Oakland, Espero,  
 Gabbard, Galuteria, Hee, Ige, Kidani,  
 Nishihara, Takamine.

S.R. No. 61 "SENATE RESOLUTION  
 ESTABLISHING A TASK FORCE TO STUDY AND  
 ASSESS HOW THE DEPARTMENT OF BUSINESS,  
 ECONOMIC DEVELOPMENT, AND TOURISM MAY BE  
 RESTRUCTURED AND ITS MISSION REDIRECTED."

Offered by: Senators Kim, Chun Oakland, Espero,  
 Galuteria, Hee, Hooser, Ige, Kidani,  
 Nishihara, Sakamoto, Takamine.

S.R. No. 62 "SENATE RESOLUTION  
 REQUESTING A FEASIBILITY STUDY TO DETERMINE  
 WHETHER THE STATE PROCUREMENT OFFICE  
 SHOULD CENTRALIZE THE PROVISION OF COMPLEX  
 PROCUREMENT SERVICES."

Offered by: Senators Kim, Chun Oakland, Fukunaga,  
 Gabbard, Galuteria, Hee, Hooser, Ige,  
 Kidani, Nishihara, Takamine.

S.R. No. 63 "SENATE RESOLUTION  
 REQUESTING THE ESTABLISHMENT OF A JOINT  
 GOVERNMENT AND PRIVATE SECTOR HUMAN  
 RESOURCES TASK FORCE TO STUDY THE  
 SIMPLIFICATION OF JOB CLASSIFICATIONS WITHIN  
 STATE GOVERNMENT AND THE STREAMLINING OF  
 OPERATIONS BETWEEN THE DEPARTMENT OF  
 HUMAN RESOURCES DEVELOPMENT AND LINE  
 DEPARTMENTS."

Offered by: Senators Kim, Chun Oakland, English,  
 Espero, Gabbard, Galuteria, Hee, Hooser,  
 Kidani, Nishihara, Takamine.

S.R. No. 64 "SENATE RESOLUTION  
 REQUESTING A STUDY OF STATE LAND ASSETS AND  
 NATURAL RESOURCES AND A DETERMINATION OF  
 THEIR UTILIZATION AND POTENTIAL FOR REVENUE  
 GENERATION."

Offered by: Senators Kim, Chun Oakland, Espero,  
 Fukunaga, Gabbard, Galuteria, Hee, Ige,  
 Kidani, Nishihara, Takamine.

S.R. No. 65 "SENATE RESOLUTION URGING  
 THE DEPARTMENT OF LABOR AND INDUSTRIAL  
 RELATIONS TO MEET OR EXCEED OCCUPATIONAL  
 SAFETY AND HEALTH ADMINISTRATION POSITION  
 BENCHMARKS FOR WORKPLACE SAFETY AND  
 HEALTH."

Offered by: Senator Takamine.

S.R. No. 66 "SENATE RESOLUTION  
 PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES  
 IN HAWAII."

Offered by: Senator Taniguchi.

**STANDING COMMITTEE REPORTS**

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2653) recommending that the Senate advise and consent to the nomination of BEVERLY C. WONG to the Statewide Council on Independent Living, in accordance with Gov. Msg. No. 266.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2653 and Gov. Msg. No. 266 was deferred until Friday, March 5, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2654) recommending that S.C.R. No. 21 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2654 and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE SCHOOLS TO INCORPORATE MORE KINESTHETIC AND OTHER TYPES OF LEARNING INTO SCHOOL CURRICULA," was deferred until Friday, March 5, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2655) recommending that S.C.R. No. 28, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2655 and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO EXPAND IMPLEMENTATION OF THE OFFER VERSUS SERVE

CONCEPT TO ALL PUBLIC SCHOOLS IN THE STATE TO FURTHER REDUCE FOOD AND MILK WASTE,” was deferred until Friday, March 5, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2656) recommending that S.C.R. No. 94, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2656 and S.C.R. No. 94, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON TO THE ESTIMATED COST, COST SAVINGS, AND IMPACT OF PROVIDING AND EXPANDING ONLINE INSTRUCTION THROUGH THE HAWAII VIRTUAL LEARNING NETWORK’S PROGRAMS AND COURSES,” was deferred until Friday, March 5, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2657) recommending that S.C.R. No. 38, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2657 and S.C.R. No. 38, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED THE “RONALD T.Y. MOON JUDICIAL COMPLEX,”” was deferred until Friday, March 5, 2010.

At 11:39 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 a.m.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM TUESDAY, MARCH 2, 2010

S.B. No. 466, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 466, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 898, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 898, S.D. 2, and requested a conference on the subject matter thereof.

At this time, the Chair said:

“Conferees will be named in accordance with the action sheets to be distributed to your offices at a later date.”

S.B. No. 549, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 549, S.D. 1.

At 11:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 a.m.

Senator Sakamoto seconded the motion.

Senator Baker noted:

“We are moving to agree to these amendments because these amendments are technical, non-substantive in nature and support the intent of the Senate draft we passed.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 549, S.D. 1, and S.B. No. 549, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT,” was placed on the calendar for Final Reading on Friday, March 5, 2010.

S.B. No. 771, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 771, S.D. 1.

At 11:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 a.m.

Senator Sakamoto seconded the motion.

Senator Baker noted:

“We are moving to agree to these amendments because these amendments are technical, non-substantive in nature and support the intent of the Senate draft we passed.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 771, S.D. 1, and S.B. No. 771, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO APPRAISALS,” was placed on the calendar for Final Reading on Friday, March 5, 2010.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2646 (Gov. Msg. No. 201):

Senator Green moved that Stand. Com. Rep. No. 2646 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Green then moved that the Senate advise and consent to the nomination of NATHAN E. SAY to the State Rehabilitation Council, term to expire June 30, 2011, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 2647 (Gov. Msg. No. 202):

Senator Green moved that Stand. Com. Rep. No. 2647 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Green then moved that the Senate advise and consent to the nomination of NATHAN E. SAY to the Statewide Council on Independent Living, term to expire June 30, 2014, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 2648 (Gov. Msg. No. 226):

Senator English moved that Stand. Com. Rep. No. 2648 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of EDWARD W. ENOS JR. to the Harbors Modernization Group, term to expire June 30, 2014, seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 2649 (Gov. Msg. Nos. 227 and 228):

Senator English moved that Stand. Com. Rep. No. 2649 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

PETE G. PASCUA JR., term to expire June 30, 2014 (Gov. Msg. No. 227); and

LESTER H. FUKUDA, term to expire June 30, 2013 (Gov. Msg. No. 228),

seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 2650 (Gov. Msg. No. 233):

Senator Hee moved that Stand. Com. Rep. No. 2650 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of SUE ANN M.M. HASEGAWA to the Island Burial Council, Island of Molokai, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 2651 (Gov. Msg. No. 240):

Senator Taniguchi moved that Stand. Com. Rep. No. 2651 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of LISA M. GINOZA to the office of Associate Judge, Intermediate Court of Appeals, State of Hawaii, for a term of ten years, seconded by Senator Takamine.

Senator Taniguchi rose to speak in support of the nominee as follows:

“Madam President, your Committee on Judiciary and Government Operations heard from Ms. Ginoza, and we are convinced that she will serve well in her capacity as Associate Judge. Testimony received was overwhelmingly in support of Ms. Ginoza, including strong support from the Attorney General. We also received information from the Hawai‘i State Bar Association that Ms. Ginoza is qualified to serve as Associate Judge, and for these reasons I am asking my colleagues to support the consent of Ms. Ginoza as Associate Judge of the ICA. Thank you.”

Senator Slom rose to speak in support of the nominee as follows:

“I think that the hearings have shown that Ms. Ginoza has not only the background, the experience, the leadership, and the temperament to make her a fine addition to the Intermediate Court of Appeals. She also has a great deal of community

involvement, and she has shown that not only can she be a team player, but she has the ability to work with all kinds of people in the community, and we’re proud to support her. Thank you.”

Senator Baker rose to speak in support of the nominee as follows:

“Madam President, colleagues, while gender should not be an overriding issue for any consideration on this floor, I think it’s important to note that Ms. Ginoza will be a woman judge and add much needed gender balance in our Judiciary. So, I’m delighted that her name was sent down, and encourage our Governor to consider more women in her final appointments to the bench. Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chun Oakland, Hemmings, Kim).

At this time, Senator Taniguchi introduced Judge Ginoza to the members of the Senate. Judge Ginoza was accompanied by her grandmother Grace Ohama, her father Rogers Ginoza, her brother Garrett Ginoza, and Brenda Tanaka.

Stand. Com. Rep. No. 2652 (Gov. Msg. No. 241):

Senator Taniguchi moved that Stand. Com. Rep. No. 2652 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate consent to the appointment of ROBERT M. BROWNING to the office of Circuit Judge, Circuit Court of the First Circuit, State of Hawaii, for a term of ten years, seconded by Senator Takamine.

Senator Taniguchi rose to speak in support of the nominee as follows:

“Your Committee on Judiciary and Government Operations heard from Mr. Browning, and we are convinced, too, that he will serve well in his capacity as a circuit court judge. Testimony received was overwhelmingly in support of Judge Browning. We also received information from the Hawai‘i State Bar Association that Mr. Browning is qualified to serve as a circuit judge. For these reasons, I am asking my colleagues to support the consent of Mr. Browning as Circuit Court Judge of the First Circuit. Thank you, Madam President.”

Senator Slom rose to speak in support of the nominee as follows:

“Judge Browning has excellent qualifications, background, and experience. He’s been a family court judge, and in very difficult areas, he has created many innovative programs, including the full implementation of the Juvenile Drug Court and also Project Visitation. And while he is not a woman, he was growing up in Japan as a redhead, and so I think that qualifies him to be on the court, and we look forward to having his expertise. Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chun Oakland, Hemmings, Kim).

At this time, Senator Taniguchi introduced Judge Browning to the members of the Senate. Judge Browning was accompanied by his wife Ella and son Isiah.

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 a.m.

**ADOPTION OF RESOLUTIONS**

Stand. Com. Rep. No. 2640 (S.C.R. No. 32, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was adopted.

Stand. Com. Rep. No. 2641 (S.R. No. 23, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was adopted.

Stand. Com. Rep. No. 2642 (S.C.R. No. 31, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted.

Stand. Com. Rep. No. 2643 (S.R. No. 24, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted.

Stand. Com. Rep. No. 2644 (S.C.R. No. 76):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS," was adopted.

Stand. Com. Rep. No. 2645 (S.R. No. 32):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 32, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS," was adopted.

**THIRD READING**

Stand. Com. Rep. No. 2632 (S.B. No. 2534, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2632 was adopted and S.B. No. 2534, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hemmings, Kim).

Stand. Com. Rep. No. 2633 (S.B. No. 2897, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2633 was adopted and S.B. No. 2897, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hemmings, Kim).

H.B. No. 2077, H.D. 1, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, H.B. No. 2077, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hemmings, Kim).

S.B. No. 2527, S.D. 2:

On motion by Senator Hee, seconded by Senator Tokuda and carried, S.B. No. 2527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Gabbard). Excused, 2 (Hemmings, Kim).

S.B. No. 2738, S.D. 2:

On motion by Senator Hee, seconded by Senator Tokuda and carried, S.B. No. 2738, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hemmings, Kim).

S.B. No. 2395, S.D. 2:

On motion by Senator Tsutsui, seconded by Senator Taniguchi and carried, S.B. No. 2395, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Hemmings, Kim).

At this time, Senator Galuteria rose on a point of personal privilege and said:

"Colleagues, I apologize for my absence yesterday. I know you missed me, but I was attending to a personal matter. I've been told that during my absence, one of our good Senators from Maui rose and tried to circumvent Senate protocol, I might add, by not stating the purpose for which he rose. I do know that, Madam President, he wanted to simply proclaim loudly the word 'Food Bank' and that is the point to which I rise.

"I want to thank him, and I am honored to thank him, as a matter of fact. Thank you very much, and thank you all for participating. Thus far, we're on track, colleagues, and with your indulgence, instead of sharing the first three point-getters in our very informal competition, I'd like to name the bottom three. That's okay. I felt anxiety, immediate anxiety, so let's mention the top three instead. Okay, in the third position, Senator Ige, thank you so much. Senator Gabbard, number two; and leading the membership at this point is Senator Kim. She's not here today. I will have three cans of Spam delivered to each one of your offices, and I would appreciate it if you'd send them back, okay? Mahalo nui loa. Please keep it up, everybody. Watch out for the upcoming events. Thank you to Senator Tokuda for bringing baby Aden to illustrate the diaper drive that is going on right now. If you have any canned goods to donate, please let my office know. Mahalo. Thank you, Madam President."

Senator Ige rose on a point of personal privilege and said:

“I forgot to make the announcement during announcements, but we are having a flu vaccination, H1N1 flu vaccination, to benefit Food Bank tomorrow. So if you’re an HMSA member, please don’t forget to bring your HMSA card, but Kaiser will also be here; and for those of you who are not in either of those plans, there will be a free vaccination for members. I just wanted to remind everybody as we head into the home stretch for the session, getting your flu vaccination would be a good idea to keep the offices healthy. Thank you.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later today.”

#### **RE-REFERRAL OF A HOUSE BILL**

The Chair re-referred the following House bill that was received:

H.B. No.:	Re-referred to:
H.B. No. 1926, H.D. 2	Jointly to the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

#### **ADJOURNMENT**

At 12:03 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 5, 2010.

## TWENTY-FIFTH DAY

Friday, March 5, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pieper Toyama, Headmaster of Pacific Buddhist Academy, after which the Roll was called showing all Senators present with the exception of Senators Hemmings, Kim, Kokubun, and Tsutsui who were excused.

The President announced that she had read and approved the Journal of the Twenty-Fourth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ige introduced 22 students, teachers and officials from the Hawai'i-Okinawa Student Exchange Program. Teachers included Mr. Jun Shimada, Ms. Tatsuno Chinen, and Mr. Tamutso Miyagi. Officials included the Honorable Zenki Nakazato, Vice-Governor of the Prefecture of Okinawa; Mr. Seihachiro Kin, Superintendent Okinawa Prefecture Board of Education; Mr. Kenyu Yonaha, Deputy Councillor Prefecture School. Also recognized were the Hawai'i host students and longtime advocates and friends of the exchange program, as well as former Representative Arakaki and Jane Serikaku, Executive Director of the Hawaii United Okinawan Association.

Senator Taniguchi introduced Ryan Mizushima, one of the student hosts, and his mother Claire.

Senators Ige, Taniguchi, and Chun Oakland recognized and congratulated Mothers Against Drunk Driving (MADD) Hawai'i on the 25<sup>th</sup> anniversary of its founding. Representing MADD were Carol McNamee, MADD Founder; Jennifer L. Dotson, MADD State Executive Director; and Arkie Koehl, MADD Council President.

Senator Hee rose on a point of personal privilege and said:

"In 1987, when I was Chairman of Judiciary, there was a time when many of the issues which were brought up by Senator Ige with regard to raising the age of drinking and other issues were talked about on the floor, on this very floor, along with other issues like drug paraphernalia and drug forfeiture and things like that, which we dealt with in the Committee. It was, though, at a time where the shorter Democrat running for governor was also on the Senate floor, as well as the shorter of all the governors of Hawai'i was also on the Senate floor at the time. And, being the liberal Democrats that they were sometimes, this was one of those issues where drug paraphernalia and raising the drinking age was difficult because the data would suggest—and Carol would vehemently say otherwise—that the drinking age problem was really in the 30s, as I recall, and not age 18 to 21.

"Regardless of the data, Senator Ige was absolutely right. Carol McNamee had the ability to change attitudes and behavior on the Senate floor because the year preceding raising the drinking age, Governor Cayetano said to the other Democrat running for governor, the shorter one, 'Neil, let's get something straight. Raising the drinking age going be the first bill we're going pass next year,' speaking as if he was the Senate President, which we all know he wasn't. Neil said, 'But why, Ben?' And he said, 'Because I refuse to face that woman the whole session knowing that at the end of the day, she's going to win.'

"I want to pay homage, on bended knee, to the only woman alive who could change the attitude and behavior of two short guys who did quite remarkably well in politics. Carol McNamee, I owe you. Thank you."

Senator Espero recognized and congratulated the Japanese Cultural Center of Hawaii for their continuing efforts to support the Hawaii Internment Project. Representing the Center were Brian Niiya, Director of Program Development and Resource Center; Jane Kurahara, Co-Manager of Resource Center and Co-Chair of Hawaii Confinement Sites Committee; Betsy Young, award-winning teacher, curriculum specialist, and librarian who served as Chair of the 2010 Day of Remembrance; Alan Rosenfeld, UH West O'ahu history professor who studied Italian and German internees at Honouliuli; and Curt Otaguro, Vice President at First Hawaiian Bank and incoming Chair of the JCCH Board of Directors. Also recognized were Allicyn Hikida Tasaka, JCCH COO/Director of Development & Communication; Ratanna Soubandith, member of JCCH Board of Governors; Jim and Yoshie Tanabe, JCCH members and legislative advocates; Helene Minehira, an evacuee from Puuloa, and her friend Taka Nishimoto.

At 11:59 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 342 to 345) were read by the Clerk and were placed on file:

Gov. Msg. No. 342, dated January 26, 2010, transmitting a Report on the Development of a Plan for Increasing Aid and Assistance to Certified Organic Farmers, prepared by the Department of Agriculture pursuant to S.C.R. No 38 (2009).

Gov. Msg. No. 343, dated March 1, 2010, transmitting the 2009 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General.

Gov. Msg. No. 344, dated March 1, 2010, transmitting a Report on the Series of Discussions Convened by the Na Ala Hele Advisory Council on the Safe Use of Hunting Dogs on Trails that Cross Public Hunting Areas, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 60 (2009).

Gov. Msg. No. 345, dated March 1, 2010, transmitting a Report on the Accounting of All Receipts from Lands Described in Section 5(f) of the Admission Act for Fiscal Year 2008-2009, prepared by the Department of Land and Natural Resources pursuant to Act 178, Section 5, SLH 2006.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 75) was read by the Clerk and was placed on file:

Dept. Com. No. 75, from the County of Hawaii, Department of Environmental Management, dated February 24, 2010, transmitting the Kapoho Beach Lots, Farm Lots, and Vacationland Estates Wastewater Feasibility Report, pursuant to Act 223, SLH 2006.

**HOUSE COMMUNICATION**

The following communications from the House (Hse. Com. Nos. 254 to 258) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 254, transmitting H.B. No. 2003, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2003, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations.

Hse. Com. No. 255, returning S.B. No. 2015, S.D. 1, which passed Third Reading in the House of Representatives on March 4, 2010, was placed on file.

Hse. Com. No. 256, returning S.B. No. 2017, which passed Third Reading in the House of Representatives on March 4, 2010, was placed on file.

Hse. Com. No. 257, returning S.B. No. 2812, S.D. 1, which passed Third Reading in the House of Representatives on March 4, 2010, was placed on file.

Hse. Com. No. 258, informing the Senate that on March 4, 2010, the House disagreed to the amendments proposed by the Senate to H.B. No. 2077, H.D. 1 (S.D. 1), was placed on file.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 147 to 157) were read by the Clerk and were deferred:

S.C.R. No. 147 "SENATE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Sakamoto, Takamine, Taniguchi.

S.C.R. No. 148 "SENATE CONCURRENT RESOLUTION SUPPORTING INCREASING FEDERAL REIMBURSEMENT RATES FOR SCHOOL MEALS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Sakamoto, Takamine, Taniguchi.

S.C.R. No. 149 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ADOPT NUTRITIONAL GUIDELINES TO IMPROVE THE NUTRITIONAL QUALITY OF ALL SCHOOL MEALS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Sakamoto, Takamine.

S.C.R. No. 150 "SENATE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 26, 2010, AS MESOTHELIOMA AWARENESS DAY."

Offered by: Senators Gabbard, Chun Oakland, Baker, Bunda, Green, Hemmings, Ige, Kidani, Nishihara, Takamine.

S.C.R. No. 151 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND AIRING OF PUBLIC SERVICE ANNOUNCEMENTS ON COMMERCIAL PASSENGER AIR FLIGHTS TO THE STATE ON THE IMPORTANCE OF CARING FOR THE STATE'S UNIQUE AND FRAGILE ECOSYSTEM."

Offered by: Senators Gabbard, Chun Oakland, Kidani, Bunda, English, Espero, Fukunaga, Galuteria, Green, Ige, Nishihara, Takamine.

S.C.R. No. 152 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF KIOSKS IN EACH STATE-OWNED AIRPORT DEDICATED TO CONSERVATION OUTREACH WITH INFORMATION ON THE IMPORTANCE OF CARING FOR THE STATE'S UNIQUE AND FRAGILE ECOSYSTEM."

Offered by: Senators Gabbard, Chun Oakland, Green, Kidani, Bunda, Espero, Galuteria, Hemmings, Ige, Nishihara, Takamine.

S.C.R. No. 153 "SENATE CONCURRENT RESOLUTION ENCOURAGING EACH COUNTY TO ENACT AN ORDINANCE TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR VETERANS."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 154 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A NATIONAL HEALTH BOARD TO ENSURE QUALITY HEALTHCARE FOR ALL RESIDENTS OF THE UNITED STATES."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 155 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE GUARDIANSHIP PROCESS WITH RESPECT TO THE ISSUE OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR POST-ACUTE CARE."

Offered by: Senator Taniguchi.

S.C.R. No. 156 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO ENDORSE XYLITOL FOR ITS PREVENTIVE AND THERAPEUTIC HEALTH AND ORAL HEALTH BENEFITS."

Offered by: Senators Nishihara, Fukunaga, Ige, Ihara, Sakamoto.

S.C.R. No. 157 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO HIRE ARCHITECTS AND ENGINEERS TO WORK IN TEAMS TO INVESTIGATE THE CONDITION OF SCHOOL BUILDINGS AND INFRASTRUCTURE IN EACH SCHOOL COMPLEX AND TO DEVELOP A TWENTY-FIVE YEAR LONG-RANGE MAINTENANCE MANAGEMENT PLAN FOR EACH SCHOOL COMPLEX."

Offered by: Senators Nishihara, Fukunaga, Ige, Ihara, Sakamoto.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 67 to 69) were read by the Clerk and were deferred:

S.R. No. 67 "SENATE RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Takamine, Taniguchi.

S.R. No. 68 "SENATE RESOLUTION SUPPORTING INCREASING FEDERAL REIMBURSEMENT RATES FOR SCHOOL MEALS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Takamine.

S.R. No. 69 "SENATE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ADOPT NUTRITIONAL GUIDELINES TO IMPROVE THE NUTRITIONAL QUALITY OF ALL SCHOOL MEALS."

Offered by: Senators Fukunaga, Tokuda, Baker, Hee, Ige, Ihara, Kokubun, Takamine.

**STANDING COMMITTEE REPORTS**

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2658) recommending that the Senate advise and consent to the nominations to the Contractors License Board of the following:

GERALD YAMADA, in accordance with Gov. Msg. No. 180; and

RANDALL B.C. LAU, in accordance with Gov. Msg. No. 236.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2658 and Gov. Msg. Nos. 180 and 236 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2659) recommending that the Senate advise and consent to the nomination of MELANIE BILBAENO VALLEJOS DDS to the Board of Dental Examiners, in accordance with Gov. Msg. No. 181.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2659 and Gov. Msg. No. 181 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2660) recommending that the Senate advise and consent to the nomination of LINDSEY JOHN KIMURA to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 182.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2660 and Gov. Msg. No. 182 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2661) recommending that the Senate advise and consent to the nomination of RHONDA C. SCOTT to the Board of Massage Therapy, in accordance with Gov. Msg. No. 185.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2661 and Gov. Msg. No. 185 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2662) recommending that the Senate advise and consent to the nomination of DANNY MORITO TAKANISHI JR. to the Hawaii Medical Board, in accordance with Gov. Msg. No. 187.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2662 and Gov. Msg. No. 187 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2663) recommending that the Senate advise and consent to the nominations to the State Board of Nursing of the following:

MATTHEW J. BISHOP, in accordance with Gov. Msg. No. 188;

STEPHEN A. KULA PhD, in accordance with Gov. Msg. No. 189; and

CECILIA P.S. MUKAI PhD, in accordance with Gov. Msg. No. 190.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2663 and Gov. Msg. Nos. 188, 189, and 190 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2664) recommending that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission, in accordance with Gov. Msg. No. 192.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2664 and Gov. Msg. No. 192 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2665) recommending that the Senate advise and consent to the nomination of FRANCES ALLISON TORRE GENDRANO to the Real Estate Commission, in accordance with Gov. Msg. No. 193.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2665 and Gov. Msg. No. 193 was deferred until Monday, March 8, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2666) recommending that the Senate advise and consent to the nomination of ELWOOD ICHIRO KITA to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2666 and Gov. Msg. No. 195 was deferred until Monday, March 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2667) recommending that the Senate advise and consent to the nominations to the Commission on Water Resource Management of the following:

WILLIAM D. BALFOUR JR., in accordance with Gov. Msg. No. 234; and

WILLIAM D. BALFOUR JR., in accordance with Gov. Msg. No. 235.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2667 and Gov. Msg. Nos. 234 and 235 was deferred until Monday, March 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2668) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kaua'i and Ni'ihau of the following:

JAMES WILFRED FUJITA, in accordance with Gov. Msg. No. 273; and

DEBRA U'ILANI RUIZ, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2668 and Gov. Msg. Nos. 273 and 274 was deferred until Monday, March 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2669) recommending that the Senate advise and consent to the nomination of NOREEN R. OHAI-DANIELS to the Koke'e State Park Advisory Council, in accordance with Gov. Msg. No. 311.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2669 and Gov. Msg. No. 311 was deferred until Monday, March 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2670) recommending that the Senate advise and consent to the nomination of ROBERT J. SHALLENBERGER to the Legacy Land Conservation Commission, in accordance with Gov. Msg. No. 312.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2670 and Gov. Msg. No. 312 was deferred until Monday, March 8, 2010.

#### **ORDER OF THE DAY ADVISE AND CONSENT**

Stand. Com. Rep. No. 2653 (Gov. Msg. No. 266):

Senator Chun Oakland moved that Stand. Com. Rep. No. 2653 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of BEVERLY C. WONG to the Statewide Council on Independent Living, term to expire June 30, 2013, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, English, Hemmings, Kim, Kokubun, Tsutsui).

#### **ADOPTION OF RESOLUTIONS**

Stand. Com. Rep. No. 2654 (S.C.R. No. 21):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE SCHOOLS TO INCORPORATE MORE KINESTHETIC AND OTHER TYPES OF LEARNING INTO SCHOOL CURRICULA," was adopted.

Stand. Com. Rep. No. 2655 (S.C.R. No. 28, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO EXPAND IMPLEMENTATION OF THE OFFER VERSUS SERVE CONCEPT TO ALL PUBLIC SCHOOLS IN THE STATE TO FURTHER REDUCE FOOD AND MILK WASTE," was adopted.

Stand. Com. Rep. No. 2656 (S.C.R. No. 94, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 94, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON TO THE ESTIMATED COST, COST SAVINGS, AND IMPACT OF PROVIDING AND EXPANDING ONLINE INSTRUCTION THROUGH THE HAWAII VIRTUAL LEARNING NETWORK'S PROGRAMS AND COURSES," was adopted.

Stand. Com. Rep. No. 2657 (S.C.R. No. 38, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED THE "RONALD T.Y. MOON JUDICIAL COMPLEX"," was adopted.

#### **FINAL READING**

S.B. No. 549, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 549, S.D. 1, and S.B. No. 549, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, English, Hemmings, Kim, Kokubun, Tsutsui).

S.B. No. 771, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 771, S.D. 1, and S.B. No. 771, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, English, Hemmings, Kim, Kokubun, Tsutsui).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### **ADJOURNMENT**

At 12:11 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, March 8, 2010.

## TWENTY-SIXTH DAY

Monday, March 8, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:34 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Ernest Morikubo, Mo'ili'ili Hongwanji, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Kim who were excused.

The President announced that she had read and approved the Journal of the Twenty-Fifth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 346 to 355) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 346, dated March 1, 2010, transmitting the Hawaii Community Development Authority's 2009 Annual Report, was placed on file.

Gov. Msg. No. 347, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of CHESTER JAMES ADESSA, JR., term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 348, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of TIFFANY R. VARA, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 349, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of BARBARA A. IOLI, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 350, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawai'i Service Area Board, the nomination of COLLEEN O'SULLIVAN, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 351, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of EDELENE O. URIARTE, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 352, submitting for consideration and confirmation to the Commission on Transportation, the nomination of MICHAEL TRESLER, CPA, term to expire June 30, 2011, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 353, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of PATRICK K. FITZGERALD, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 354, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of MARISSA SANDBLOM, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 355, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of STUART K. HANCHETT, term to expire

June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 259) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 259, returning S.B. No. 2602, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 5, 2010, was placed on file.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 2602, seconded by Senator Ige.

Senator Baker noted:

"The amendment made by the House is acceptable to the Senate. We were informed by the proponents of this measure that it worked for them and that we would not get anything different if we went to conference, so we're saving ourselves a trip."

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2602, and S.B. No. 2602, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES," was placed on the calendar for Final Reading on Tuesday, March 9, 2010.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 158 to 161) were read by the Clerk and were deferred:

S.C.R. No. 158 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND REVIEW OF THE HISTORICAL DEVELOPMENT AND EVOLUTION OF TAXATION IN HAWAII TO ASSIST THE STATE IN ACHIEVING ITS LONG-TERM ECONOMIC AND SOCIAL GOALS AND OBJECTIVES."

Offered by: Senator Chun Oakland.

S.C.R. No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING THE RECOGNITION OF THE SECOND WEEK OF MARCH AS THE "CENSUS IN SCHOOLS WEEK.""

Offered by: Senator Chun Oakland.

S.C.R. No. 160 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO APPROVE AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PLAN AND IMPLEMENT THE LEGISLATURE'S PROPOSAL TO REPLACE THE REFLECTING PONDS SURROUNDING THE STATE CAPITOL WITH A GARDEN OF NATIVE PLANTS."

Offered by: Senators Gabbard, Baker, Bunda, Espero, Fukunaga, Galuteria, Ige, Kidani, Nishihara, Slom, Takamine.

S.C.R. No. 161 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO DEFINE PERSONHOOD AND PROTECT THE STATUS AND LEGAL RIGHTS OF A NATURAL PERSON."

Offered by: Senators Gabbard, Sakamoto.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 70 and 71) were read by the Clerk and were deferred:

S.R. No. 70 "SENATE RESOLUTION REQUESTING THE RECOGNITION OF THE SECOND WEEK OF MARCH AS THE "CENSUS IN SCHOOLS WEEK"."

Offered by: Senator Chun Oakland.

S.R. No. 71 "SENATE RESOLUTION REQUESTING THE LEGISLATURE TO DEFINE PERSONHOOD AND PROTECT THE STATUS AND LEGAL RIGHTS OF A NATURAL PERSON."

Offered by: Senators Gabbard, Sakamoto.

**STANDING COMMITTEE REPORTS**

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2671) recommending that the Senate advise and consent to the nomination of JOHN S. K. HOAG ESQ. to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 232.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2671 and Gov. Msg. No. 232 was deferred until Tuesday, March 9, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2672) recommending that the Senate advise and consent to the nomination of JO ANN D. KOGA to the Statewide Council on Independent Living, in accordance with Gov. Msg. No. 265.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2672 and Gov. Msg. No. 265 was deferred until Tuesday, March 9, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2673) recommending that the Senate advise and consent to the nominations to the Board of Agriculture of the following:

RICHARD HA, in accordance with Gov. Msg. No. 271; and

RICHARD HA, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2673 and Gov. Msg. Nos. 271 and 272 was deferred until Tuesday, March 9, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2674) recommending that the Senate advise and consent to the nomination of MICHAEL BARRY SUMJA to the Policy Advisory Board for Elder Affairs (PABEA), in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2674 and Gov. Msg. No. 288 was deferred until Tuesday, March 9, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2675) recommending that S.C.R. No. 79, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2675 and S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY

GRANDPARENTS RAISING GRANDCHILDREN," was deferred until Tuesday, March 9, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2676) recommending that S.R. No. 34, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2676 and S.R. No. 34, S.D. 1, entitled: "SENATE RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN," was deferred until Tuesday, March 9, 2010.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2677) recommending that H.B. No. 2197, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2197, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Hee and Gabbard, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2678) recommending that H.B. No. 979, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 979, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY****ADVISE AND CONSENT**

Stand. Com. Rep. No. 2658 (Gov. Msg. Nos. 180 and 236):

Senator Baker moved that Stand. Com. Rep. No. 2658 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Contractors License Board of the following:

GERALD YAMADA, term to expire June 30, 2014 (Gov. Msg. No. 180); and

RANDALL B.C. LAU, term to expire June 30, 2014 (Gov. Msg. No. 236),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2659 (Gov. Msg. No. 181):

Senator Baker moved that Stand. Com. Rep. No. 2659 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of MELANIE BILBAENO VALLEJOS DDS to the Board of Dental Examiners, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2660 (Gov. Msg. No. 182):

Senator Baker moved that Stand. Com. Rep. No. 2660 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of LINDSEY JOHN KIMURA to the Board of Electricians and Plumbers, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2661 (Gov. Msg. No. 185):

Senator Baker moved that Stand. Com. Rep. No. 2661 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of RHONDA C. SCOTT to the Board of Massage Therapy, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2662 (Gov. Msg. No. 187):

Senator Baker moved that Stand. Com. Rep. No. 2662 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DANNY MORITO TAKANISHI JR. to the Hawaii Medical Board, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2663 (Gov. Msg. Nos. 188, 189, and 190):

Senator Baker moved that Stand. Com. Rep. No. 2663 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Board of Nursing of the following:

MATTHEW J. BISHOP, term to expire June 30, 2013 (Gov. Msg. No. 188);

STEPHEN A. KULA PhD, term to expire June 30, 2013 (Gov. Msg. No. 189); and

CECILIA P.S. MUKAI PhD, term to expire June 30, 2013 (Gov. Msg. No. 190),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2664 (Gov. Msg. No. 192):

Senator Baker moved that Stand. Com. Rep. No. 2664 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission, term to expire June 30, 2016, seconded by Senator Ige.

Senator Baker rose in support of the nominee and said:

“Mr. Caliboso’s nomination really generated a broad spectrum of support. The Committee received pages and pages of testimony, every one of them effusively extolling Chair Caliboso’s performance as Chair, noting that he was fair, innovative, and hardworking. The Committee received favorable comments from interests that had been on both sides of rulings adopted under Chair Caliboso’s leadership.

“Initially appointed to the PUC in April 2003, Chair Caliboso has exhibited exemplary leadership in establishing the PUC as an effective policy-making body, rather than solely an adjudicatory one whose function was limited to simply processing incoming applications. Under his leadership, the PUC has processed an impressive and unprecedented array of major energy dockets, including the establishment of a competitive bidding framework for new wholesale energy generation resources, a framework for distributive generating resources, an establishment of a public benefits fund, and third party energy efficiency administrator, and the implementation of renewable portfolio standards. I must say that some of these items were necessarily initiated by the Legislature, but it’s nice to have an agency that will take the direction and the policy initiatives from the Legislature and move forward. All of these decisions provide major regulatory transformation that facilitate reducing Hawaii’s dependence on imported fossil fuel.

“The PUC, under Chair Caliboso’s leadership, has adopted an inclusive process that brought together a broad spectrum of stakeholders, conducting hearings in a transparent panel format that allows direct participation without having to expend extensive costs for attorneys and other resources. He also implemented an open website access to PUC documents and filings, saving folks that are interested, as well as interveners, time and money. While still struggling with the backlog of dockets, the PUC has managed to process several times as many major policy dockets under his leadership tenure compared with previous commissions, all in the face of staff and resource challenges.

“In addition, Chair Caliboso has developed a national reputation for his interest in and knowledge of advanced telecommunications. He was recently nominated by the President of the National Association of Regulatory Utility Commissioners to become a member of the Joint Conference on Advanced Services, which is a board comprised of these commissioners and the FCC. The Conference serves as a forum for a dialogue for federal and state commissioners and local and regional entities regarding the deployment of advanced telecommunications.

“Today, there are more than 35 energy policy-related dockets that require the PUC’s full attention. Madam President and colleagues, I cannot think of a better qualified individual, equipped with laser-sharp focus and commitment, than Mr. Caliboso to lead and guide the State’s energy and regulatory transformation for the public’s best interest. I urge

all of you to join me in supporting Carlito Caliboso's confirmation to a second term as Chair of the PUC. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2665 (Gov. Msg. No. 193):

Senator Baker moved that Stand. Com. Rep. No. 2665 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of FRANCES ALLISON TORRE GENDRANO to the Real Estate Commission, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2666 (Gov. Msg. No. 195):

Senator Baker moved that Stand. Com. Rep. No. 2666 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ELWOOD ICHIRO KITA to the Board of Veterinary Examiners, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2667 (Gov. Msg. Nos. 234 and 235):

Senator Hee moved that Stand. Com. Rep. No. 2667 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Commission on Water Resource Management of the following:

WILLIAM D. BALFOUR JR., term to expire June 30, 2010 (Gov. Msg. No. 234); and

WILLIAM D. BALFOUR JR., term to expire June 30, 2014 (Gov. Msg. No. 235),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2668 (Gov. Msg. Nos. 273 and 274):

Senator Hee moved that Stand. Com. Rep. No. 2668 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kua'i and Ni'ihau of the following:

JAMES WILFRED FUJITA, term to expire June 30, 2012 (Gov. Msg. No. 273); and

DEBRA U'ILANI RUIZ, term to expire June 30, 2013 (Gov. Msg. No. 274),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2669 (Gov. Msg. No. 311):

Senator Hee moved that Stand. Com. Rep. No. 2669 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of NOREEN R. OHAI-DANIELS to the Koke'e State Park Advisory Council, term to expire June 30, 2011, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

Stand. Com. Rep. No. 2670 (Gov. Msg. No. 312):

Senator Hee moved that Stand. Com. Rep. No. 2670 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of ROBERT J. SHALLENBERGER to the Legacy Land Conservation Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.:	Re-referred to:
H.B. No. 744, H.D. 2	Committee on Human Services, then to the Committee on Judiciary and Government Operations

#### ADJOURNMENT

At 11:44 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 9, 2010.

## TWENTY-SEVENTH DAY

Tuesday, March 9, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Joshua Hayashi, Punahou School, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twenty-Sixth Day.

At this time, the following introductions were made to the members of the Senate:

Senators Galuteria, Hemmings, Hee, and Kidani recognized and honored the following outstanding native Hawaiian surfers for their achievements and contributions to the world of surfing and Hawaiian watersports: Buffalo Keaulana, Ben Aipa, Clyde Aikau, Mitchell Alapa, and Derek Ho, who also represented his brother Michael Ho who was unable to attend.

Senator English recognized and commended Sir William F. Roback Jr. (Knight Grand Cross Knight) on his election as Ali'i Nui and Grand Master Ali'i of the Royal Order of Kamehameha I. Also recognized were Kalaimoku/Chancellor Ali'i Sir Edward Akana (Knight Grand Cross Knight); Kahuna Pule 'O Kahekili Hau'oli Tamoso; Ku'auhau Nui Ali'i Sir George Kaho'ohanohano (Knight Commander); Ali'i 'Ai Moku 'O Hawai'i Ali'i Sir Arthur Aiu (Knight Grand Cross Knight); Ali'i 'Ai Moku, Moku 'O Kaumuali'i Ali'i Sir Ronald Iida (Knight Grand Cross Knight); Ali'i 'O Kana, Moku 'O Kuhio Ali'i Sir Gary Keawe-Aiko (Knight Commander Knight); Chief of Protocol, Lani Ali'i, Ali'i Sir William Souza (Knight Grand Cross Knight); Mamo Bill Kauakea Medeiros; and the High Chiefs, Chiefs, Na Mamo Hawai'i, and Na Wahine Hui 'O Kamehameha I.

Senator Hee introduced the following guests who were seated in the gallery: Stefanie Brendl, an accomplished equestrian rider and owner of Shark Encounters; Janna Nakagawa, Administrative Assistant for the Hawai'i Tourism Authority; and Keli'i Wilson, Hawaiian Cultural Coordinator for the Hawai'i Tourism Authority.

At 12:08 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 260 and 261) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 260, transmitting H.B. No. 2000, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2000, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 261, transmitting H.B. No. 2200, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2200, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 162 to 171) were read by the Clerk and were deferred:

S.C.R. No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ECONOMIC RESEARCH ORGANIZATION TO CONDUCT AN ECONOMIC ANALYSIS OF THE IMPACT OF THE STATE'S BUDGET CUTS ON CERTAIN PROGRAMS WITHIN THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE AVAILABLE INFORMATION ON THE IMPACT OF THE STATE'S BUDGET CUTS ON CERTAIN PROGRAMS WITHIN THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES."

Offered by: Senators Chun Oakland, Ige.

S.C.R. No. 163 "SENATE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER AT THE UNIVERSITY OF HAWAII AT MANOA TO PREPARE A REPORT ON THE CIVIL DEFENSE PREPAREDNESS RESPONSE TO THE FEBRUARY, 2010 TSUNAMI THREAT."

Offered by: Senator Kokubun, by request.

S.C.R. No. 164 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MORNING TRAFFIC CONGESTION ON THE MEHEULA PARKWAY GOING ONTO THE H2 FREEWAY FROM MILILANI MAUKA."

Offered by: Senators Kidani, Bunda, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Slom, Takamine.

S.C.R. No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF THEIR RESIDENTS."

Offered by: Senators Slom, Hemmings.

S.C.R. No. 166 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AMEND ITS ADMINISTRATIVE RULES RELATING TO CAMPING AT STATE PARKS."

Offered by: Senator Bunda.

S.C.R. No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO EVALUATE THE NEED FOR AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES."

Offered by: Senators Ige, Baker, Espero, Green, Ihara, Nishihara.

S.C.R. No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE INFORMATION TO THE LEGISLATURE ON THE CONSTRUCTION AND USE OF CELL TOWERS."

Offered by: Senator Kokubun, by request.

S.C.R. No. 169 "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT POVERTY REDUCTION TASK FORCE."

Offered by: Senator Chun Oakland.

S.C.R. No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE PROVISION OF MORTGAGE FORECLOSURE MEDIATION SERVICES TO HAWAII'S HOMEOWNERS AND LENDERS."

Offered by: Senators Sakamoto, Chun Oakland, Kidani, Galuteria.

S.C.R. No. 171 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF ESTABLISHING A FORECLOSURE TRUST FUND TO ASSIST HAWAII'S HOMEOWNERS."

Offered by: Senators Sakamoto, Chun Oakland, Kidani, Galuteria.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 72 to 74) were read by the Clerk and were deferred:

S.R. No. 72 "SENATE RESOLUTION REQUESTING A STUDY OF MORNING TRAFFIC CONGESTION ON THE MEHEULA PARKWAY GOING ONTO THE H2 FREEWAY FROM MILILANI MAUKA."

Offered by: Senators Kidani, Bunda, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Ige, Ihara, Kim, Kokubun, Nishihara, Sakamoto, Slom, Takamine, Taniguchi.

S.R. No. 73 "SENATE RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF THEIR RESIDENTS."

Offered by: Senators Slom, Hemmings.

S.R. No. 74 "SENATE RESOLUTION REQUESTING THE FORMATION OF A JOINT POVERTY REDUCTION TASK FORCE."

Offered by: Senator Chun Oakland.

#### STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2679) recommending that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

RALPH J.W.K. HIATT, in accordance with Gov. Msg. No. 269; and

RALPH J.W.K. HIATT, in accordance with Gov. Msg. No. 270.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2679 and Gov. Msg. Nos. 269 and 270 was deferred until Wednesday, March 10, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2680) recommending that S.C.R. No. 98, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF IMPROVING EMERGENCY MEDICAL TRANSPORTATION ON THE ISLAND OF KAUAI," was referred to the Committee on Ways and Means.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2681) recommending that H.B. No. 2427, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2427, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 2010.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 2671 (Gov. Msg. No. 232):

Senator Hee moved that Stand. Com. Rep. No. 2671 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of JOHN S. K. HOAG ESQ. to the Island Burial Council, Island of Oahu, term to expire June 30, 2013, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2672 (Gov. Msg. No. 265):

Senator Chun Oakland moved that Stand. Com. Rep. No. 2672 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of JO ANN D. KOGA to the Statewide Council on Independent Living, term to expire June 30, 2013, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2673 (Gov. Msg. Nos. 271 and 272):

Senator Hee moved that Stand. Com. Rep. No. 2673 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Board of Agriculture of the following:

RICHARD HA, term to expire June 30, 2010 (Gov. Msg. No. 271); and

RICHARD HA, term to expire June 30, 2014 (Gov. Msg. No. 272),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2674 (Gov. Msg. No. 288):

Senator Chun Oakland moved that Stand. Com. Rep. No. 2674 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of MICHAEL BARRY SUMJA to the Policy Advisory Board for Elder Affairs (PABEA), term to expire June 30, 2014, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADOPTION OF RESOLUTIONS

Stand. Com. Rep. No. 2675 (S.C.R. No. 79, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN," was adopted.

Stand. Com. Rep. No. 2676 (S.R. No. 34, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 34, S.D. 1, entitled: "SENATE RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN," was adopted.

#### FINAL READING

S.B. No. 2602, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2602, and S.B. No. 2602, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### ADJOURNMENT

At 12:22 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 10, 2010.

## TWENTY-EIGHTH DAY

## Wednesday, March 10, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Jena Tadio, Office of the Honorable Shan S. Tsutsui, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Ige and Taniguchi who were excused.

The President announced that she had read and approved the Journal of the Twenty-Seventh Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 356 and 357) were read by the Clerk and were placed on file:

Gov. Msg. No. 356, dated March 1, 2010, transmitting a Report on the Status of COFA Migrant/Employment Core Services for Low Income Persons "U" Fund Utilization, prepared by the Department of Labor and Industrial Relations pursuant to Act 158, SLH 2008.

Gov. Msg. No. 357, dated March 1, 2010, transmitting the 2009 Annual Report of the Office of Language Access, prepared by the Department of Labor and Industrial Relations.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 172 to 188) were read by the Clerk and were deferred:

S.C.R. No. 172 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO REPORT TO THE LEGISLATURE ON THE PROBABLE IMPACT OF SENTENCING NONVIOLENT DRUG OFFENDERS TO TREATMENT INSTEAD OF IMPRISONMENT."

Offered by: Senators Espero, Baker, Bunda, Chun Oakland, English, Fukunaga, Gabbard, Galuteria, Hemmings, Hooser, Ige, Kidani, Nishihara, Sakamoto, Slom, Takamine, Taniguchi, Tokuda.

S.C.R. No. 173 "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO IDENTIFY AND APPROPRIATE PERMANENT FUNDING FOR THE HAWAII STATE ENERGY OFFICE."

Offered by: Senator Gabbard.

S.C.R. No. 174 "SENATE CONCURRENT RESOLUTION DESIGNATING THE PACIFIC AVIATION MUSEUM-PEARL HARBOR AT FORD ISLAND AS THE STATE MUSEUM OF AEROSPACE HISTORY."

Offered by: Senator Nishihara.

S.C.R. No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND THE CITY AND COUNTY OF HONOLULU TO CONDUCT SEPARATE EXAMINATIONS OF AND TO REPORT ON PREPARATORY STEPS NECESSARY TO TRANSFER JURISDICTION OF THE KAKAOKO DISTRICT TO THE CITY AND COUNTY OF HONOLULU."

Offered by: Senators Nishihara, Bunda.

S.C.R. No. 176 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO CONVENE A TASK FORCE TO EVALUATE THE IMPLEMENTATION OF PARIMUTUEL WAGERING ON HORSE RACING."

Offered by: Senator Bunda, by request.

S.C.R. No. 177 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL."

Offered by: Senators Kim, Chun Oakland, Bunda, Galuteria, Hemmings, Hooser, Ige, Kidani, Nishihara, Sakamoto, Taniguchi.

S.C.R. No. 178 "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS."

Offered by: Senators Green, Espero, Nishihara.

S.C.R. No. 179 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK."

Offered by: Senators Green, Espero, Nishihara.

S.C.R. No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE WIRELESS ENHANCED 911 FUND."

Offered by: Senators Kidani, Baker, Fukunaga.

S.C.R. No. 181 "SENATE CONCURRENT RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING TEN PERCENT OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS."

Offered by: Senators Fukunaga, Tokuda.

S.C.R. No. 182 "SENATE CONCURRENT RESOLUTION REQUESTING THE REPUBLIC OF TURKEY TO UPHOLD AND SAFEGUARD RELIGIOUS AND HUMAN RIGHTS, TO CEASE DISCRIMINATION AGAINST THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE ECUMENICAL RECOGNITION, ECCLESIASTIC SUCCESSION, AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS, HUMAN RIGHTS, AND RELIGIOUS RIGHTS OF THE ECUMENICAL PATRIARCHATE."

Offered by: Senators Fukunaga, Chun Oakland.  
 S.C.R. No. 183 "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION."

Offered by: Senators Galuteria, Fukunaga, Ige.  
 S.C.R. No. 184 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY PROVIDE A WRITTEN REPORT OF VIEWING TIME IN LIEU OF LEASE RENT AND FOR THE USE OF PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA."

Offered by: Senator Kokubun, by request.  
 S.C.R. No. 185 "SENATE CONCURRENT RESOLUTION REQUESTING RECONSIDERATION AND REISSUANCE OF COMMERCIAL USE PERMITS FOR THE MOLOKINI SHOAL MARINE LIFE CONSERVATION DISTRICT AFTER CONSULTATION WITH AND THE PROVISION OF ADVANCE NOTICE TO COMMERCIAL TOUR OPERATORS."

Offered by: Senator Hee.  
 S.C.R. No. 186 "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT AND UPDATE ON THE STEM, RESEARCH EXPERIENCES FOR TEACHERS - MIDDLE SCHOOL, PROJECT ENVIRONMENTAL AND SPATIAL TECHNOLOGY, AND ROBOTICS PROGRAMS WITHIN PUBLIC SCHOOLS."

Offered by: Senators Ige, Espero, Fukunaga, Sakamoto, Tokuda.  
 S.C.R. No. 187 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE EFFECT OF INFORMATION CHARGING ON THE CRIMINAL JUSTICE SYSTEM IN THE STATE OF HAWAII."

Offered by: Senator Fukunaga.  
 S.C.R. No. 188 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF A BILL TO REGULATE ATHLETIC TRAINERS."

Offered by: Senator Taniguchi.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 75 to 87) were read by the Clerk and were deferred:

S.R. No. 75 "SENATE RESOLUTION REQUESTING THE JUDICIARY TO REPORT TO THE LEGISLATURE ON THE PROBABLE IMPACT OF SENTENCING NONVIOLENT DRUG OFFENDERS TO TREATMENT INSTEAD OF IMPRISONMENT."

Offered by: Senators Espero, Baker, Bunda, Chun Oakland, English, Fukunaga, Galuteria, Hemmings, Hooser, Ige, Kidani, Sakamoto, Takamine, Tokuda.

S.R. No. 76 "SENATE RESOLUTION URGING THE STATE OF HAWAII TO IDENTIFY AND APPROPRIATE PERMANENT FUNDING FOR THE HAWAII STATE ENERGY OFFICE."

Offered by: Senator Gabbard.

S.R. No. 77 "SENATE RESOLUTION DESIGNATING THE PACIFIC AVIATION MUSEUM-PEARL HARBOR AT FORD ISLAND AS THE STATE MUSEUM OF AEROSPACE HISTORY."

Offered by: Senator Nishihara.

S.R. No. 78 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO CONVENE A TASK FORCE TO EVALUATE THE IMPLEMENTATION OF PARIMUTUEL WAGERING ON HORSE RACING."

Offered by: Senator Bunda, by request.

S.R. No. 79 "SENATE RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS."

Offered by: Senators Green, Espero, Nishihara.

S.R. No. 80 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK."

Offered by: Senators Green, Espero, Nishihara.

S.R. No. 81 "SENATE RESOLUTION REQUESTING AN AUDIT OF THE WIRELESS ENHANCED 911 FUND."

Offered by: Senators Kidani, Baker, Fukunaga.

S.R. No. 82 "SENATE RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING TEN PER CENT OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS."

Offered by: Senators Fukunaga, Tokuda.

S.R. No. 83 "SENATE RESOLUTION REQUESTING THE REPUBLIC OF TURKEY TO UPHOLD AND SAFEGUARD RELIGIOUS AND HUMAN RIGHTS, TO CEASE DISCRIMINATION AGAINST THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE ECUMENICAL RECOGNITION, ECCLESIASTIC SUCCESSION, AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS, HUMAN RIGHTS, AND RELIGIOUS RIGHTS OF THE ECUMENICAL PATRIARCHATE."

Offered by: Senators Fukunaga, Chun Oakland.

S.R. No. 84 "SENATE RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION."

Offered by: Senators Galuteria, Fukunaga, Ige.

S.R. No. 85 "SENATE RESOLUTION REQUESTING RECONSIDERATION AND REISSUANCE OF COMMERCIAL USE PERMITS FOR THE MOLOKINI SHOAL MARINE LIFE CONSERVATION DISTRICT AFTER CONSULTATION WITH AND THE PROVISION OF ADVANCE NOTICE TO COMMERCIAL TOUR OPERATORS."

Offered by: Senator Hee.

S.R. No. 86 "SENATE RESOLUTION REQUESTING A STATUS REPORT AND UPDATE ON THE STEM, RESEARCH EXPERIENCES FOR TEACHERS – MIDDLE SCHOOL, PROJECT ENVIRONMENTAL AND SPATIAL TECHNOLOGY, AND ROBOTICS PROGRAMS WITHIN PUBLIC SCHOOLS."

Offered by: Senators Ige, Espero, Fukunaga, Sakamoto, Tokuda.

S.R. No. 87 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE EFFECT OF INFORMATION CHARGING ON THE CRIMINAL JUSTICE SYSTEM IN THE STATE OF HAWAII."

Offered by: Senator Fukunaga.

#### STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2682) recommending that the Senate advise and consent to the nomination of THOMAS T. WATTS to the Crime Victim Compensation Commission, in accordance with Gov. Msg. No. 224.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2682 and Gov. Msg. No. 224 was deferred until Thursday, March 11, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2683) recommending that the Senate advise and consent to the nominations to the State Council for Interstate Adult Offender Supervision of the following:

DENNIS M. DUNN, in accordance with Gov. Msg. No. 299;

DENNIS M. DUNN, in accordance with Gov. Msg. No. 300; and

JANICE YAMADA, in accordance with Gov. Msg. No. 301.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2683 and Gov. Msg. Nos. 299, 300, and 301 was deferred until Thursday, March 11, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2684) recommending that the Senate advise and consent to the nomination of HERBERT C. LUM to the Advisory Board on Veterans' Services, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2684 and Gov. Msg. No. 302 was deferred until Thursday, March 11, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2685) recommending that the Senate advise and consent to the nominations to the Wireless Enhanced 911 Board of the following:

JAMES D. LACLAIR, in accordance with Gov. Msg. No. 303; and

GOLDIE K. CROSS, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2685 and Gov. Msg. Nos. 303 and 304 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep.

No. 2686) recommending that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

NORMAN G.Y. HONG, in accordance with Gov. Msg. No. 183;

HOWARD K.C. LAU, in accordance with Gov. Msg. No. 184; and

CLAYTON CHUN YEE PANG, in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2686 and Gov. Msg. No. 183, 184, and 251 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2687) recommending that the Senate advise and consent to the nominations to the Board of Psychology of the following:

FRANCES PAULETTE HACKBARTH, in accordance with Gov. Msg. No. 191; and

SCOTT S. HASHIMOTO, in accordance with Gov. Msg. No. 254.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2687 and Gov. Msg. Nos. 191 and 254 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2688) recommending that the Senate advise and consent to the nomination of JENNY C. WELLS to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 194.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2688 and Gov. Msg. No. 194 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2689) recommending that the Senate advise and consent to the nomination of GAY L. MATHEWS to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 250.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2689 and Gov. Msg. No. 250 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2690) recommending that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

DARRYL D. PERRY, in accordance with Gov. Msg. No. 252; and

GARY A. YABUTA, in accordance with Gov. Msg. No. 253.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2690 and Gov. Msg. Nos. 252 and 253 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2691) recommending that the Senate advise and consent to the nomination of ROY M. SASUGA to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2691 and Gov. Msg. No. 275 was deferred until Thursday, March 11, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2692) recommending that the Senate advise and consent to the nomination of DENNIS JOHN SHORT to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2692 and Gov. Msg. No. 276 was deferred until Thursday, March 11, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2693) recommending that S.C.R. No. 6 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2694) recommending that S.C.R. No. 73 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF GENERAL AVIATION LOTS AT THE KONA INTERNATIONAL AIRPORT AT KEAHOLE, ISLAND OF HAWAII," was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 2679 (Gov. Msg. Nos. 269 and 270):

Senator English moved that Stand. Com. Rep. No. 2679 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

RALPH J.W.K. HIATT, term to expire June 30, 2010 (Gov. Msg. No. 269); and

RALPH J.W.K. HIATT, term to expire June 30, 2014 (Gov. Msg. No. 270),

seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Ige, Ihara, Taniguchi).

At this time, Senator Hemmings rose on a point of personal privilege as follows:

"I'm very pleased to be wearing a green ribbon today, which is being circulated by one of our colleagues. It's in regards to recycling yourself as organ donors. And this especially warms my heart, Madam President, because I was suffering under the belief all this time that the Majority Party was hoping to bury the Republican Party as quickly as possible, but this recycling effort is to be lauded. Most appreciative of it. And in the spirit of bipartisan cooperation on the organ donor program, I would like to volunteer the organs of Senator Sam Slom for contribution. Thank you, Madam President."

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### SENATE CONCURRENT RESOLUTIONS SENATE RESOLUTIONS

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive Senate concurrent resolutions and Senate resolutions prior to 6:00 p.m. In consequence thereof, and subsequent to its recessing at 11:40 a.m., the following resolutions were received and deferred:

#### SENATE CONCURRENT RESOLUTIONS

S.C.R. No. 189 "SENATE CONCURRENT RESOLUTION RECOGNIZING JUNETEENTH NATIONAL FREEDOM DAY ON JUNE 19 OF EACH YEAR."

Offered by: Senators Hooser, Baker, Nishihara, Tsutsui.

S.C.R. No. 190 "SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY."

Offered by: Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani.

S.C.R. No. 191 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM."

Offered by: Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani.

S.C.R. No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES."

Offered by: Senators Espero, Bunda, Galuteria, Hemmings, Kidani.

S.C.R. No. 193 "SENATE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY."

Offered by: Senators Ihara, Baker, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Hooser, Ige, Nishihara, Sakamoto, Slom, Tokuda.

S.C.R. No. 194 "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE."

Offered by: Senators Ihara, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hemmings, Hooser, Ige, Nishihara, Sakamoto, Slom, Takamine, Taniguchi, Tokuda.

S.C.R. No. 195 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ESTABLISH APPROPRIATE REQUIREMENTS FOR INDIVIDUALS IN THE DEPARTMENT WHO PROVIDE INSTRUCTION TO CHILDREN WITH DISABILITIES, INCLUDING BOTH THOSE WHO HEAR AND THOSE WHO ARE DEAF OR HARD OF HEARING, TO INCORPORATE THE USE OF SIGN LANGUAGE AND OTHER MEANS OF COMMUNICATION DURING INSTRUCTION TO ENHANCE THEIR STUDENTS' LEARNING."

Offered by: Senator Kidani, by request.

S.C.R. No. 196 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE STATE OF HAWAII TO CONDUCT CULTURAL, EDUCATIONAL, AND SPORTS EXCHANGES WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA."

Offered by: Senators Espero, Bunda, Chun Oakland, Fukunaga, Gabbard, Hemmings, Ige, Kidani, Kim, Nishihara, Takamine.

S.C.R. No. 197 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REQUIRE IN ITS CONTRACTS THAT INCARCERATED NATIVE HAWAIIANS BE FREE TO PRACTICE THEIR NATIVE HAWAIIAN RELIGION AS WELL AS ONE OTHER FAITH."

Offered by: Senators Espero, Baker, Bunda, Chun Oakland, Fukunaga, Gabbard, Green, Hee, Ige, Kidani, Kim, Nishihara, Takamine.

S.C.R. No. 198 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS A BALANCED BUDGET."

Offered by: Senators Hemmings, Slom, Bunda.

S.C.R. No. 199 "SENATE CONCURRENT RESOLUTION REQUESTING THAT A LO'I BE ESTABLISHED ON THE GROUNDS OF THE STATE CAPITOL."

Offered by: Senator English.

S.C.R. No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAU'AHU BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALES ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS."

Offered by: Senator English.

S.C.R. No. 201 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR

AND INDUSTRIAL RELATIONS TO ADOPT RULES TO PROHIBIT ABUSIVE WORK ENVIRONMENTS."

Offered by: Senator Espero.

S.C.R. No. 202 "SENATE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE."

Offered by: Senators Espero, Fukunaga, Ige.

S.C.R. No. 203 "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 204 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO AMEND ITS RULES TO ALLOW AN OCCUPANT FACING EVICTION FROM A STATE-FUNDED HOMELESS SHELTER TO REMAIN IN THE SHELTER PENDING AN APPEAL OF THE EVICTION."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 205 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 206 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 207 "SENATE CONCURRENT RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009."

Offered by: Senator Espero.

S.C.R. No. 208 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE LANDS FOR A GOLF COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK."

Offered by: Senators Green, Kokubun, Takamine.

S.C.R. No. 209 "SENATE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER (DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES."

Offered by: Senator Green.

S.C.R. No. 210 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO MAKE

RECOMMENDATIONS REGARDING THE CREATION OF A HAWAII ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION.”

Offered by: Senators Ige, Baker, Espero, Green, Nishihara.

S.C.R. No. 211 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO EXAMINE OVERLAP AND CONFLICTS AMONG STATUTES RELATING TO PATIENT CARE DIRECTIVES RECOGNIZED IN HAWAII, INCLUDING PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT, “DO NOT RESUSCITATE” ORDERS, AND ADVANCE HEALTH CARE DIRECTIVES.”

Offered by: Senators Ige, Baker, Espero, Green, Nishihara.

S.C.R. No. 212 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD.”

Offered by: Senators Ige, Espero, Green, Nishihara.

S.C.R. No. 213 “SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES TO ENFORCE THE BAN ON SHARK FEEDING FOR THE SAFETY OF THE PEOPLE OF HAWAII AND PRESERVATION OF ITS MARINE ECOSYSTEM.”

Offered by: Senators Gabbard, Baker, Galuteria, Ihara, Kidani, Nishihara.

S.C.R. No. 214 “SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE LAWS REGARDING CIVIL AND CRIMINAL LIABILITY FOR PERSONS WHO USE DEADLY FORCE TO PROTECT OTHER PERSONS TO DETERMINE WHETHER ADDITIONAL LEGAL PROTECTIONS ARE PRUDENT.”

Offered by: Senator Hanabusa, by request.

S.C.R. No. 215 “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ECONOMIC AND ENVIRONMENTAL IMPACTS ON BUSINESSES AND COMMUNITIES AS A RESULT OF THE REDUCTION IN SERVICES PROVIDED BY THE DEPARTMENT OF AGRICULTURE’S PLANT QUARANTINE BRANCH AND COMMODITIES BRANCH STATEWIDE.”

Offered by: Senators Kokubun, Baker, English, Green, Takamine.

S.C.R. No. 216 “SENATE CONCURRENT RESOLUTION REQUESTING A REPORT AND SUPPORTING DOCUMENTATION FOR THE TRANSFER OF THE MAUNA KEA STATE RECREATION AREA AND THE HAPUNA BEACH STATE RECREATION AREA TO THE COUNTY OF HAWAII.”

Offered by: Senators Kokubun, Green, Takamine.

S.C.R. No. 217 “SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE CONTRACTING OF THIRD PARTY AGENTS TO INSPECT AND CERTIFY HAWAII-GROWN GREEN COFFEE BEANS.”

Offered by: Senators Kokubun, Green, Takamine.

S.C.R. No. 218 “SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RIGHT TO DISPLAY THE UNITED STATES FLAG.”

Offered by: Senators Baker, Chun Oakland, Green, Bunda, Espero, Fukunaga, Gabbard, Galuteria, Hemmings, Hooser, Ige, Kidani, Kim, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda.

S.C.R. No. 219 “SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO PROVIDE ACADEMIC CREDIT OR SOME OTHER INCENTIVE OR PENALTY TO MOTIVATE STUDENTS TO TAKE THE ADEQUATE YEARLY PROGRESS TESTS SERIOUSLY.”

Offered by: Senator Tokuda.

S.C.R. No. 220 “SENATE CONCURRENT RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO PERMIT NATUROPATHIC PHYSICIANS LICENSED PRIOR TO JANUARY 1, 2010, TO PERFORM PARENTERAL THERAPEUTICS.”

Offered by: Senator Espero.

S.C.R. No. 221 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES.”

Offered by: Senator Taniguchi.

S.C.R. No. 222 “SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE USE AND EXTENT OF JUDICIARY BOARDS AND ASSOCIATED PUBLIC PARTICIPATION.”

Offered by: Senator Chun Oakland.

S.C.R. No. 223 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CREATE A MOPED TASK FORCE TO EXPLORE THE FEASIBILITY OF CLASSIFYING MOPEDS LIKE MOTORCYCLES IN CERTAIN INSTANCES.”

Offered by: Senator Chun Oakland.

S.C.R. No. 224 “SENATE CONCURRENT RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY’S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL.”

Offered by: Senators Fukunaga, Baker, Hee, Ige, Slom.

S.C.R. No. 225 “SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO TAKE IMMEDIATE ACTION TO REDEFINE “CORPORATE ENTITY” TO PRECLUDE THE USE OF THE TERM “PERSON” IN THE DEFINITION.”

Offered by: Senators Hooser, Ihara, Bunda, Chun Oakland, Espero.

S.C.R. No. 226 "SENATE CONCURRENT RESOLUTION URGING THE RENEGOTIATION OF LONG-TERM LEASES ON MOKAUEA ISLAND WITH PERSONS WHO RESIDE ON THE ISLAND AND AGREE TO PARTICIPATE IN AN EDUCATIONAL CENTER ON THE TRADITIONAL METHODS USED IN SELF-SUSTAINING HAWAIIAN FISHING VILLAGES."

Offered by: Senators Galuteria, Chun Oakland, Kidani, Kokubun, English, Sakamoto.

S.C.R. No. 227 "SENATE CONCURRENT RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE AND THE AUDITOR, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII AND ITS INSTITUTE FOR ASTRONOMY FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA."

Offered by: Senators Hee, Galuteria, Kidani, Kokubun, Takamine.

S.C.R. No. 228 "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE."

Offered by: Senator Chun Oakland.

S.C.R. No. 229 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A JOINT LEGISLATIVE FAMILY COURT LEGAL INTERVENTIONS WORKING GROUP."

Offered by: Senator Chun Oakland.

S.C.R. No. 230 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE ADULT MENTAL HEALTH DIVISION."

Offered by: Senators Chun Oakland, Ige.

S.C.R. No. 231 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROPERLY FUND THE SMALL BUSINESS REGULATORY REVIEW BOARD UNDER THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUPPORT HAWAII'S SMALL BUSINESSES."

Offered by: Senator Baker.

S.C.R. No. 232 "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE."

Offered by: Senator Bunda.

S.C.R. No. 233 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL TO INVESTIGATE ACTIVITIES SURROUNDING THE STATE'S PURCHASE OF AUCTION RATE SECURITIES AND TO TAKE LEGAL ACTION AS APPROPRIATE."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 234 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL TO INVESTIGATE WHETHER TRANSIENT ACCOMMODATIONS AND GENERAL EXCISE TAXES ON THE INTERNET SALE OF HOTEL ROOM ACCOMMODATIONS ARE BEING ASSESSED,

COLLECTED, AND REMITTED TO THE STATE AND TO TAKE APPROPRIATE LEGAL ACTION, AS NECESSARY."

Offered by: Senator Hanabusa, by request.

S.C.R. No. 235 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A CLEAN AND SOBER HOME AND HALFWAY HOUSE TASK FORCE."

Offered by: Senators Tokuda, Chun Oakland, Green, Ige, Nishihara.

S.C.R. No. 236 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO RECOMMEND A PROCESS TO CREATE A CITIZEN ROAD WATCH PROGRAM."

Offered by: Senators Tokuda, Espero, Nishihara.

S.C.R. No. 237 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVE NE A WORKING GROUP TO CONSIDER LEASING OR RENTING PUBLIC SCHOOL CAFETERIAS TO VALUE-ADDED FOOD PROCESSORS TO PROMOTE THE USE OF LOCALLY-GROWN FRESH PRODUCE IN SCHOOL MEALS."

Offered by: Senators Tokuda, Chun Oakland, Galuteria, Kidani.

S.C.R. No. 238 "SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A REGIONAL OCEAN COUNCIL FOR HAWAII AND THE SURROUNDING ECONOMIC ENTERPRISE ZONE THAT EMPHASIZES STAKEHOLDER AND PUBLIC PARTICIPATION."

Offered by: Senator Bunda.

S.C.R. No. 239 "SENATE CONCURRENT RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM, THE PREPAID HEALTH CARE ACT, AND THE HEALTH CARE PROGRAMS OF THE EMPLOYER-UNION TRUST FUND."

Offered by: Senator Takamine.

S.C.R. No. 240 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW ALL FEDERAL HEALTH CARE REFORM LEGISLATION PASSED BY CONGRESS AND ITS EFFECT ON THE HAWAII PREPAID HEALTH CARE ACT."

Offered by: Senator Takamine.

#### SENATE RESOLUTIONS

S.R. No. 88 "SENATE RESOLUTION RECOGNIZING JUNETEENTH NATIONAL FREEDOM DAY ON JUNE 19 OF EACH YEAR."

Offered by: Senators Hooser, Baker, Nishihara, Tsutsui.

S.R. No. 89 "SENATE RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY."

Offered by: Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani

S.R. No. 90 "SENATE RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM."

- Offered by: Senators Espero, Bunda, Gabbard, Galuteria, Hemmings, Kidani
- S.R. No. 91 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES."
- Offered by: Senators Espero, Bunda, Galuteria, Hemmings, Kidani.
- S.R. No. 92 "SENATE RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY."
- Offered by: Senators Ihara, Baker, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hooser, Ige, Nishihara, Sakamoto, Slom, Tokuda.
- S.R. No. 93 "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE."
- Offered by: Senators Ihara, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Gabbard, Galuteria, Green, Hemmings, Hooser, Ige, Nishihara, Sakamoto, Slom, Takamine, Tokuda.
- S.R. No. 94 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ESTABLISH APPROPRIATE REQUIREMENTS FOR INDIVIDUALS IN THE DEPARTMENT WHO PROVIDE INSTRUCTION TO CHILDREN WITH DISABILITIES, INCLUDING BOTH THOSE WHO HEAR AND THOSE WHO ARE DEAF OR HARD OF HEARING, TO INCORPORATE THE USE OF SIGN LANGUAGE AND OTHER MEANS OF COMMUNICATION DURING INSTRUCTION TO ENHANCE THEIR STUDENTS' LEARNING."
- Offered by: Senator Kidani, by request.
- S.R. No. 95 "SENATE RESOLUTION ENCOURAGING THE STATE OF HAWAII TO CONDUCT CULTURAL, EDUCATIONAL, AND SPORTS EXCHANGES WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA."
- Offered by: Senators Espero, Bunda, Chun Oakland, Fukunaga, Gabbard, Hemmings, Ige, Kidani, Kim, Nishihara, Takamine.
- S.R. No. 96 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REQUIRE IN ITS CONTRACTS THAT INCARCERATED NATIVE HAWAIIANS BE FREE TO PRACTICE THEIR NATIVE HAWAIIAN RELIGION AS WELL AS ONE OTHER FAITH."
- Offered by: Senators Espero, Baker, Bunda, Chun Oakland, Fukunaga, Gabbard, Hee, Ige, Kidani, Kim, Takamine.
- S.R. No. 97 "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS A BALANCED BUDGET."
- Offered by: Senators Hemmings, Slom, Bunda.
- S.R. No. 98 "SENATE RESOLUTION REQUESTING THAT A LO'I BE ESTABLISHED ON THE GROUNDS OF THE STATE CAPITOL."
- Offered by: Senator English.
- S.R. No. 99 "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS."
- Offered by: Senator English.
- S.R. No. 100 "SENATE RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ADOPT RULES TO PROHIBIT ABUSIVE WORK ENVIRONMENTS."
- Offered by: Senator Espero.
- S.R. No. 101 "SENATE RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE."
- Offered by: Senators Espero, Fukunaga, Ige.
- S.R. No. 102 "SENATE RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII."
- Offered by: Senator Hanabusa, by request.
- S.R. No. 103 "SENATE RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO AMEND ITS RULES TO ALLOW AN OCCUPANT FACING EVICTION FROM A STATE-FUNDED HOMELESS SHELTER TO REMAIN IN THE SHELTER PENDING AN APPEAL OF THE EVICTION."
- Offered by: Senator Hanabusa, by request.
- S.R. No. 104 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS."
- Offered by: Senator Hanabusa, by request.
- S.R. No. 105 "SENATE RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009."
- Offered by: Senator Espero.
- S.R. No. 106 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE LANDS FOR A GOLF COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK."
- Offered by: Senators Green, Kokubun, Takamine.
- S.R. No. 107 "SENATE RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER

(DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES.”

Offered by: Senator Green.

S.R. No. 108 “SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD.”

Offered by: Senators Ige, Espero, Green, Nishihara.

S.R. No. 109 “SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES TO ENFORCE THE BAN ON SHARK FEEDING FOR THE SAFETY OF THE PEOPLE OF HAWAII AND PRESERVATION OF ITS MARINE ECOSYSTEM.”

Offered by: Senators Gabbard, Baker, Galuteria, Ihara, Kidani, Nishihara.

S.R. No. 110 “SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO PROVIDE ACADEMIC CREDIT OR SOME OTHER INCENTIVE OR PENALTY TO MOTIVATE STUDENTS TO TAKE THE ADEQUATE YEARLY PROGRESS TESTS SERIOUSLY.”

Offered by: Senator Tokuda.

S.R. No. 111 “SENATE RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO PERMIT NATUROPATHIC PHYSICIANS LICENSED PRIOR TO JANUARY 1, 2010, TO PERFORM PARENTERAL THERAPEUTICS.”

Offered by: Senator Espero.

S.R. No. 112 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES.”

Offered by: Senator Taniguchi.

S.R. No. 113 “SENATE RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE USE AND EXTENT OF JUDICIARY BOARDS AND ASSOCIATED PUBLIC PARTICIPATION.”

Offered by: Senator Chun Oakland.

S.R. No. 114 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CREATE A MOPED TASK FORCE TO EXPLORE THE FEASIBILITY OF CLASSIFYING MOPEDS LIKE MOTORCYCLES IN CERTAIN INSTANCES.”

Offered by: Senator Chun Oakland.

S.R. No. 115 “SENATE RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY’S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL.”

Offered by: Senators Fukunaga, Baker, Hee, Ige, Slom.

S.R. No. 116 “SENATE RESOLUTION REQUESTING CONGRESS TO TAKE IMMEDIATE

ACTION TO REDEFINE “CORPORATE ENTITY” TO PRECLUDE THE USE OF THE TERM “PERSON” IN THE DEFINITION.”

Offered by: Senators Hooser, Ihara, Bunda, Chun Oakland, Espero.

S.R. No. 117 “SENATE RESOLUTION URGING THE RENEGOTIATION OF LONG-TERM LEASES ON MOKAUEA ISLAND WITH PERSONS WHO RESIDE ON THE ISLAND AND AGREE TO PARTICIPATE IN AN EDUCATIONAL CENTER ON THE TRADITIONAL METHODS USED IN SELF-SUSTAINING HAWAIIAN FISHING VILLAGES.”

Offered by: Senators Galuteria, Kidani, Sakamoto.

S.R. No. 118 “SENATE RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE AND THE AUDITOR, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII AND ITS INSTITUTE FOR ASTRONOMY FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA.”

Offered by: Senators Hee, Galuteria, Kidani, Kokubun, Takamine.

S.R. No. 119 “SENATE RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM, THE PREPAID HEALTH CARE ACT, AND THE HEALTH CARE PROGRAMS OF THE EMPLOYER-UNION TRUST FUND.”

Offered by: Senator Takamine.

S.R. No. 120 “SENATE RESOLUTION REQUESTING THE AUDITOR TO REVIEW ALL FEDERAL HEALTH CARE REFORM LEGISLATION PASSED BY CONGRESS AND ITS EFFECT ON THE HAWAII PREPAID HEALTH CARE ACT.”

Offered by: Senator Takamine.

S.R. No. 121 “SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A REGIONAL OCEAN COUNCIL FOR HAWAII AND THE SURROUNDING ECONOMIC ENTERPRISE ZONE THAT EMPHASIZES STAKEHOLDER AND PUBLIC PARTICIPATION.”

Offered by: Senator Bunda.

S.R. No. 122 “SENATE RESOLUTION REQUESTING THE CONVENING OF A JOINT LEGISLATIVE FAMILY COURT LEGAL INTERVENTIONS WORKING GROUP.”

Offered by: Senator Fukunaga.

#### REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House bills received on Wednesday, March 3, 2010:

H.B. No.: Referred to:

H.B. No. 1205, H.D. 1 Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Ways and Means, then to the Committee on Judiciary and Government Operations

H.B. No. 1752, H.D. 1	Committee on Judiciary and Government Operations	S.C.R. No. 112	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
H.B. No. 1756, H.D. 1	Committee on Judiciary and Government Operations		

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions received on Tuesday, March 2, 2010; and Thursday, March 4, 2010:

H.C.R. No.:	Referred to:	S.C.R. No. 113	Committee on Health, then to the Committee on Ways and Means
H.C.R. No. 54	Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 114	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
H.C.R. No. 70	Committee on Public Safety and Military Affairs	S.C.R. No. 115	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
		S.C.R. No. 116	Committee on Water, Land, Agriculture, and Hawaiian Affairs
		S.C.R. No. 117	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Friday, February 26, 2010; Wednesday, March 3, 2010; Thursday, March 4, 2010; Friday, March 5, 2010; Monday, March 8, 2010; Tuesday, March 9, 2010; and Wednesday, March 10, 2010:

S.C.R. No.:	Referred to:	S.C.R. No. 122	Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 99	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No. 123	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.C.R. No. 100	Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means	S.C.R. No. 124	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 101	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.C.R. No. 125	Committee on Education and Housing, then to the Committee on Ways and Means
S.C.R. No. 102	Committee on Judiciary and Government Operations	S.C.R. No. 126	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 103	Jointly to the Committee on Higher Education and the Committee on Education and Housing	S.C.R. No. 127	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 104	Committee on Education and Housing	S.C.R. No. 128	Committee on Labor
S.C.R. No. 105	Jointly to the Committee on Education and Housing and the Committee on Labor	S.C.R. No. 129	Jointly to the Committee on Labor and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 106	Committee on Education and Housing	S.C.R. No. 130	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 107	Committee on Education and Housing	S.C.R. No. 131	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 108	Committee on Education and Housing, then to the Committee on Ways and Means	S.C.R. No. 132	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.C.R. No. 109	Committee on Education and Housing, then to the Committee on Ways and Means	S.C.R. No. 133	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.C.R. No. 110	Committee on Education and Housing, then to the Committee on Ways and Means		
S.C.R. No. 111	Committee on Higher Education		

S.C.R. No. 134	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.C.R. No. 152	Jointly to the Committee on Energy and Environment and the Committee on Tourism, then to the Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 135	Committee on Labor, then to the Committee on Judiciary and Government Operations	S.C.R. No. 153	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.C.R. No. 136	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 154	Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 137	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.C.R. No. 155	Committee on Health, then to the Committee on Judiciary and Government Operations
S.C.R. No. 138	Committee on Economic Development and Technology	S.C.R. No. 156	Committee on Health
S.C.R. No. 139	Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.C.R. No. 157	Committee on Education and Housing, then to the Committee on Judiciary and Government Operations
S.C.R. No. 140	Committee on Education and Housing	S.C.R. No. 158	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.C.R. No. 141	Jointly to the Committee on Education and Housing and the Committee on Labor	S.C.R. No. 159	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology
S.C.R. No. 142	Committee on Education and Housing, then to the Committee on Ways and Means	S.C.R. No. 160	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 143	Committee on Education and Housing, then to the Committee on Ways and Means	S.C.R. No. 161	Committee on Health, then to the Committee on Judiciary and Government Operations
S.C.R. No. 144	Committee on Labor	S.C.R. No. 162	Jointly to the Committee on Higher Education and the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 145	Jointly to the Committee on Higher Education and the Committee on Economic Development and Technology	S.C.R. No. 163	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Higher Education
S.C.R. No. 146	Committee on Health, then to the Committee on Ways and Means	S.C.R. No. 164	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 147	Jointly to the Committee on Economic Development and Technology and the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Higher Education	S.C.R. No. 165	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 148	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means	S.C.R. No. 166	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 149	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 167	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Commerce and Consumer Protection
S.C.R. No. 150	Jointly to the Committee on Health and the Committee on Economic Development and Technology	S.C.R. No. 168	Committee on Economic Development and Technology, then to the Committee on Commerce and Consumer Protection
S.C.R. No. 151	Jointly to the Committee on Energy and Environment and the Committee on Tourism, then to the Committee on Transportation, International and Intergovernmental Affairs		

S.C.R. No. 169	Committee on Human Services, then to the Committee on Ways and Means	S.R. No. 55	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.C.R. No. 170	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations	S.R. No. 56	Committee on Economic Development and Technology
S.C.R. No. 171	Jointly to the Committee on Education and Housing and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.R. No. 57	Jointly to the Committee on Labor and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 172	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 58	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 173	Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.R. No. 59	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions offered on Friday, February 26, 2010; Wednesday, March 3, 2010; Thursday, March 4, 2010; Friday, March 5, 2010; Monday, March 8, 2010; Tuesday, March 9, 2010; and Wednesday, March 10, 2010:

S.R. No.:	Referred to:	S.R. No. 60	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.R. No. 41	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 61	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.R. No. 42	Committee on Judiciary and Government Operations	S.R. No. 62	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.R. No. 43	Committee on Health, then to the Committee on Ways and Means	S.R. No. 63	Committee on Labor, then to the Committee on Judiciary and Government Operations
S.R. No. 44	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 64	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 45	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 65	Committee on Labor
S.R. No. 46	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.R. No. 66	Jointly to the Committee on Higher Education and the Committee on Economic Development and Technology
S.R. No. 47	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.R. No. 67	Jointly to the Committee on Economic Development and Technology and the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Higher Education
S.R. No. 48	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs	S.R. No. 68	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.R. No. 53	Committee on Health, then to the Committee on Commerce and Consumer Protection	S.R. No. 69	Jointly to the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 54	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 70	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology

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S.R. No. 71	Committee on Health, then to the Committee on Judiciary and Government Operations
S.R. No. 72	Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 73	Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 74	Committee on Human Services, then to the Committee on Ways and Means
S.R. No. 75	Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.R. No. 76	Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means

#### RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.:	Re-referred to:
H.B. No. 2631, H.D. 2	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Energy and Environment, then jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means

#### ADJOURNMENT

At 6:00 p.m., the Senate adjourned until 11:30 a.m., Thursday, March 11, 2010.

## TWENTY-NINTH DAY

## Thursday, March 11, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:36 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Bob Nakata, Kahalu'u United Methodist Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twenty-Eighth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kim recognized and congratulated Kalapana on their 35<sup>th</sup> anniversary and commending them for their brilliant contributions to the world of music. Representing Kalapana were Carl James Malani Bilyeu, David John (DJ) Pratt, Gaylord Holomalia, and Kenji Sano who was unable to attend. Other band members seated in the gallery were recognized, including Randy Aloya and Todd Yukumoto. Accompanying Kalapana were Mrs. Crystal Bilyeu, Carlton and Janet Hadley, and Mrs. Terry Holomalia.

Senators Hee and Galuteria also congratulated Kalapana on their 35<sup>th</sup> anniversary and thanked them for their contributions to Hawaiian music.

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 a.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 262 and 263) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 262, transmitting H.C.R. No. 71, which was adopted by the House of Representatives on March 10, 2010, was placed on file.

By unanimous consent, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO SUPPORT THE PASSAGE OF S. 1337, THE FILIPINO VETERANS FAMILY REUNIFICATION ACT OF 2009, OR SIMILAR LEGISLATION, TO EXPEDITE FAMILY REUNIFICATION FOR CERTAIN FILIPINO VETERANS OF WORLD WAR II," was deferred.

Hse. Com. No. 263, transmitting H.C.R. No. 87, which was adopted by the House of Representatives on March 10, 2010, was placed on file.

By unanimous consent, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK THAT INCLUDES AUGUST 24TH AS SURF WEEK IN HAWAII," was deferred.

## STANDING COMMITTEE REPORTS

Senators Espero and Chun Oakland, for the Committee on Public Safety and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2695) recommending that H.B. No. 2061, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

H.B. No. 2061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2696) recommending that H.B. No. 1190, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1190, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2697) recommending that H.B. No. 134, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 134, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2698) recommending that H.B. No. 2028, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2699) recommending that H.B. No. 2136, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2700) recommending that H.B. No. 2546, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed

Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

**ORDER OF THE DAY**

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 2682 (Gov. Msg. No. 224):

Senator Espero moved that Stand. Com. Rep. No. 2682 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of THOMAS T. WATTS to the Crime Victim Compensation Commission, term to expire June 30, 2014, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2683 (Gov. Msg. Nos. 299, 300, and 301):

Senator Espero moved that Stand. Com. Rep. No. 2683 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the State Council for Interstate Adult Offender Supervision of the following:

DENNIS M. DUNN, term to expire June 30, 2010 (Gov. Msg. No. 299);

DENNIS M. DUNN, term to expire June 30, 2014 (Gov. Msg. No. 300); and

JANICE YAMADA, term to expire June 30, 2013 (Gov. Msg. No. 301),

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2684 (Gov. Msg. No. 302):

Senator Espero moved that Stand. Com. Rep. No. 2684 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of HERBERT C. LUM to the Advisory Board on Veterans' Services, term to expire June 30, 2014, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2685 (Gov. Msg. Nos. 303 and 304):

Senator Espero moved that Stand. Com. Rep. No. 2685 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Wireless Enhanced 911 Board of the following:

JAMES D. LACLAIR, term to expire June 30, 2012 (Gov. Msg. No. 303); and

GOLDIE K. CROSS, term to expire June 30, 2014 (Gov. Msg. No. 304),

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2686 (Gov. Msg. Nos. 183, 184, and 251):

Senator Baker moved that Stand. Com. Rep. No. 2686 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

NORMAN G.Y. HONG, term to expire June 30, 2014 (Gov. Msg. No. 183);

HOWARD K.C. LAU, term to expire June 30, 2014 (Gov. Msg. No. 184); and

CLAYTON CHUN YEE PANG, term to expire June 30, 2013 (Gov. Msg. No. 251),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2687 (Gov. Msg. Nos. 191 and 254):

Senator Baker moved that Stand. Com. Rep. No. 2687 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Psychology of the following:

FRANCES PAULETTE HACKBARTH, term to expire June 30, 2014 (Gov. Msg. No. 191); and

SCOTT S. HASHIMOTO, term to expire June 30, 2013 (Gov. Msg. No. 254),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2688 (Gov. Msg. No. 194):

Senator Baker moved that Stand. Com. Rep. No. 2688 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JENNY C. WELLS to the Board of Speech Pathology and Audiology, term to expire June 30, 2013, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2689 (Gov. Msg. No. 250):

Senator Baker moved that Stand. Com. Rep. No. 2689 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of GAY L. MATHEWS to the Credit Union Advisory Board, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2690 (Gov. Msg. Nos. 252 and 253):

Senator Baker moved that Stand. Com. Rep. No. 2690 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

DARRYL D. PERRY, term to expire June 30, 2012 (Gov. Msg. No. 252); and

GARY A. YABUTA, term to expire June 30, 2013 (Gov. Msg. No. 253),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2691 (Gov. Msg. No. 275):

Senator Baker moved that Stand. Com. Rep. No. 2691 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ROY M. SASUGA to the Motor Vehicle Repair Industry Board, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2692 (Gov. Msg. No. 276):

Senator Baker moved that Stand. Com. Rep. No. 2692 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DENNIS JOHN SHORT to the Motor Vehicle Industry Licensing Board, term to expire June 30, 2013, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

H.B. No. 2427, H.D. 1, S.D. 1:

On motion by Senator Gabbard, seconded by Senator English and carried, H.B. No. 2427, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

Senator Green rose on a point of personal privilege as follows:

"Today, we have an opportunity that's pretty unique. There's an expert in the area of addiction medicine speaking here at the Capitol. My office is sponsoring his team. It's Dr. Ira Chasnoff. His focus has been on the effects of alcohol, drugs, and smoking on infants in utero (before they're born) for many years, and he's done a study and a lot of work on Big Island. Today, he's discussing the results of the first 1,000 patients, and I think he's got very profound findings. He's an excellent speaker to listen to, very enjoyable; and we are feeding people if they'll come. So, we would love to have your company today; and it's from about 12pm to 2pm down in the Auditorium."

### ADJOURNMENT

At 11:58 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 12, 2010.

## THIRTIETH DAY

Friday, March 12, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:32 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn H. Baker, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Hooser who were excused.

The President announced that she had read and approved the Journal of the Twenty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senators Kokubun, Sakamoto, Hemmings, Gabbard, Taniguchi, Espero, Slom, Galuteria, Tokuda, and Chun Oakland introduced the following Hawai'i Leader for a Day legislative shadows: Keolaokakai Kuhaulua Kana'e from Ke Kula 'O Nāwahīokalani'ōpu'u; Ashley Castaneda from Waipahu Intermediate School; Connie Kim from 'Aiea High School; Brighton Rowley from Waialua High and Intermediate School; Max Irons from Kailua Intermediate School; Juanito Moises, Jr. from Waipahu Intermediate School; Jeremiah Repollo from Waialua High and Intermediate School; Jennifer Yamaguchi from 'Aiea High School; Ross Ledda from Kailua Intermediate School; and Hannelore Rolfing from Lahainaluna High School;

Senator Ige noted that March was National Social Work month and introduced students from Brigham Young University, Hawai'i Pacific University, and the University of Hawai'i at Mānoa who were brought to the Capitol by the National Association of Social Workers to learn about the legislative process and participate in a panel presentation on health care.

Senators Slom, Takamine, Fukunaga, and Hemmings introduced and congratulated Junior Achievement of Hawaii and honored the following 2010 Hawaii Business Hall of Fame laureates: Barry K. Taniguchi of KTA Superstores; Anthony R. Guerrero, Jr. of First Hawaiian Bank; and Tyrie Jenkins, M.D. of Tyrie Jenkins, M.D. Eye Care. Accompanying the laureates was Mr. M. Steven Grant, President of Junior Achievement of Hawaii. Accompanying Mr. Guerrero were his wife Haunani Guerrero and his sister Momi Keaulana. Accompanying Dr. Jenkins were her husband George Norcross, daughter Lindsay Norcross, daughter Annie Hiller, Doug Hiller, and friends Ms. Barbara Pleadwell, Ms. Pamela Utu, Ms. Valerie Bareng, Ms. Yolani Lacar, Ms. Stephanie Mediowski, and Ms. Dannie Lovato.

Senator Espero recognized all National Guard units, as well as the 100<sup>th</sup> battalion and the 442<sup>nd</sup> infantry regiment, that were deployed to the Middle East. Representing the Hawaii National Guard was Major General Robert G. F. Lee. Representing the 29<sup>th</sup> Infantry Brigade Combat Team were Commander Colonel Bruce Oliveria and Command Sergeant Major Philip Umali. Representing the airmen and airwomen of the Hawaii Air National Guard and the 154<sup>th</sup> Security Forces Squadron was Chief Master Sergeant Ray Duropan.

Senator Espero also recognized the following attendees who were seated in the gallery: Representing the 100<sup>th</sup> battalion 442<sup>nd</sup> Infantry Regiment was Lieutenant Colonel Michael Peeters. Representing the 1<sup>st</sup> Squadron 299<sup>th</sup> Cavalry Regiment was Lieutenant Colonel Rudolph Ligsay. Representing the 1<sup>st</sup> Battalion 487<sup>th</sup> Field Artillery was Lieutenant Colonel Robert Leshner. Representing the 29<sup>th</sup> Brigade Special Troops Battalion was Lieutenant Colonel Moses Kaiwi. Representing the 29<sup>th</sup>

Brigade Support Battalion was Lieutenant Colonel Keith Yoshida. Representing the 201<sup>st</sup> Combat Communications Group was Technical Sergeant Darrilyn Lee. Also recognized were all members of the Hawaii National Guard that were seated in the gallery.

At 12:14 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 p.m.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 358) was read by the Clerk and was placed on file:

Gov. Msg. No. 358, informing the Senate that on March 11, 2010, the Governor signed into law House Bill No. 2169, H.D. 2 as Act 2, entitled: "RELATING TO EMPLOYMENT SECURITY."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 264 and 265) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 264, returning S.B. No. 1059, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on March 11, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1059, S.D. 2 (H.D. 3), entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Monday, March 15, 2010.

Hse. Com. No. 265, transmitting H.C.R. No. 5, which was adopted by the House of Representatives on March 11, 2010, was placed on file.

By unanimous consent, H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT PROGRAM OF ACTION ON THE OCCASION OF ITS FIFTEENTH ANNIVERSARY AND URGING THE UNITED STATES TO RE-COMMIT TO THE ERADICATION OF GLOBAL POVERTY AND GENDER INEQUALITY," was deferred.

## STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2701) recommending that the Senate advise and consent to the nominations to the Kahana Valley Living Park Planning Council of the following:

MAY LEILANI AU, in accordance with Gov. Msg. No. 306;

RICHARD K. PAGLINAWAN, in accordance with Gov. Msg. No. 308;

BENJAMIN DANIEL SHAFER, in accordance with Gov. Msg. No. 309; and

LAUREN A. TANAKA, in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2701 and Gov. Msg. Nos. 306, 308, 309, and 310 was deferred until Monday, March 15, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2702) recommending that the Senate advise and consent to the nomination of WILSON N.K. KANAKAOLE to the Island

Burial Council, Islands of Maui and Lanai, in accordance with Gov. Msg. No. 313.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2702 and Gov. Msg. No. 313 was deferred until Monday, March 15, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2703) recommending that S.C.R. No. 50, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAHAHA LOOP, KAPOLEI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2704) recommending that S.C.R. No. 51, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2705), recommending that S.C.R. No. 69 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2706), recommending that S.C.R. No. 77 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2707), recommending that S.R. No. 33 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 33, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Ways and Means.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2708) recommending that S.C.R. No. 88, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2708 and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES," was deferred until Monday, March 15, 2010.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2709) recommending that S.R. No. 36, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2709 and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES," was deferred until Monday, March 15, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2710) recommending that H.B. No. 2297, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2297, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2711) recommending that H.B. No. 1978, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1978, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator English, for the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2712) recommending that H.B. No. 2667, H.D. 2 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2667, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FERRIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2713) recommending that H.B. No. 2604, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2604, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2714) recommending that H.B. No. 2708, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2708, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

Senators Chun Oakland and Espero, for the Committee on Human Services and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2715) recommending that S.C.R. No. 80, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2715 and S.C.R. No. 80, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was deferred until Monday, March 15, 2010.

Senators Chun Oakland and Espero, for the Committee on Human Services and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2716) recommending that S.R. No. 35, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2716 and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was deferred until Monday, March 15, 2010.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

At 12:22 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 p.m.

Senator Hee rose on a point of personal privilege and said:

"By explanation, I was merely trying to explain to the Majority Floor Leader that Tony Guerrero got his job by saying he was a St. Louis graduate because Walter Dodds went to St. Louis. He had his fingers crossed behind his back because he really went to Kamehameha. Thank you."

#### ADJOURNMENT

At 12:24 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, March 15, 2010.

## THIRTY-FIRST DAY

**Monday, March 15, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Jodie Young, Office of the Honorable Robert Bunda, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirtieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland, on behalf of Senator Ige and herself, introduced the following 4<sup>th</sup> grade students and their teacher from Pearl City Elementary School who would be shadowing the senators: Chaylin Wong, Kaitlyne Bambilla, Tionne James, and Gerald Arcangel, and their teacher Mr. Russell Minobe.

Senator Takamine introduced students from Pa'auilo Elementary and Intermediate School who would be providing testimony before the Education and Housing Committee including Dayson Alip, Kaili Brennamen, Sione Epenesa, Chancis Fernandez, Elle Carvalho, Daisha Acorda, Nathan Tabucbuc, Johnathan Ancheta, and their advisor Dean Alip.

Senator Taniguchi introduced Ms. Corina Eckl, Director of Fiscal Affairs for NCSL and the Hawai'i liaison.

Senator Hooser introduced Casey Nakamura, an 8<sup>th</sup> grader at Kapa'a Middle School who was a shadow for Representative Saiki.

Senator Slom introduced Bill Spillane, a former resident of Hawai'i and current California Director of Fair Tax Nation.

Senator Bunda introduced Mr. and Mrs. Bob Young, the parents of Ms. Jodie Young who delivered the invocation.

Senator Galuteria introduced staff from the NCSL Institute for State Tribal Relations including Program Director Irene Kawanabe and Director Linda Sikkema.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 266 and 267) were placed on file:

Hse. Com. No. 266, returning S.B. No. 2740, which passed Third Reading in the House of Representatives on March 12, 2010.

Hse. Com. No. 267, informing the Senate that on March 12, 2010, the House disagreed to the amendments proposed by the Senate to H.B. No. 2427, H.D. 1 (S.D. 1).

**STANDING COMMITTEE REPORTS**

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2717) recommending that S.C.R. No. 52, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep.

No. 2718) recommending that S.C.R. No. 56, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was referred to the Committee on Ways and Means.

Senators Tokuda and Ige, for the Committee on Higher Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2719) recommending that H.C.R. No. 18, as amended in S.D. 1, be adopted. .

By unanimous consent, action on Stand. Com. Rep. No. 2719 and H.C.R. No. 18, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE CANCER RESEARCH CENTER OF HAWAII," was deferred until Tuesday, March 16, 2010.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2720) recommending that H.B. No. 1859, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1859, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2721) recommending that H.B. No. 1900, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2722) recommending that H.B. No. 2020, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2020, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2723) recommending that S.C.R. No. 53, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE

INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2724) recommending that S.C.R. No. 54, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2725) recommending that S.C.R. No. 55, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2726) recommending that the Senate advise and consent to the nomination of DANIELLE ULULANI BEIRNE-KEAWE to the Kahana Valley Living Park Planning Council, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2726 and Gov. Msg. No. 307 was deferred until Tuesday, March 16, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTER DEFERRED FROM FRIDAY, MARCH 12, 2010

S.B. No. 1059, S.D. 2 (H.D. 3):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1059, S.D. 2, and requested a conference on the subject matter thereof.

At this time, the Chair said:

"Conferees will be named in accordance with the action sheets to be distributed to your offices at a later date."

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2701 (Gov. Msg. Nos. 306, 308, 309, and 310):

Senator Hee moved that Stand. Com. Rep. No. 2701 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Kahana Valley Living Park Planning Council of the following:

MAY LEILANI AU, term to expire June 30, 2013 (Gov. Msg. No. 306);

RICHARD K. PAGLINAWAN, term to expire June 30, 2012 (Gov. Msg. No. 308);

BENJAMIN DANIEL SHAFER, term to expire June 30, 2011 (Gov. Msg. No. 309); and

LAUREN A. TANAKA, term to expire June 30, 2013 (Gov. Msg. No. 310),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2702 (Gov. Msg. No. 313):

Senator Hee moved that Stand. Com. Rep. No. 2702 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of WILSON N.K. KANAKAOLE to the Island Burial Council, Islands of Maui and Lanai, term to expire June 30, 2013, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM FRIDAY, MARCH 12, 2010

Stand. Com. Rep. No. 2708 (S.C.R. No. 88, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 2708 and S.C.R. No. 88, S.D. 1 be adopted, seconded by Senator Slom.

Senators Slom, Hemmings, and Gabbard requested that their votes be cast "no" and the Chair so ordered.

The motion was put the Chair carried, the report of the majority of the Committee was adopted and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES," was adopted with Senators Gabbard, Hemmings, and Slom voting "No".

Stand. Com. Rep. No. 2709 (S.R. No. 36, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 2709 and S. R. No. 36, S.D. 1 be adopted, seconded by Senator Slom.

Senators Slom, Hemmings, and Gabbard requested that their votes be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the report of majority of the Committee was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR REPEAL OF THE DON'T ASK DON'T TELL POLICY OF THE UNITED STATES ARMED SERVICES," was adopted with Senators Gabbard, Hemmings, and Slom voting "No".

Stand. Com. Rep. No. 2715 (S.C.R. No. 80, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 80, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was adopted.

Stand. Com. Rep. No. 2716 (S.R. No. 35, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was adopted.

### THIRD READING

H.B. No. 2028, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2136, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2546, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2708, H.D. 1, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, H.B. No. 2708, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Baker rose on a point of personal privilege and said:

"Madam President, colleagues, I read with great interest an item in today's *Honolulu Advertiser* that said, '\$10 million offered to boost hiring'. I read it with interest because when I had first learned of a possible proposal from the Governor, the proposal was only pegged at \$5 million and I thought it was curious then. What this measure would do—without coming to the Legislature for authorization and apparently finding money that none of us knew about—is to offer employers a reimbursement for half of the employees' health fund premiums if a new employee is hired and retained for two years.

"Now, all of us I think in this body are interested in helping to stimulate the economy. I believe we're interested in helping employers, and so, on the surface it sounds like a good idea. But I had an opportunity to vet this with some small business owners who potentially could be impacted. It's only targeted for small businesses with 50 employees or less; there are a lot of small businesses in the state. But in talking to some of them, as well as some in our health community who might arguably also benefit from this program, they didn't think that it was such a good idea. Their unanimous recommendation to me was, 'Well, it sounds good but I think it will have minimal impact on small

business.' And they go on to say: 'The infuriating aspect is that the State says it can't come up with state-matching funds for DSH payments that would help compensate hospitals and others for the charity care that they provide. The State can't pay health plans for services rendered for perhaps four or five months, pushing those payment over into the next fiscal year and then it's somebody else's responsibility, and the State can't come up with \$150,000 to draw down \$1.5 million dollars in federal funds to develop a plan to utilize \$100 million in federal ARRA health IT funds to improve health IT in our state,' but DHS director and the Governor can find this \$10 million for a brand new program. Based on information that has been shared by individuals who have been asked to comment on it (of course, that's no one from the Legislature) some of those individuals I spoke with said that it's an extremely complicated program with limited benefit to business and it will require extensive DH staff time to implement. This from the same department that is planning more RIFs in Med-QUEST and they're reducing health benefits to our most vulnerable citizens. Yet, in the midst of the current turmoil, the administration wants to begin a new, untested, questionable program, whose target audience seems to find it of limited value. This program should not go forward without a lot more scrutiny and oversight by the Legislature. We should not be starting new programs when we can't seem to fund our current ones that do deliver for our citizens and businesses. Thank you, Madam President."

Senator Hemmings rose on a point of personal privilege and said:

"I certainly appreciate the previous speaker's comments, but the records would surely reflect that the taxpayers have supplied enough money to state government to pay for numerous benefits to employers and employees. The problem is the state budget is excessively bloated with wasteful spending. For a number of years, my colleague and myself and a few others who have served here have been advocating that Hawaii Health Care Systems start becoming more accountable. We subsidize it to a tune of \$50-, \$60-, sometimes \$100 million a year. Large portions of those subsidies go to monopoly hospitals on Maui, Hilo, and the Big Island, and it just need not be. Several years ago, there was a private hospital that wanted to do business on Maui and was denied a certificate of need process with a state government that mandates its own monopoly. If you're in the private sector and want to start a hospital, you have to come to the state and get a permit. Since you are a lawyer, Madam President, you realize that's antitrust in the private sector, but government seems to be able to do it.

"So the bottom line is the bottom line, Madam President. We are a state in dire straits financially, and a lot of it's our own doing. Hawaii Health Care Systems is certainly one of them. I was hoping that we all could work constructively together with the executive branch of government in building a budget that would hold the public sector accountable. The private sector is held accountable by consumers; and unfortunately, many of them are going out of business with massive layoffs and loss of employment opportunities in this state. I think both sides of the story should be told when we pass final judgment in the way this Legislature and executive branch of government spend money. Thank you, Madam President."

Senator Baker rose on a point of personal privilege and said:

"My earlier comments made reference to several areas for which we have not been able to pull federal dollars down. One that I mentioned was for DSH (disproportionate share hospital) payments. For everybody's edification, none of the DSH payments go to the good Senator's favorite 'monopoly' hospitals. DHS in calculating our eligible DSH payments, uses the losses incurred by HHSC hospitals to bring down federal money. That money goes to our state's private hospitals to

compensate them for some of the charity care they provide. Thank you, Madam President.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions received on Thursday, March 11, 2010; and Friday, March 12, 2010:

H.C.R. No.:	Referred to:
H.C.R. No. 5	Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 71	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 87	Committee on Economic Development and Technology

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions offered on Wednesday, March 10, 2010:

S.C.R. No.:	Referred to:
S.C.R. No. 174	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Economic Development and Technology
S.C.R. No. 175	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.C.R. No. 176	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.C.R. No. 177	Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Public Safety and Military Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 178	Committee on Health
S.C.R. No. 179	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce and Consumer Protection
S.C.R. No. 180	Committee on Economic Development and Technology, then to the Committee on Ways and Means
S.C.R. No. 181	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means

S.C.R. No. 182	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 183	Jointly to the Committee on Energy and Environment and the Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 184	Committee on Higher Education, then to the Committee on Ways and Means
S.C.R. No. 185	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology
S.C.R. No. 186	Jointly to the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Economic Development and Technology
S.C.R. No. 187	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.C.R. No. 188	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 189	Committee on Economic Development and Technology
S.C.R. No. 190	Committee on Public Safety and Military Affairs
S.C.R. No. 191	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means
S.C.R. No. 192	Committee on Public Safety and Military Affairs
S.C.R. No. 193	Committee on Judiciary and Government Operations
S.C.R. No. 194	Committee on Human Services, then to the Committee on Ways and Means
S.C.R. No. 195	Committee on Education and Housing
S.C.R. No. 196	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 197	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 198	Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 199	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 200	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations

S.C.R. No. 201	Committee on Labor	S.C.R. No. 224	Committee on Economic Development and Technology
S.C.R. No. 202	Committee on Economic Development and Technology	S.C.R. No. 225	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
S.C.R. No. 203	Jointly to the Committee on Higher Education and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 226	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 204	Committee on Education and Housing	S.C.R. No. 227	Committee on Higher Education, then to the Committee on Ways and Means
S.C.R. No. 205	Committee on Commerce and Consumer Protection	S.C.R. No. 228	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 206	Jointly to the Committee on Human Services and the Committee on Education and Housing	S.C.R. No. 229	Committee on Judiciary and Government Operations
S.C.R. No. 207	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 230	Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 208	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No. 231	Committee on Economic Development and Technology
S.C.R. No. 209	Committee on Energy and Environment	S.C.R. No. 232	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 210	Committee on Health, then to the Committee on Commerce and Consumer Protection	S.C.R. No. 233	Committee on Ways and Means
S.C.R. No. 211	Jointly to the Committee on Health and the Committee on Judiciary and Government Operations	S.C.R. No. 234	Committee on Ways and Means
S.C.R. No. 212	Committee on Health, then to the Committee on Commerce and Consumer Protection	S.C.R. No. 235	Committee on Health
S.C.R. No. 213	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No. 236	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.C.R. No. 214	Committee on Judiciary and Government Operations	S.C.R. No. 237	Jointly to the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.C.R. No. 215	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 238	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs
S.C.R. No. 216	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs	S.C.R. No. 239	Committee on Labor, then to the Committee on Ways and Means
S.C.R. No. 217	Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.C.R. No. 240	Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means
S.C.R. No. 218	Committee on Commerce and Consumer Protection	<b>REFERRAL OF SENATE RESOLUTIONS</b>	
S.C.R. No. 219	Committee on Education and Housing	The President made the following committee assignments of Senate resolutions offered on Wednesday, March 10, 2010:	
S.C.R. No. 220	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection	S.R. No.:	Referred to:
S.C.R. No. 221	Committee on Education and Housing	S.R. No. 77	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Economic Development and Technology
S.C.R. No. 222	Committee on Judiciary and Government Operations	S.R. No. 78	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary and Government Operations
S.C.R. No. 223	Committee on Transportation, International and Intergovernmental Affairs	S.R. No. 79	Committee on Health

S.R. No. 80	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce and Consumer Protection	S.R. No. 98	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.R. No. 81	Committee on Economic Development and Technology, then to the Committee on Ways and Means	S.R. No. 99	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Judiciary and Government Operations
S.R. No. 82	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.R. No. 100	Committee on Labor
S.R. No. 83	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations	S.R. No. 101	Committee on Economic Development and Technology
S.R. No. 84	Jointly to the Committee on Energy and Environment and the Committee on Health, then to the Committee on Ways and Means	S.R. No. 102	Jointly to the Committee on Higher Education and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 85	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology	S.R. No. 103	Committee on Education and Housing
S.R. No. 86	Jointly to the Committee on Higher Education and the Committee on Education and Housing, then to the Committee on Economic Development and Technology	S.R. No. 104	Committee on Commerce and Consumer Protection
S.R. No. 87	Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.R. No. 105	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 88	Committee on Economic Development and Technology	S.R. No. 106	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.R. No. 89	Committee on Public Safety and Military Affairs	S.R. No. 107	Committee on Energy and Environment
S.R. No. 90	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, then to the Committee on Ways and Means	S.R. No. 108	Committee on Health, then to the Committee on Commerce and Consumer Protection
S.R. No. 91	Committee on Public Safety and Military Affairs	S.R. No. 109	Committee on Water, Land, Agriculture, and Hawaiian Affairs
S.R. No. 92	Committee on Judiciary and Government Operations	S.R. No. 110	Committee on Education and Housing
S.R. No. 93	Committee on Human Services, then to the Committee on Ways and Means	S.R. No. 111	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection
S.R. No. 94	Committee on Education and Housing	S.R. No. 112	Committee on Education and Housing
S.R. No. 95	Committee on Transportation, International and Intergovernmental Affairs	S.R. No. 113	Committee on Judiciary and Government Operations
S.R. No. 96	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs	S.R. No. 114	Committee on Transportation, International and Intergovernmental Affairs
S.R. No. 97	Committee on Transportation, International and Intergovernmental Affairs	S.R. No. 115	Committee on Economic Development and Technology
		S.R. No. 116	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Judiciary and Government Operations
		S.R. No. 117	Committee on Water, Land, Agriculture, and Hawaiian Affairs
		S.R. No. 118	Committee on Higher Education, then to the Committee on Ways and Means
		S.R. No. 119	Committee on Labor, then to the Committee on Ways and Means
		S.R. No. 120	Jointly to the Committee on Health and the Committee on Transportation, International and Intergovernmental

Affairs, then to the Committee on Ways  
and Means

S.R. No. 121      Jointly to the Committee on Water, Land,  
Agriculture, and Hawaiian Affairs and  
the Committee on Transportation,  
International and Intergovernmental  
Affairs

S.R. No. 122      Committee on Judiciary and Government  
Operations

**ADJOURNMENT**

At 11:55 a.m., on motion by Senator Sakamoto, seconded by  
Senator Slom and carried, the Senate adjourned until  
11:30 a.m., Tuesday, March 16, 2010.

## THIRTY-SECOND DAY

Tuesday, March 16, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:34 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend William J. Kunisch II, Co-Cathedral of Saint Theresa of the Child Jesus, after which the Roll was called showing all Senators present with the exception of Senators Hemmings and Takamine who were excused.

The President announced that she had read and approved the Journal of the Thirty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Sakamoto introduced his friend and former employee Chris Kuchling.

Senator Sakamoto also introduced acting Superintendent of the Department of Education Kathryn Matayoshi, who was seated in the gallery.

Senator Sakamoto, with the assistance of Senators Tokuda, Chun Oakland, Kim, Ige, Kokubun, English, and Hooser, introduced and commended the following recipients of the 2010 Teacher of the Year Awards: Mr. Wima Chulakote, Olomana School (2010 Hawai'i State Teacher of the Year); Ms. Christine Ho, Farrington High (2010 Honolulu District Teacher of the Year); Ms. Julia Rose LoPresti, 'Aiea Intermediate School (2010 Central District Teacher of the Year); Ms. Kathy Lin, Highlands Intermediate (2010 Leeward District Teacher of the Year); Ms. Samantha Funes, Keonepoko Elementary School (2010 Hawai'i District Teacher of the Year); Ms. Emily Haines-Swatek, King Kekaulike High School (2010 Maui District Teacher of the Year); Ms. Crystal Ishida, Kekaha Elementary School (2010 Kaua'i District Teacher of the Year).

Mr. Chulakote was accompanied by his wife Mrs. Mira Soekias; Principal August Suehiro of Olomana School; Ms. Ellen Schroder; Ms. Debbie Heyler and her two children; Ms. Renee Iwamoto and her daughter Jamie; Ms. Maheswary Post of Olomana School; retired teachers Mr. Bill Post and Dr. Aida Martin; Commander Captain Kasem Miamchay of the Center for Naval Strategies Studies, Naval Education Department, Royal Thai Navy, along with his wife and two children; Deputy Commander Surat Arunlerktawin of the Police Education Bureau, Royal Thai Police; and Mr. Kurkkrit Chaisirikul of the Thai Treasury Department.

Ms. Ho was accompanied by her husband Bob Miller. Ms. LoPresti was accompanied by her husband Matthew and daughter Nina; her parents Steve and Rubia Villa; and, from North Carolina, Tom LoPresti, Casey Howell, and Donna Howell. Ms. Lin was accompanied by her husband Samuel, father-in-law Bing Ran Lin, sister-in-law Janet Lin Sng, son Brandon, nieces and nephew Naomi and Tyler Tse and Derek Sng. Ms. Funes was accompanied by her husband Paku Funes.

At 11:56 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 359 and 360) were read by the Clerk and were placed on file:

Gov. Msg. No. 359, informing the Senate that on March 15, 2010, the Governor signed into law Senate Bill No. 520, S.D. 1 as Act 3, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT."

Gov. Msg. No. 360, informing the Senate that on March 15, 2010, the Governor signed into law Senate Bill No. 2246, S.D. 1 as Act 4, entitled: "RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

## STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2727) recommending that H.B. No. 40, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 40, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2728) recommending that H.B. No. 2239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2729) recommending that H.B. No. 2497, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2730) recommending that H.B. No. 2670, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2731) recommending that H.B. No. 1987, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1987, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2732) recommending that H.B. No. 2271, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2271, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2733) recommending that H.B. No. 2692, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

#### **ORDER OF THE DAY**

#### **ADVISE AND CONSENT**

Stand. Com. Rep. No. 2726 (Gov. Msg. No. 307):

Senator Hee moved that Stand. Com. Rep. No. 2726 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of DANIELLE ULULANI BEIRNE-KEAWE to the Kahana Valley Living Park Planning Council, term to expire June 30, 2012, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hemmings, Takamine).

#### **ADOPTION OF RESOLUTION**

#### **MATTER DEFERRED FROM MONDAY, MARCH 15, 2010**

Stand. Com. Rep. No. 2719 (H.C.R. No. 18, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 18, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE CANCER RESEARCH CENTER OF HAWAII," was adopted.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2505, H.D. 1.

Senator Fukunaga noted:

"The bill that we are seeking to hold a hearing on, H.B. 2505, H.D. 1, Relating to the Access Hawaii Committee, is a measure that the Senate previously took and deferred.

We're seeking to give the proponents one more opportunity on this measure. The other bills were heard on Monday, March 8, and we are now scheduling them for decision making."

The Chair granted the waiver.

Senator Taniguchi, Chair of the Committee on Judiciary and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2901, H.D. 2.

Senator Taniguchi noted:

"We've gotten a number of requests for this bill, and so we've decided to hear it on Thursday."

The Chair granted the waiver.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### **ADJOURNMENT**

At 12:08 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 17, 2010.

## THIRTY-THIRD DAY

## Wednesday, March 17, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:43 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable J. Kalani English, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Hemmings who was excused.

The President announced that she had read and approved the Journal of the Thirty-Second Day.

At this time, the following introductions were made to the members of the Senate:

Senator Sakamoto introduced Mr. Ronn Nozoe, Deputy Superintendent of the Department of Education.

Senator Sakamoto, with the assistance of Senators Tokuda and Kim, congratulated and introduced the following 2009 Principals of the Year: Principal Francine Honda, Kailua High School (2009 High School Principal of the Year); and Principal Tom Kurashige, 'Aiea Intermediate School (2009 Middle/Elementary School Principal of the Year).

Senator Sakamoto, with the assistance of Senators Espero, Ige, and Fukunaga congratulated and introduced the principals of the 2010 Hawai'i Blue Ribbon Schools: Principal Sherry Lee Kobayashi, Ewa Beach Elementary School; and Principal Doreen Higa, Momilani Elementary School. Also commended was Principal Ann Sugibayashi, Royal Elementary School, who was not able to attend.

Principal Kobayashi was accompanied by her husband Mr. Derek Kobayashi and son Kelsey; friend Jody Nakasone; fellow Ewa Beach Elementary School teachers Anna Agosto, Susan Nakasone, Tracey Matsui, and Derek Santos; School Community Council Parent Representatives Charline Blair and Kevin Rathbun; and students Myron Tagovailoa, Samuel Bajar, Zane Barr-Rauschenburg, and Jerelle Carino.

Principal Higa was accompanied by students Daylen Masaki, Tiara Tashiro, Kaile Yasui; fellow teachers Ms. Maile Yasui, Mr. Todd Tashiro; and PTSA President Mr. Dave Masaki.

Senator Ihara recognized and congratulated the Hawai'i State Legislature's Public Access Room on its 20<sup>th</sup> anniversary. Representing the Public Access Room were Suzanne Marinelli, Coordinator, and Ken Takayama, Director of the Legislative Reference Bureau. Also recognized were Assistant Coordinator Virginia Beck and staff members Sherrie Sato and Larry Kamakawiwoole.

At 12:04 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 361 to 364) were read by the Clerk and were placed on file:

Gov. Msg. No. 361, informing the Senate that on March 16, 2010, the Governor signed into law Senate Bill No. 549, S.D. 1, H.D. 1 as Act 5, entitled: "RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT."

Gov. Msg. No. 362, informing the Senate that on March 16, 2010, the Governor signed into law Senate Bill No. 2017 as

Act 6, entitled: "RELATING TO INSURANCE CLAIMS ADJUSTERS."

Gov. Msg. No. 363, dated March 12, 2010, transmitting a Report on the Spouse and Child Abuse Special Account, prepared by the Department of Human Services, Social Services Division, pursuant to Section 346-7.5, HRS.

Gov. Msg. No. 364, dated March 12, 2010, transmitting the Seven-Year TANF Financial Plan Showing the Past, Current, and Planned Expenditures and the TANF Federal Fund Reserve, prepared by the Department of Human Services pursuant to Act 162, Section 156, SLH 2009.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 268) was placed on file:

Hse. Com. No. 268, informing the Senate that on March 16, 2010, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 2028 (S.D. 1);  
H.B. No. 2136 (S.D. 1);  
H.B. No. 2546 (S.D. 1); and  
H.B. No. 2708, H.D. 1 (S.D. 1).

## STANDING COMMITTEE REPORTS

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2734) recommending that H.B. No. 2417, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2417, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and English, for the Committee on Energy and Environment and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2735) recommending that H.B. No. 2922, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2922, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Espero and Baker, for the Committee on Public Safety and Military Affairs and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2736) recommending that H.B. No. 1944, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2737) recommending that H.B. No. 2445, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2445, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2738) recommending that H.B. No. 2381, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2381, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2739) recommending that H.B. No. 1854, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Ige, for the Committee on Energy and Environment and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2740) recommending that H.B. No. 2688, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2688, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and English, for the Committee on Energy and Environment and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2741) recommending that H.B. No. 2644, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2644, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2742) recommending that H.B. No. 2832, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2832, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2743) recommending that H.B. No. 2533, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2533, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2744) recommending that H.B. No. 2919, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2919, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2745) recommending that H.B. No. 2937, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2937, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and English, for the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2746) recommending that H.B. No. 2598, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2598, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Sakamoto, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2747) recommending that H.B. No. 2845, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2845, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 19, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2748) recommending that S.C.R. No. 120, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION EXPRESSING SUPPORT FOR THE HAWAII PUBLIC HOUSING AUTHORITY'S PLAN TO IMPLEMENT THE TENANT MONITOR PROGRAM," was referred to the Committee on Ways and Means.

Senators Gabbard and English, for the Committee on Energy and Environment and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2749) recommending that H.C.R. No. 67, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2749 and H.C.R. No. 67, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY," was deferred until Thursday, March 18, 2010.

**ORDER OF THE DAY**

**THIRD READING**

H.B. No. 1900, S.D. 1:

On motion by Senator Espero, seconded by Senator Bunda and carried, H.B. No. 1900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

At this time the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

- |                |   |
|----------------|---|
| S.C.R. No.:    | Re-referred to:   |
| S.C.R. No. 175 | Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Education and Housing, then to the Committee on Ways and Means |
| S.C.R. No. 224 | Committee on Economic Development and Technology, then to the Committee on Water, Land, Agriculture, and Hawaiian Affairs   |

**RE-REFERRAL OF A SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

- |              |   |
|--------------|---|
| S.R. No.:    | Re-referred to:   |
| S.R. No. 115 | Committee on Economic Development and Technology, then to the Committee |

on Water, Land, Agriculture, and Hawaiian Affairs

Senator Hee, Chair of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2582, H.D. 1 and H.B. No. 2409, H.D. 2.

Senator Hee noted:

"I request a waiver of the 48-hour notice requirement pursuant Rule 21 to hold a decision-making meeting on H.B. No. 2582. Your Committee heard this measure on March 10, but it was inadvertently left off of today's decision-making notice.

"I also request a waiver of the 72-hour notice requirement to hold a public hearing on H.B. No. 2409, H.D. 2. Your Committee received a late request to hear this measure, and we would like to add it to this afternoon's agenda."

The Chair granted the waiver.

Senator Takamine, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1390, H.D. 2.

Senator Takamine noted:

"I also request a waiver of the 72-hour notice requirement pursuant to Senate Rule 21 in order to hold a public hearing on H.B. No. 1390, H.D. 2, Relating to Workers' Compensation. Your Committee is attempting to address a deficiency in the operation of the workers' compensation system, and therefore the request."

The Chair granted the waiver.

**ADJOURNMENT**

At 12:16 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, March 18, 2010.

## THIRTY-FOURTH DAY

## Thursday, March 18, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:35 a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Mr. Brandon Elefante, Office of the Honorable Will Espero, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Hanabusa, and Hemmings who were excused.

The Vice President announced that he had read and approved the Journal of the Thirty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland introduced participants of the State Council on Developmental Disabilities' 11<sup>th</sup> Annual "Day at the Capitol" event from Hilo, Kea'au, Papaikou, Captain Cook, Kailua-Kona, and Kealahou on the Big Island; from Elelee, Kapa'a, Kilauea, Lihue, and Waimea on Kaua'i; from Makawao, Pukalani, and Wailuku on Maui; and from 'Ewa, Honolulu, Makakilo, Pearl City, Kaneohe, Mililani, Waianae, and Wahiawa on O'ahu. The participants would be touring the Capitol, attending relevant public hearings, and meeting with legislators to discuss their issues and concerns as well as developmental disabilities measures pending before the Legislature.

Senator Sakamoto introduced Mr. Ronn Nozoe, Deputy Superintendent of the Department of Education.

Senator Sakamoto recognized and congratulated Mr. Wally Amos, a literacy advocate, for his service and dedication to improving literacy in Hawai'i. Mr. Amos was accompanied by Mr. Scott McKenzie, Alison Au Puck, Ken Strichter, Chris Farley, Mapu Magbaleta, the Chip & Cookie mascots, Joy Yamazaki, and Brad Blaisdell.

Senator Sakamoto, with the assistance of Senators English, Kidani, Ige, and Kim, introduced the following outstanding educators and congratulated them on their accomplishments: Ms. Janice Espiritu, Principal of Kaunakakai Elementary School, recipient of the 2009 Masayuki Tokioka Award; and Ms. Lisa-Anne Tsuruda, Mililani High School, recipient of the 2009 National Milken Educator Award. Also recognized were Ms. Liane Tanigawa of Pearlridge Elementary School and Ms. Seanyelle Yagi of Kalākaua Middle School, recipients of the 2008 Presidential Awards for Excellence in Mathematics and Science Teaching, who were not able to attend.

Ms. Espiritu was accompanied by her daughters Ms. Joan Tanabe and Ms. Joy Espiritu; sisters Diane Shimada and Jean Ige; her mentors Ms. Rose Yamada and Ms. Ruby Hirashi; Ms. Leila Naka, literacy consultant; Ms. Lindsay Ball, Complex Area Superintendent; Ms. Beverly Wong and Ms. Jeannine Fujimori, literacy specialists at Kamehameha Schools; as well as Mr. Tyler Tokioka of First Insurance Company of Hawaii, Ltd., the son of Masayuki Tokioka.

Ms. Tsuruda was accompanied by her husband Derek; Ms. Luella Costales, a Mililani Mauka neighborhood board member; and her son William Nakao, a former student of Ms. Espiritu.

Senator Tsutsui recognized and congratulated the Hawaii Alliance of Boys and Girls Clubs 2010 Youth of the Year candidates including Anne Lorraine Ares, Zachary Jarman, Linda Leifi, Meghan McGrath, and Meko Thompson. Also recognized were numerous individuals associated with the

Hawaii Alliance of Boys and Girls Clubs who were seated in the gallery.

At 11:58 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 365 and 366) were read by the Clerk and were placed on file:

Gov. Msg. No. 365, informing the Senate that on March 17, 2010, the Governor signed into law Senate Bill No. 2812, S.D. 1 as Act 7, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES."

Gov. Msg. No. 366, informing the Senate that on March 17, 2010, the Governor signed into law Senate Bill No. 2015, S.D. 1 as Act 8, entitled: "RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES."

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 269) was read by the Clerk and placed on file:

Hse. Com. No. 269, returning S.B. No. 2699, S.D. 1, which passed Third Reading in the House of Representatives on March 17, 2010.

## STANDING COMMITTEE REPORTS

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2750) recommending that H.B. No. 2464, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2464, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICE OF PHARMACY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2751) recommending that H.B. No. 2083, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2083, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK LABELING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2752) recommending that H.B. No. 2383, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2383, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2753) recommending that H.B. No. 1808, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1808, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2754) recommending that H.B. No. 2740, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2740, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2755) recommending that H.B. No. 2094 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2094, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2756) recommending that H.B. No. 2084, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2084, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2757) recommending that H.B. No. 2087, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2087, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2758) recommending that H.B. No. 2657, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B.

No. 2657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2759) recommending that H.B. No. 2091, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2091, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID ELIGIBILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2760) recommending that H.B. No. 2266, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2761) recommending that H.B. No. 415, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 415, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2762) recommending that H.B. No. 2171, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2171, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2763) recommending that H.B. No. 2294, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2294, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2764) recommending that H.B. No. 2086, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2086, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2765) recommending that H.B. No. 2349, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2349, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2766) recommending that H.B. No. 2575, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2575, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2767) recommending that H.B. No. 2661, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2661, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2768) recommending that H.B. No. 2152, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2769) recommending that H.B. No. 2801, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2801, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HAWAII HEALTH SYSTEMS CORPORATION FOR OPERATIONAL COSTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2770) recommending that H.B. No. 1853, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1853, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 22, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2771) recommending that the Senate advise and consent to the nomination of MICHAEL TRESLER, CPA to the Commission on Transportation, in accordance with Gov. Msg. No. 352.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2771 and Gov. Msg. No. 352 was deferred until Friday, March 19, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2772) recommending that the Senate advise and consent to the nomination of KAIWI NUI YOON to the Legacy Land Conservation Commission, in accordance with Gov. Msg. No. 316.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2772 and Gov. Msg. No. 316 was deferred until Friday, March 19, 2010.

#### ORDER OF THE DAY

##### ADOPTION OF A RESOLUTION

##### MATTER DEFERRED FROM WEDNESDAY, MARCH 17, 2010

Stand. Com. Rep. No. 2749 (H.C.R. No. 67, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 2749 and H.C.R. No. 67, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 67, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY," was adopted with Senator Slom voting "No".

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

##### RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.:                      Re-referred to:

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H.B. No. 865, H.D. 1 Committee on Ways and Means

**RE-REFERRAL OF A SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

S.R. No.:	Re-referred to:
S.R. No. 29	Committee on Higher Education, then to the Committee on Ways and Means

**ADJOURNMENT**

At 12:10 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 19, 2010.

## THIRTY-FIFTH DAY

Friday, March 19, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:39 a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. Larry Corbett, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senators Hemmings and Takamine who were excused.

The President announced that she had read and approved the Journal of the Thirty-Fourth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Taniguchi commended and congratulated the 'Iolani School Middle School Orchestra for taking top honors at the American String Teacher's Association's 2010 National Orchestra Festival. Representing the orchestra were Orchestra Director Katharine Hafner; Assistant Orchestra Director Joan Wehrman; and students John Cole, Kyle Flores, Emily Donkervoet, and Lauren Goto. Also recognized were other members of the orchestra; Wayne DeMello, Head of Performing Arts at 'Iolani School; as well as parents, family members, and supporters of the orchestra.

Senator Galuteria introduced students from the University of Hawai'i at Hilo College of Hawaiian Language, Ka Haka 'Ula O Ke'elikōlani including: Akeamakamae Kiyuni, who is majoring in Hawaiian Studies and Linguistics; Namakana Davis-Lim, who is majoring in Hawaiian Studies; and Ku'ulei Bezilla, who is majoring in Hawaiian Studies and is a representating senator for Ka Haka 'Ula O Ke'elikōlani College of Hawaiian Language.

At 11:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 a.m.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 76) was read by the Clerk and was placed on file:

Dept. Com. No. 76, from the State Auditor dated March 18, 2010, transmitting a report, "Financial Examination of the Department of Budget and Finance," (Report No. 10-03).

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 270) was read by the Clerk and placed on file:

Hse. Com. No. 270, informing the Senate that on March 18, 2010, the House disagreed to the amendments proposed by the Senate to H.B. No. 1900 (S.D. 1).

## STANDING COMMITTEE REPORTS

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2773) recommending that H.B. No. 2935, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2935, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2774) recommending that H.B. No. 2643, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2643, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2775) recommending that H.B. No. 2257, H.D. 2 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2257, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2776) recommending that H.B. No. 2429, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2429, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2777) recommending that H.B. No. 2698, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2698, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2778) recommending that H.B. No. 2831, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2831, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2779) recommending that H.B. No. 2984, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B.

No. 2984, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2780) recommending that H.B. No. 2132, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2781) recommending that H.B. No. 2354, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2354, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Gabbard, for the Committee on Commerce and Consumer Protection and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2782) recommending that H.B. No. 2631, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations and the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2631, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations and the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2783) recommending that H.B. No. 1684, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1684, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Espero, for the Committee on Commerce and Consumer Protection and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2784) recommending that H.B. No. 2092, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2092, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Hee, for the Committee on Public Safety and Military Affairs and the Committee on Water, Land,

Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2785) recommending that H.B. No. 1818, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1818, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2786) recommending that H.B. No. 2595, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2595, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2787) recommending that H.B. No. 1901, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1901, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Hee, for the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2788) recommending that H.B. No. 2441, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2441, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2789) recommending that H.B. No. 2503, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2503, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2790) recommending that H.B. No. 2290, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2290, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO AGRICULTURE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2791) recommending that H.B. No. 2085, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2085, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2792) recommending that H.B. No. 2583, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2583, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2793) recommending that H.B. No. 2582, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2582, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2794) recommending that H.B. No. 2775, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2775, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Baker, for the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2795) recommending that H.B. No. 1926, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1926, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Tokuda, for the Committee on Economic Development and Technology and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2796) recommending that H.B. No. 2382, H.D. 1, as

amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2382, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DIGITAL MEDIA,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2797) recommending that H.B. No. 2568, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2568, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2798) recommending that H.B. No. 2306, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2306, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2799) recommending that H.B. No. 1287, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1287, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Takamine and Baker, for the majority of the Committee on Labor and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2800) recommending that H.B. No. 2897, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2897, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTRACTORS,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2801) recommending that H.B. No. 2133, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2133, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” passed Second Reading

and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2802) recommending that H.B. No. 2505, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Tokuda, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2803) recommending that H.B. No. 2056, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2056, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2804) recommending that H.B. No. 2376, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2376, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2805) recommending that H.B. No. 2377, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2377, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2806) recommending that H.B. No. 2486, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2486, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto, Chun Oakland, and Hee, for the Committee on Education and Housing and the Committee on Human Services and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2807) recommending that H.B. No. 2318, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2318, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Takamine, Chun Oakland, and Ige, for the Committee on Labor and the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2808) recommending that H.B. No. 2461, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2461, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2809) recommending that H.B. No. 2741, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2741, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2810) recommending that H.B. No. 2409, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2409, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2811) recommending that H.B. No. 2901, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2901, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2812) recommending that H.B. No. 2288, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2288, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Baker and Nishihara, for the Committee on Commerce and Consumer Protection and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 2813) recommending that H.B. No. 2783, H.D. 2, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2783, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2814) recommending that H.B. No. 2875, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2875, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RESERVE TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2815) recommending that H.B. No. 2962, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2962, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2816) recommending that H.B. No. 2000, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2000, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2817) recommending that H.B. No. 1390, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1390, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2818) recommending that H.B. No. 674, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 674, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep.

No. 2819) recommending that H.B. No. 2923, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2923, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Baker, for the Committee on Economic Development and Technology and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2820) recommending that H.B. No. 2877, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2877, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2821) recommending that H.B. No. 2945, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2945, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee, Hooser, and Fukunaga, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment and the majority of the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2822) recommending that H.B. No. 2421, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2421, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Hooser, for the Committee on Health and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2823) recommending that H.B. No. 2170, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2170, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2824) recommending that H.B. No. 2774, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2774, H.D. 2, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2825) recommending that H.B. No. 2027, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2027, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 22, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2826) recommending that S.C.R. No. 44, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 44, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE UNIVERSITY OF HAWAII AT HILO COLLEGE OF PHARMACY'S EFFORTS TO OBTAIN FEDERAL FUNDING TO ESTABLISH THE BIG ISLAND OF HAWAII AS A BEACON COMMUNITY," was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2827), recommending that S.R. No. 29, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE UNIVERSITY OF HAWAII AT HILO COLLEGE OF PHARMACY'S EFFORTS TO OBTAIN FEDERAL FUNDING TO ESTABLISH THE BIG ISLAND OF HAWAII AS A BEACON COMMUNITY," was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2771 (Gov. Msg. No. 352):

Senator English moved that Stand. Com. Rep. No. 2771 be received and placed on file, seconded by Senator Espero and carried.

Senator English then moved that the Senate advise and consent to the nomination of MICHAEL TRESLER, CPA to the Commission on Transportation, term to expire June 30, 2011, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Gabbard, Hemmings, Takamine).

Stand. Com. Rep. No. 2772 (Gov. Msg. No. 316):

Senator Hee moved that Stand. Com. Rep. No. 2772 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of KAIWI NUI YOON to the Legacy Land Conservation Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Gabbard, Hemmings, Takamine).

#### THIRD READING

H.B. No. 2845, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Sakamoto and carried, H.B. No. 2845, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Gabbard, Hemmings, Takamine).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

H.B. No.:	Re-referred to:
H.B. No. 2561	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations and the Committee on Ways and Means
H.B. No. 2676, H.D. 1	Committee on Judiciary and Government Operations

#### RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.:	Re-referred to:
S.C.R. No. 186	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology and the Committee on Higher Education

#### RE-REFERRAL OF A SENATE RESOLUTION

The Chair re-referred the following Senate resolution that was offered:

S.R. No.:	Re-referred to:
S.R. No. 86	Jointly to the Committee on Education and Housing and the Committee on Economic Development and Technology and the Committee on Higher Education

#### ADJOURNMENT

At 11:55 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, March 22, 2010.

## THIRTY-SIXTH DAY

Monday, March 22, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:36 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Bert M. Sumikawa, Kapolei Buddhist Sangha, after which the Roll was called showing all Senators present with the exception of Senator Tsutsui who was excused.

The President announced that she had read and approved the Journal of the Thirty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kidani, with the assistance of Senators Kim, Baker, and Galuteria, recognized and honored the life and contributions of the Honorable Patsy Takemoto Mink in celebration of National Women's History Month. Senator Kidani introduced several of the Honorable Patsy T. Mink's family members including daughter Professor Wendy Mink; brother Mr. Eugene Takemoto, his wife Mrs. Frances Takemoto, and their daughter Ms. Jo Ann Kagawa; and longtime office manager Ms. Joan Manke and her husband Mr. James Manke, a former staff member. Senator Kim introduced other family members seated in the gallery including Maureen and Mark Farineau, Jean Igarashi, Aaron and Cindy Kagawa, Kristi Kagawa, Phyllis Takara, Wayne and Shawn Takemoto, Julie Tamura, Calvin Tamura, and Ruth Tamura. Senator Baker introduced former staff members seated in the gallery including Paula Jorgensen, Florence Kong Lee, Herb Lee, Reese Nakamura, Joanne Nakashima, Linnie Pascual, Janelle Saneishi, Joanne Tachibana, Jayson Watts, Carol Ross, and Alice Mak. Senator Galuteria introduced friends and colleagues seated in the gallery including Amy Agbayani, Kimberlee Bassford, Steve Beaudry, Faye Kennedy, Richard and Ann Port, Judy Sobin, Joanne Tachibana, Alda Mae Takabayashi, Carol Takahashi, Cynthia Takenaka, Jim Mak, and Watters Martin.

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 367 to 376) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 367, dated March 12, 2010, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Fund, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS, was placed on file.

Gov. Msg. No. 368, dated March 19, 2010, transmitting the Governor's statement of objections to Senate Bill No. 771, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS

HONOLULU

March 19, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 771

Honorable Members  
Twenty-Fifth Legislature

State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 771, entitled 'A Bill for an Act Relating to Appraisals.'

The purpose of this bill is to require real estate appraisers to comply with the Uniform Standards of Professional Appraisal Practice when they are acting as arbitrators. The bill also requires that the record of an award in an arbitration proceeding conducted by an appraiser include specific findings of fact, evidence, and the appraiser's reasoning for the award.

This bill is objectionable because appraisers who serve as arbitrators are not engaging in the practice of real estate appraisal. The fact that arbitration is being conducted for the purpose of determining the value of real estate does not cure this objection. Arbitration is an alternative dispute resolution process used to reach a compromise solution, and not an appraisal. In an arbitration proceeding, the parties submit their cases to an impartial person or panel for what is intended to be a final, binding decision.

During an arbitration proceeding to determine the value of real estate, both sides typically hire their own appraisers as expert witnesses. These expert witnesses are required by state statute to follow the Uniform Standards of Professional Appraisal Practice ("USPAP") if they perform an appraisal. Arbitrators therefore have an opportunity to evaluate competing and USPAP conforming appraisals and make an accordingly informed decision.

Forcing arbitrators to use USPAP would require them to follow a standard that is not applicable to their proceedings, increasing costs and lengthening the process of arbitration. It would be more appropriate to require these panels to follow the Uniform Arbitration Act, as set forth in Chapter 658A of the Hawaii Revised Statutes, and amend the chapter to specify the award explanation.

While requiring arbitrators to comply with USPAP is not an appropriate mechanism for improving transparency, there is some merit in the second element of this legislation, which would require that the record of an award in an arbitration proceeding conducted by an appraiser include specific findings of fact, evidence, and the appraiser's reasoning for the award. Parties to arbitrations that determine the value of real estate might indeed benefit from a more detailed rationale for an arbitration award. Accordingly, legislation along these lines may be worth pursuing in the future, with the input of all stakeholders. However, while improving the transparency of these types of arbitration proceedings deserves attention, this bill, as written, is not the appropriate mechanism for achieving that goal.

For the foregoing reasons, I am returning Senate Bill No. 771 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

was placed on file.

Gov. Msg. No. 369, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of ALENA N. MEDEIROS, term to expire June 30, 2010, was referred to the Committee on Labor.

Gov. Msg. No. 370, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of ALENA N. MEDEIROS, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 371, submitting for consideration and confirmation to the Commission on Transportation, the nomination of JOHN B. RAY, term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 372, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of DUANE C.K. LAU, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 373, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of DAVID G. RIETOW, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 374, submitting for consideration and confirmation to the Board of Agriculture, the nomination of JERRY L. ORNELLAS, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 375, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of DAVID C. GOODE, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 376, letter dated March 18, 2010, transmitting proposed changes to the Appropriations Act (H.B. No. 2200) for the Department of Accounting and General Services, the Department of the Attorney General, the Department of Human Services, the Department of Land and Natural Resources, the Department of Taxation, the Department of Hawaiian Home Lands, and the Department of Transportation, was placed on file.

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 271) was read by the Clerk and placed on file:

Hse. Com. No. 271, informing the Senate that on March 19, 2010, the House agreed to the amendments proposed by the Senate to H.C.R. No. 18, and H.C.R. No. 18, S.D. 1 was finally adopted in the House of Representatives.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2828) recommending that H.B. No. 1992, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1992, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 24, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2829) recommending that H.B. No. 2721, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2721, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 24, 2010.

#### ORDER OF THE DAY

##### THIRD READING

H.B. No. 1853, S.D. 1:

Senator Sakamoto moved that H.B. No. 1853, S.D. 1 pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure as follows:

"First of all, Madam President, as you know, I do not support bans on things but the idea of banning ice cream and candy from public school sales—you know, just how far is too far, as we go? The body the bill talks about, the DOE, following the authoritative rules of wellness—it would be so much more refreshing if the DOE followed the authoritative rules of education of our children and leaving things like ice cream and candy and the very few things that we can still enjoy in this country left to people. As one of my staff members said, 'It's like taking candy from a baby.' Well, in fact it is taking candy from a baby; and Madam President, how will we now be able to stand up and say, 'I scream, you scream, we all scream for ice cream?' Thank you, Madam President."

The motion was put by the Chair and carried, H.B. No. 1853, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Hee, Tsutsui).

H.B. No. 2027, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2027, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hee, Tsutsui).

Senator Baker rose on a point of personal privilege and said:

"As we honored Patsy T. Mink, Congresswoman and woman extraordinaire on our floor today, I wanted to rise and just offer a few comments on the passing of Liz Carpenter.

"Liz Carpenter, as many of you know—maybe those of you that are closer to my age range than others—Liz Carpenter was the first woman to serve as an executive assistant to the Vice President of the United States, Lyndon Baines Johnson, and then became press secretary to the First Lady Mrs. LadyBird Johnson. And the thing that most people remember as I was listening to the commentary on her life was that Liz Carpenter was the one who penciled the 55 words or so that the new President of the United States offered to the nation after the passing of John Fitzgerald Kennedy. However, the thing that I remember about her was her wit and her passion for equity. I had the good fortune to work with her when I was in Washington, D.C., many years ago on the Equal Rights Amendment—she co-chaired the national coalition, ERAmerica, to push for ratification of the ERA and was one of the co-founders of the National Women's Political Caucus. Like Patsy Mink, Liz Carpenter fought tirelessly for equal rights for women. And I just thought we would be remiss on a day that we honored Patsy Mink for her groundbreaking accomplishments on behalf of young women and girls, if we did

not offer a few words of appreciation, acknowledgment, and condolence on the passing of Liz Carpenter. Thank you, Madam President.”

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.”

**RE-REFERRAL OF A HOUSE BILL**

The Chair re-referred the following House bill that was received:

H.B. No.:                      Re-referred to:

H.B. No. 2964, H.D. 1    Committee on Ways and Means

**ADJOURNMENT**

At 12:36 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 23, 2010.

## THIRTY-SEVENTH DAY

Tuesday, March 23, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:45 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Brickwood Galuteria, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Hee who was excused.

The President announced that she had read and approved the Journal of the Thirty-Sixth Day.

At this time, the following introduction was made to the members of the Senate:

Senator Hooser introduced a group of 7<sup>th</sup> and 8<sup>th</sup> grade students from Chiefess Kamakahelei Middle School who were involved in Skills USA, including Kaiea Iwasaki, Gregie Delos Santos, Taylor Cabacungan, Race Nakamura, Kal Anacleto, Justin Doi, and their teacher Mr. Justin Carvalho. Skills USA is a non-profit national organization that is a partnership of students, teachers and industry representatives working together to ensure America has a strong skilled workforce by helping students who are preparing for a career in trade, technical and skilled service occupations.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 377 to 379) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 377, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of MATTHEW R. WILLIAMS, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 378, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of CHUCK Y. GEE, term to expire June 30, 2015, was referred to the Committee on Higher Education.

Gov. Msg. No. 379, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of RONALD D. MONTGOMERY, term to expire June 30, 2015, was referred to the Committee on Higher Education.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 77) was read by the Clerk and was placed on file:

Dept. Com. No. 77, from the University of Hawaii dated March 19, 2010, transmitting a report on a Security Breach at the University of Hawaii's Pacific Aviation Training Center, Honolulu Community College, Kalaeloa Site, pursuant to Section 487N-4, Hawaii Revised Statutes.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 272 and 273) were read by the Clerk and were placed on file:

Hse. Com. No. 272, informing the Senate that on March 22, 2010, the House disagreed to the amendments proposed by the Senate to H.B. No. 2845, H.D. 1 (S.D. 1).

Hse. Com. No. 273, informing the Senate that on March 22, 2010, the House reconsidered its action taken on March 12, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2427, H.D. 1 (S.D. 1).

## STANDING COMMITTEE REPORTS

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2830) recommending that the Senate advise and consent to the nomination of GORDON M. DURANT to the State Council on Mental Health, in accordance with Gov. Msg. No. 218.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2830 and Gov. Msg. No. 218 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2831) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

JOANN W.L. YUEN, in accordance with Gov. Msg. No. 208;

JOANN W.L. YUEN, in accordance with Gov. Msg. No. 209;

CAROLINE M.T. CADIRAO, in accordance with Gov. Msg. No. 257;

CAROLINE M.T. CADIRAO, in accordance with Gov. Msg. No. 258; and

JOSHUA I. SMALLEY-BOWER, in accordance with Gov. Msg. No. 259.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2831 and Gov. Msg. Nos. 208, 209, 257, 258, and 259 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2832) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kaua'i Service Area Board of the following:

CRYSTAL LEE AGUINALDO, in accordance with Gov. Msg. No. 215;

THOMAS E. DORSEY PHD, in accordance with Gov. Msg. No. 216; and

BRENDA K. VIADO CRC, in accordance with Gov. Msg. No. 217.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2832 and Gov. Msg. Nos. 215, 216, and 217 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2833) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

LUCY MILLER PHD, in accordance with Gov. Msg. No. 289;

LYNN K. MURAKAMI-AKATSUKA, in accordance with Gov. Msg. No. 290; and

LYNN K. MURAKAMI-AKATSUKA, in accordance with Gov. Msg. No. 291.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2833 and Gov. Msg. Nos. 289, 290, and 291 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2834) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Kaua'i Subarea of the following:

KATHLEEN A. CLARK, in accordance with Gov. Msg. No. 213; and

KATHLEEN A. CLARK, in accordance with Gov. Msg. No. 214.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2834 and Gov. Msg. Nos. 213 and 214 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2835) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Tri-Isle Subarea of the following:

ANNE TRYGSTAD, in accordance with Gov. Msg. No. 260;

ANNE TRYGSTAD, in accordance with Gov. Msg. No. 261; and

MARTHA J. TURNER, in accordance with Gov. Msg. No. 262.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2835 and Gov. Msg. Nos. 260, 261, and 262 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2836) recommending that the Senate advise and consent to the nomination of MARCIANO D. AQUINO to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 211.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2836 and Gov. Msg. No. 211 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2837) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

JOAN M. BELLARD, in accordance with Gov. Msg. No. 204;

ANNEMARIE L. KALAMA, in accordance with Gov. Msg. No. 205;

ANNEMARIE L. KALAMA, in accordance with Gov. Msg. No. 206; and

JOSEPH CURTIS TYLER III, in accordance with Gov. Msg. No. 207.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2837 and Gov. Msg. Nos. 204, 205, 206, and 207 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2838) recommending that the Senate advise and consent to the nomination of TAMAH-LANI S.K. NOH to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 210.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2838 and Gov. Msg. No. 210 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2839) recommending that the Senate advise and consent to the nomination of KEVIN D. CASSEL to the Board of Health, in accordance with Gov. Msg. No. 212.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2839 and Gov. Msg. No. 212 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2840) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Windward Oahu Subarea of the following:

JOHN C. KEENE, in accordance with Gov. Msg. No. 263; and

JOHN C. KEENE, in accordance with Gov. Msg. No. 264.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2840 and Gov. Msg. Nos. 263 and 264 was deferred until Wednesday, March 24, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2841) recommending that the Senate advise and consent to the nomination of RICHARD E. MEIERS to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 292.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2841 and Gov. Msg. No. 292 was deferred until Wednesday, March 24, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2842) recommending that the Senate advise and consent to the nomination of ELIZABETH KENT to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 220.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2842 and Gov. Msg. No. 220 was deferred until Wednesday, March 24, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2843) recommending that H.C.R. No. 70 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2843 and H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THOSE WHO PROVIDE SUPPORT TO THE FAMILIES OF DEPLOYED MEMBERS OF THE ARMED FORCES," was deferred until Wednesday, March 24, 2010.

Senators Espero and English, for the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2844) recommending that H.B. No. 2351, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2845), recommending that S.C.R. No. 100 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was referred to the Committee on Ways and Means.

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

"The Hawai'i Medal of Honor Joint Session will convene at 2:00 p.m. in the House Chambers. All members are asked to report to the House Chamber by 1:45 p.m."

At this time, Senator Hooser made a late introduction in order to recognize all the remaining students from Chiefess Kamakahahei Middle School involved in Skills USA.

At 11:52 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 3, to award the Hawai'i Medal of Honor to United States military service members with Hawai'i connections who were killed in action while serving in dangerous, volatile, and unstable areas of the world, including Iraq and Afghanistan.

#### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, was called to order at 2:03 p.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

The Speaker then addressed the Chamber, stating:

"This is indeed a monumental occasion. We honor the members of the Armed Forces of the United States with ties to Hawaii who fought and died bravely in a combat zone designated by Presidential Order.

"On behalf of the Senate President and all of the members of the Hawai'i State Legislature, I convey our deepest condolences to our very special guests—the family, the friends, and colleagues of loved ones who have lost their lives overseas in the Middle East. Our prayers are with you, and we are honored of your presence here today.

"At this time, please rise for the posting of the colors by the Joint Service Color Guard, the Hawai'i Air National Guard, and the Royal Guard; and remain standing for the singing of the National Anthem and 'Hawai'i Pono'i' by Ms. Tracy Toguchi, which will be followed by the invocation by Reverend William H. Kaina.

"Joint Service Color Guard and Royal Guard, please present the colors."

At this time, the members of the Twenty-Fifth Legislature and special guests rose for the Posting of Colors by the Joint Service Color Guard, the Hawai'i Air National Guard, and the Royal Guard.

The members of the Legislature and guests remained standing for the singing of the National Anthem and "Hawai'i Pono'i" by Ms. Tracy Toguchi.

The Divine Blessing was then invoked by Reverend William H. Kaina

At this time, the Speaker thanked the Joint Service Color Guard, the Royal Guard, Ms. Toguchi, and Reverend William H. Kaina for their participation in today's ceremony.

The Speaker then addressed the members of the Legislature and guests as follows:

"Good afternoon and aloha!

"This is the fifth year that I stand at this dais in tribute to the recipients of the Hawaii Medal of Honor. It has not gotten any easier. Each year, I cannot reflect on the lives prematurely lost in the Middle East without feeling profound sorrow. I see the faces of the loved ones they have left behind, etched with a sadness and pain that I cannot possibly assuage. I wish I could...

"All I can do is to tell you that each of you has lost a remarkable father, mother, son, daughter, uncle, aunt, cousin, or friend this past year...a true American patriot.

"While we take our everyday lives for granted, our soldiers are dying on foreign soil, under unforgiving conditions, to ensure that the rest of us may continue our lives and lifestyles. By their willingness to 'walk the walk', instead of just 'talk the talk, and by sacrificing their own personal security, they are giving us life's most precious gifts, that of liberty and freedom. We must always remember that these freedoms are not free—they have been paid for by the blood of our men and women in the armed forces.

"I only hope that you, who have lost loved ones, will be comforted in knowing that their sacrifice will not be forgotten. Many of you may not remember what was said today, but everyone will remember the brave men and women who perished in combat for the United States of America, and the ideals for which we stand. Each will be a part of a chapter in American history. Each will join the ranks of other gallant soldiers, who perished before them in conflicts dating back to our independence...all for the sake of democracy.

"President Abraham Lincoln expressed it best when he learned of Mrs. Bixby, a mother who lost two sons during the Civil War. He wrote to her to say, in part:

*I cannot refrain from tendering you the consolation that may be found in the thanks of the republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.*

"I leave you with the knowledge that, one day, the name of your valiant soldier will be permanently inscribed in stone for future generations of Americans to know and appreciate. They will become eternal...like the light from the skies that brightly blesses our state and our country...forever.

"I wish you peace, comfort, and serenity in the memory of our fallen heroes. Aloha."

The Speaker then stated:

"Before proceeding any further, I would like to take this opportunity to acknowledge the presence of our military and congressional leaders."

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twenty-Fifth Legislature:

The Honorable Linda Lingle, Governor of the State of Hawai'i;

Representing the Honorable Daniel K. Akaka, United States Senator—Mr. Ricky Oshiro;

Representing the Honorable Mazie Hirono, United States Congresswoman—Ms. Auli'i George;

Mr. Bill Paty, Civilian Aide to the Secretary of the Army Emeritus;

Ms. Christina Kemmer, Civilian Aide to the Secretary of the Army Emeritus;

Lieutenant General Keith Stalder, Commander, Marine Forces Pacific, and Mrs. Susan Stalder;

Major General Robert G. F. Lee, the Adjutant General, Hawai'i Department of Defense;

Major General Darryll D. M. Wong, Commander, Hawai'i Air National Guard;

Major General Michael J. Terry, Commanding General, 8<sup>th</sup> Theater Sustainment Command, and Mrs. Cathy Terry;

Representing Lieutenant General Benjamin Mixon and the United States Army Pacific—Brigadier General John Ma;

Brigadier General Gary M. Ishikawa, Deputy Adjutant General, Hawai'i Department of Defense;

Representing General Gary North and the Pacific Air Forces and 13<sup>th</sup> Air Force—Brigadier General H. Brent Baker, Sr.;

Brigadier General Stephen L. Jones, Commander, Tripler Army Medical Center;

Representing Major General Bernard S. Champoux and the 25<sup>th</sup> Infantry Division—Brigadier General James C. Nixon;

Brigadier General Alan Lynn, Commanding General, 331<sup>st</sup> SC (Theater), and Mrs. Brook Lynn;

Representing the Hawai'i Army National Guard—Brigadier General Gary M. Hara, Assistant Adjutant General, and Mrs. Dianne Hara;

Rear Admiral Dixon R. Smith, Commander, Navy Region Hawai'i, and Mrs. Kiki Smith;

Brigadier General Joseph Kim, Commander, 154<sup>th</sup> Wing, and Mrs. Kim;

Representing Rear Admiral Manson K. Brown, 14<sup>th</sup> Coast Guard District—Rear Admiral Steve Mehling;

Representing the Hawai'i Army National Guard—Colonel Arthur Logan and Mrs. Gaylene Logan; and

Representing Brigadier General Alexander Kozlov and the 9<sup>th</sup> Mission Support Command—Colonel Timothy Schroth.

At this time, the Speaker presented to the members of the Twenty-Fifth Legislature and special guests the Honorable Linda Lingle, Governor of the State of Hawai'i.

The Governor addressed the Joint Session and guests as follows:

“Senate President Colleen Hanabusa, House Speaker Calvin Say, legislators, Major General Bob Lee, all the military leaders here with us today, especially to the husbands and wives, mothers and fathers, sisters and brothers, sons and daughters, and other loved ones of the fallen: I regret that we had to gather

here today. Nonetheless, it's important that we do so in order to honor the 28 service members part of our Hawai'i 'ohana who gave the ultimate sacrifice of their life.

“I want to commend Representative Mark Takai and members of the Legislature for the formulation and initiation of this Medal of Honor ceremony and for it taking place each year. We need to come together to recognize the sacrifice that was made, and we need to put it into a historic, as well as a modern, context. These Americans who gave their lives so that we could be secure in our freedoms and free from terrorism did so much more than that for the people of Iraq so that they could be free, and for the people in Afghanistan and the freedoms that will follow there. I can't help but think as a woman what life was like for women in Afghanistan, in particular, before America's commitment; and while it's a huge price to pay, the fact is before America's involvement women were treated like pack animals—young girls not able to go to school, no woman able to reach her potential in that country. And in fact, that's what the terrorists want for the entire world: They want a place where women are no better than animals. So, this sacrifice is one that no words can ever equal; they pale in comparison to the sacrifice that was made, and yet we each want to offer specific words of gratitude to each of the family members and loved ones.

“The recent elections in Iraq tell a part of the story of the sacrifice of these men and women because the candidates in Iraq who were backed by the extremist religious groups did not get elected. There would have been no elections without the sacrifice of the men and women we honor today, as well as thousands of others who gave their lives. Our United States forces will continue to be drawn down in Iraq, projected to be down to 50,000 by the end of August of this year, with all troops expected to be out by the end of 2011; and by the grace of God that will occur so the people of Iraq will be able to defend their own new, stable, and democratic country in the middle of the Middle East. It was these American troops and their sacrifices that made this happen. Just like America did in World War I, World War II, and Korea, it was your loved ones who allowed people worldwide to enjoy freedom.

“I was asked yesterday by one of the members of my personal security detail who has children—we were talking about education issues—and this person asked me do I believe there should be a standard curriculum in America, that schools everywhere in America should be teaching exactly the same thing. And I told him that while I think schools on the east coast and the west coast may come at issues in a slightly different way because of the way our histories have developed, I believe as a fact every American child should grow up understanding the fact that if not for the sacrifices of tens of thousands of Americans as well as their families, the world today would not be free. Not only would America not be free, no nation on earth would be free had it not been for the sacrifices we made as Americans, and others made, in the Second World War. So yes, I believe American children need to be taught that in clear, unequivocal terms that it's our sacrifices, it's our sacrifices today that are enabling people to live in freedom where they wouldn't have freedom if not for these men and women and for the support of their families. America has always been a beacon for liberty. We have fought for those who could not fight for themselves. This is especially true about our Hawai'i-based troops—Kāne'ohe marines, soldiers from the 25<sup>th</sup> Infantry Division, and our own National Guard 29<sup>th</sup> Infantry Brigade Combat Team—who have served and assisted Iraq in their national elections.

“To the families who are here today, I know I speak on behalf of Senate President Hanabusa, Speaker Say, indeed every elected official in the State, and all of the people who we represent that we owe you a tremendous debt of gratitude, that

we appreciate you taking the time and going through the effort to be here today. Your sacrifice is laudable and extremely honorable. We wanted you to know that from our perspective, although the loss can never be healed completely, your family members were not lost in vain. The fact that we believe that does not take away your pain, but future generations will look at these family members as heroes. All of you will remain in the hearts and in the thoughts of the people of Hawai'i. We all owe you, along with the rest of America, a tremendous debt of thanks and gratitude."

The Speaker thanked the Governor for her insights, then called upon Major General Robert Lee to deliver his remarks on behalf of the military.

General Lee addressed the Joint Session and guests as follows:

"Thank you, Speaker Say. Good afternoon and aloha. I want to thank everyone for coming to this Medal of Honor ceremony today. Your presence here is a strong testimony to the great support that Hawai'i has for our military personnel, our veterans, and their families.

"Again, we gather here at the State Capitol for this solemn ceremony, and this year we honor 28 soldiers, marines, sailors, and airmen, including members of our own Hawai'i Army National Guard's 29<sup>th</sup> Infantry Brigade Combat Team, who gave their lives for our nation.

"Our nation remains engaged on two fronts, Afghanistan and Iraq; and our brave men and women in our armed forces continue to serve in harm's way as they have done for these past nine years. In the combat zone, they sacrificed and they fought for their buddies. For their fellow Americans, they fought for the ideals found in our Constitution. They each swore to support and defend and to bear true faith and allegiance to our Constitution.

"Our 28 heroes we honor today more than fulfilled any obligations they owed to us. That is why it's so difficult for families and friends to comprehend their loss, taken in their prime of life and whose full potential will not be realized. We will lament the missed birthdays, anniversaries, holidays, and thousands of other daily events that could've been. We will continue to mourn this premature passing of our brothers and sisters in arms.

"The State Medal of Honor is Hawaii's way to remember our soldiers, sailors, marines, airmen, and coast guardsmen who made the ultimate sacrifice, to show our appreciation to their families, to share their loss, and to assure them that they will always be part of our state's 'ohana, or family. It doesn't matter if a service member grew up in Hawai'i or first set foot upon these beautiful islands as part of a Hawai'i-based unit—they are still embraced as part of our 'ohana. We appreciate even more President Abraham Lincoln's humble wisdom at Gettysburg: 'When brave young men and women die, it is their deeds, not our words, that are remembered. It is their sacrifice, not our brief recollection, that will offer everlasting testimony to their love for others and their love for us.'

"So, to the family and friends of our fallen heroes, I humbly ask that you accept this Hawai'i Medal of Honor on behalf of the people of Hawai'i, who today and forever shall be your devoted 'ohana. May God bless all of you, and may God bless the United States of America."

The Speaker then stated:

"Thank you, Major General Lee for your leadership. Madam Clerk, please begin the announcement of the Hawai'i Medal of Honor recipients."

At this time, the House Clerk proceeded to read the names of the following individuals who were represented by family members, friends, and colleagues to receive their medals and certificates:

United States Army Specialist Cwislyn K. Walter;  
United States Army First Lieutenant Daniel B. Hyde;  
United States Army Sergeant Devin C. Poche;  
United States Army Corporal Michael J. Anaya;  
United States Air Force First Lieutenant Roslyn L. Schulte;  
United States Army Sergeant Jasper K. Obakrairur;  
United States Army Major Rocco M. Barnes;  
United States Marine Corps Lance Corporal Joshua R. Whittle;  
United States Army Corporal Casey L. Hills;  
United States Marine Corps Corporal Matthew R. Lembke;  
United States Marine Corps Lance Corporal James D. Argentine;  
United States Marine Corps Lance Corporal Travis T. Babine;  
United States Marine Corps Sergeant Jay M. Hoskins;  
United States Marine Corps Corporal Christian A. Guzman Rivera;  
United States Marine Corps Lance Corporal Joshua M. Bernard;  
United States Marine Corps Lance Corporal John J. Malone;  
United States Marine Corps Lance Corporal Zachary D. TenBrook;  
United States Army Chief Warrant Officer 2 Earl R. Scott III;  
United States Marine Corps Lance Corporal Mark David Juarez; and  
United States Marine Corps Lance Corporal Jacob A. Meinert.

At this time, the Senate Clerk stated:

"We would also like to recognize the following service members who also served and sacrificed their lives."

The Senate Clerk proceeded to read the names of the following individuals whose families were not able to attend today's ceremony:

United States Army Specialist Christopher P. Sweet;  
United States Army Sergeant Raphael A. Futrell;  
United States Navy Lieutenant Junior Grade Francis L. Toner IV;  
United States Army Command Sergeant Major Benjamin Moore Jr.;  
United States Army Staff Sergeant Randy S. Agno;  
United States Navy Petty Officer 3<sup>rd</sup> Class (Hospital Corpsman) Anthony C. Garcia;  
United States Marine Corps Lance Corporal Alfonso Ochoa Jr.; and  
United States Army Chief Warrant Officer 2 Mathew C. Heffelfinger.

At this time, Speaker Say stated:

"Members of the House and members of the Senate, please recognize and thank the recipients' family members, friends and colleagues who have joined us in the Chamber today."

At this time, President Hanabusa made the following announcement:

"Members of the House and Senate and special guests, please rise and turn your attention to the rotunda level for the 21-gun Salute and the playing of 'Taps'. This will be followed by a moment of silence. Members of the Hickam Base Honor Guard, please proceed."

A 21-gun Salute and Taps were then carried out by the U.S. Air Force and the U.S. Navy.

The President then gave her closing remarks as follows:

“In the 2005 legislative session, what has come to be known as Act 21 was passed into law. It is time for us to reflect as to what exactly the Legislature intended at that time. The preamble says, ‘The purpose of this Act is to provide for a Hawaii medal of honor that would help express the deep appreciation and gratitude of the people of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedoms.’ It is all but a small token of the appreciation of the people of this state for your loved ones who have touched us by either serving in our military establishments here or being one of our keiki o ka ‘āina, as we would say.

“Let’s look at what has been represented for the past five years: There have been 269 medals presented in these chambers. In the year 2006, there were 120. I remember the medals came after 9/11, and part of the 120 of that year reflected 83 who had died in combat in Afghanistan and Iraq since 9/11 up to the date February 14, 2005. In 2007, 67 medals were given. In 2008, 31. In 2009, 23; and this year, 28. For us, there are truly 269 medals too many, and we may not say that to the loved ones who are here to receive the medals. And for many of us, five years is too long. And each year, I know Speaker and I sit at this dais; we always look at each other say, ‘I hope this is the last year.’

“This is one of the most difficult things that we do as a legislative body, and this year Sergeant Hoskins’ two children made it very difficult. And I thought at that time, ‘What do you say to two young boys? What do you say to them?’ Then I reflected upon something that I recall: I was there when the Medal of Honor was presented to the 442<sup>nd</sup> in Washington, D.C. One of my classmates’ father was a recipient who never mentioned anything. When I asked him, ‘Why? Why did you not even mention that you were a Silver Star recipient, and that even to get him to go to the Medal of Honor ceremonies was a task.’ He said, ‘I did what I did for my country so that my children would never have to see war again.’ And I thought, today especially as we watched those two young children, that that is probably why everyone in uniform serves—so that we will never need to see war. But we need all of you because you are so willing, and many of them have given the ultimate sacrifice so the rest of us can sit here, stand here, and engage in open debate and open discussion because you have done the ultimate sacrifice and that’s to ensure our freedom and our ability to be Americans and our ability to appreciate all the freedoms that this country represents.

“So please, on behalf of the State of Hawai‘i, of the people of this wonderful place that we all call home, accept our deep-felt thanks to all of you, the loved ones, and all of you who are in uniform who will continue to serve so that we may benefit from the greatest freedoms on this earth and the wonderful right to be Americans and to call the United States our home. Thank you very much.”

The President then stated:

“Members of the House and Senate, and special guests, please rise for the retiring of the colors.”

At this time, the members of the Twenty-Fifth Legislature and special guests rose for the Retiring of the Colors by the Joint Service Color Guard and the Hawai‘i Air National Guard, Royal Guard.

The President stated:

“There being no further business, I declare this Joint Session adjourned.”

At 3:13 p.m., President Hanabusa declared the Joint Session adjourned.

#### ADJOURNMENT

At 3:13 p.m., the Senate adjourned until 11:30 a.m., Wednesday, March 24, 2010.

## THIRTY-EIGHTH DAY

Wednesday, March 24, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:46 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Feleai "Fele" Tau, Office of the Honorable Josh Green, M.D., Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Seventh Day.

At this time, the following introduction was made to the members of the Senate:

Senator Gabbard recognized and congratulated the officers and members of the Hawai'i Farmers Union for their efforts to encourage and advance the invaluable work of farmers and the importance of restorative and sustainable agriculture in the state. The Hawai'i Farmers Union was represented by Lydi Morgan, Vice President; Ramonda Hillawe Gamayo, Secretary; Pamela Boyar, Board Member; Travis Overly, Member; Jay Ogden, Board Member; and Annie Suite, Board Member.

At 11:52 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 380 and 381) were read by the Clerk and were placed on file:

Gov. Msg. No. 380, informing the Senate that on March 23, 2010, the Governor signed into law Senate Bill No. 2602, H.D. 1 as Act 9, entitled: "RELATING TO REAL ESTATE LICENSEES."

Gov. Msg. No. 381, letter dated March 18, 2010, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of a \$40,000,000 FY 10 emergency general fund appropriation for the health care payments program (HMS 401) and a corresponding federal match to address a funding shortfall in the Medicaid program, and defer to the Legislature to find a suitable bill to insert draft language.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 274 to 276) were read by the Clerk and were placed on file:

Hse. Com. No. 274, returning S.B. No. 2772, S.D. 2, which passed Third Reading in the House of Representatives on March 23, 2010.

Hse. Com. No. 275, informing the Senate that the House agreed to the amendments proposed by the Senate to H.B. No. 2427, H.D. 1, and H.B. No. 2427, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives on March 23, 2010.

Hse. Com. No. 276, informing the Senate that on March 23, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 1853 (S.D. 1); and  
H.B. No. 2027, H.D. 1 (S.D. 1).

## STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2846) recommending that S.C.R. No. 142, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING RESEARCH AND THE ESTABLISHMENT OF A POLICY GROUP TO INFORM THE DEPARTMENT OF EDUCATION'S DETERMINATION OF ITS CORE MISSION AND CORE FUNCTIONS," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2847) recommending that S.C.R. No. 110, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2848) recommending that S.C.R. No. 109, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A TRANSITION PLAN FOR THE TRANSFER OF THE HAWAII STATE PUBLIC LIBRARY SYSTEM FROM THE BOARD OF EDUCATION TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2849) recommending that S.C.R. No. 108, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 108, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ESTABLISH A CONSISTENT FUNDING FORMULA, PROCESS, OR BOTH, BY WHICH EQUITABLE FUNDING TO CHARTER SCHOOLS IS DETERMINED," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2850) recommending that S.C.R. No. 95, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT A TASK FORCE BE

ESTABLISHED TO IDENTIFY THE LIBRARY SERVICES NEEDED IN UNDERSERVED COMMUNITIES AND SEEK COMMUNITY SOURCES OF FUNDING TO OFFSET THE LOSS OF FUNDING TO LIBRARIES," was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2851) recommending that S.C.R. No. 126 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2851 and S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION," was deferred until Monday, March 29, 2010.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2852) recommending that H.B. No. 1868, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1868, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2853) recommending that H.B. No. 2289, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2289, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 2010.

Senators Baker and English, for the Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2854) recommending that H.B. No. 1927, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1927, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 2010.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 2830 (Gov. Msg. No. 218):

Senator Ige moved that Stand. Com. Rep. No. 2830 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of GORDON M. DURANT to the State Council on Mental Health, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2831 (Gov. Msg. Nos. 208, 209, 257, 258, and 259):

Senator Ige moved that Stand. Com. Rep. No. 2831 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

JOANN W.L. YUEN, term to expire June 30, 2010 (Gov. Msg. No. 208);

JOANN W.L. YUEN, term to expire June 30, 2014 (Gov. Msg. No. 209);

CAROLINE M.T. CADIRAO, term to expire June 30, 2010 (Gov. Msg. No. 257);

CAROLINE M.T. CADIRAO, term to expire June 30, 2014 (Gov. Msg. No. 258); and

JOSHUA I. SMALLEY-BOWER, term to expire June 30, 2012 (Gov. Msg. No. 259),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2832 (Gov. Msg. Nos. 215, 216, and 217):

Senator Ige moved that Stand. Com. Rep. No. 2832 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kuaʻi Service Area Board of the following:

CRYSTAL LEE AGUINALDO, term to expire June 30, 2013 (Gov. Msg. No. 215);

THOMAS E. DORSEY PHD, term to expire June 30, 2014 (Gov. Msg. No. 216); and

BRENDA K. VIADO CRC, term to expire June 30, 2014 (Gov. Msg. No. 217),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2833 (Gov. Msg. Nos. 289, 290, and 291):

Senator Ige moved that Stand. Com. Rep. No. 2833 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

LUCY MILLER PHD, term to expire June 30, 2014 (Gov. Msg. No. 289);

LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2010 (Gov. Msg. No. 290); and

LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2014 (Gov. Msg. No. 291),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2834 (Gov. Msg. Nos. 213 and 214):

Senator Ige moved that Stand. Com. Rep. No. 2834 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Health Planning Council, Kaua'i Subarea of the following:

KATHLEEN A. CLARK, term to expire June 30, 2010 (Gov. Msg. No. 213); and

KATHLEEN A. CLARK, term to expire June 30, 2014 (Gov. Msg. No. 214),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2835 (Gov. Msg. Nos. 260, 261, and 262):

Senator Ige moved that Stand. Com. Rep. No. 2835 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Health Planning Council, Tri-Isle Subarea of the following:

ANNE TRYGSTAD, term to expire June 30, 2010 (Gov. Msg. No. 260);

ANNE TRYGSTAD, term to expire June 30, 2014 (Gov. Msg. No. 261); and

MARTHA J. TURNER, term to expire June 30, 2013 (Gov. Msg. No. 262),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2836 (Gov. Msg. No. 211):

Senator Ige moved that Stand. Com. Rep. No. 2836 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of MARCIANO D. AQUINO to the Emergency Medical Services Advisory Committee, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2837 (Gov. Msg. Nos. 204, 205, 206, and 207):

Senator Ige moved that Stand. Com. Rep. No. 2837 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

JOAN M. BELLARD, term to expire June 30, 2014 (Gov. Msg. No. 204);

ANNEMARIE L. KALAMA, term to expire June 30, 2010 (Gov. Msg. No. 205);

ANNEMARIE L. KALAMA, term to expire June 30, 2014 (Gov. Msg. No. 206); and

JOSEPH CURTIS TYLER III, term to expire June 30, 2014 (Gov. Msg. No. 207),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2838 (Gov. Msg. No. 210):

Senator Ige moved that Stand. Com. Rep. No. 2838 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of TAMAH-LANI S.K. NOH to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2839 (Gov. Msg. No. 212):

Senator Ige moved that Stand. Com. Rep. No. 2839 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of KEVIN D. CASSEL to the Board of Health, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2840 (Gov. Msg. Nos. 263 and 264):

Senator Ige moved that Stand. Com. Rep. No. 2840 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Health Planning Council, Windward Oahu Subarea of the following:

JOHN C. KEENE, term to expire June 30, 2010 (Gov. Msg. No. 263); and

JOHN C. KEENE, term to expire June 30, 2014 (Gov. Msg. No. 264),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2841 (Gov. Msg. No. 292):

Senator Ige moved that Stand. Com. Rep. No. 2841 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of RICHARD E. MEIERS to the Statewide Health Coordinating Council, term to expire June 30, 2012, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2842 (Gov. Msg. No. 220):

Senator Taniguchi moved that Stand. Com. Rep. No. 2842 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of ELIZABETH KENT to the Commission to Promote Uniform Legislation, term to expire June 30, 2014, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**ADOPTION OF A RESOLUTION**

**MATTER DEFERRED FROM  
TUESDAY, MARCH 23, 2010**

Stand. Com. Rep. No. 2843 (H.C.R. No. 70):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THOSE WHO PROVIDE SUPPORT TO THE FAMILIES OF DEPLOYED MEMBERS OF THE ARMED FORCES," was adopted.

**THIRD READING**

H.B. No. 1992, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 1992, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2721, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 2721, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Slom rose on a point of personal privilege and said:

"Madam President and colleagues, I had an angry constituent call me yesterday. Can you imagine that? An angry constituent. And he said he was concerned about my vote on a particular bill that was registered as a vote 'with reservations', or as the Senate President likes to say, 'W/R: Wimpy

Republican.' I assured him, 'Oh, no, no. No, no, no. I voted "no" on that bill.' And he said, 'No, no, no. I'm looking at the official website and it says you voted "with reservations." ' And so we went to the final report of the committee and so forth, and we found out that he was right, that I had in fact voted 'no' on the bill, and we were trying to unravel the procedure as to how you get a vote corrected once it's been reported. And so I was urged to stand up today, bare my soul, call upon God and man, and to request that a change be made.

"We're talking about a vote that took place on the 8<sup>th</sup> of March in the TIA Committee on House Bill 2667. Now Madam President, you and my colleagues know I take meticulous notes during committees, and since I do believe in paper and, you know, God's trees and so forth, I write everything down, including who's present, what the votes are, what the discussion is. House Bill 2667, H.D. 1 happens to be a bill that calls for a state study of a state-operated ferry system. Now Madam President, you know I could not support a state ferry system after supporting the Superferry; and so in consultation with the people in charge, there was an error. We're not exactly sure how the error occurred because we do, of course, live in a no-fault state so no one could possibly be at fault, but I'm requesting that the vote be corrected and reflect my 'no' vote on that particular bill, and so I appeal to the Senate President, to the Senate Clerk, to the Committee which seems to have no problem with making that change.

"I did note that in the Senate Rules, under 'Rule 25: Committees', it says, 'The final report of the committee shall be attested to by the signature of the chair on behalf of the members of the committee. The action of the committee on the bill or resolution or any amendments thereto, if any, and the final vote of each member of the committee recorded by the chair or the chair's designee at a decision-making meeting shall not be changed in the review of the report, unless the change is made at an open decision-making meeting conducted with a quorum of the committee present.' So I would suggest that this is an open meeting, that all members are present today, and I would just like to make sure that everything was taken of. But I am very happy that we do have constituents that read, that go to our website, and that call us upon our votes or non-votes. So that's my point today, Madam President. Thank you for your consideration."

At this time, the Chair made the following announcement:

"Re-referrals are made in accordance with the re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

**RE-REFERRAL OF A  
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.:	Re-referred to:
S.C.R. No. 224	Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs

**RE-REFERRAL OF A SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

S. R. No.:	Re-referred to:
S.R. No. 115	Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs

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**ADJOURNMENT**

At 12:09 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, March 29, 2010.

## THIRTY-NINTH DAY

**Monday, March 29, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Frank Diehl, Tree of Life Christian Ministries, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Eighth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kidani introduced a group of 3<sup>rd</sup> grade students from Mililani 'Ike Elementary School, who were accompanied by their teachers Melanie Honda, Kris Tanioka, Jamie Ueyama, and Randi Shibuya; and chaperones Jennifer Hera, Yumi Gilliland, Michelle Yamashiro, Gloria Lau, Mary Vogt, Terri Lane, Lia Patrick, Jacie Muramoto, Shauna Garcia, Joni Hirasu, Shannen Osborne, Ryan and Carianne Komata, Diane Yoshimura, and Tammy Yasuda.

Senator Sakamoto introduced members from the Hawaii Charter School network and other members of the charter school community who were seated in the gallery.

Senator Fukunaga, with the assistance of Senators Hee, Slom, Baker, Takamine, Kokubun, and Tokuda, recognized and congratulated the following United States Small Business Administration's 2010 State of Hawai'i Awardees:

Steven Baldrige of Baldrige & Associates Structural Engineering, Inc. (Small Business Person of the Year), along with Lori Honda, Kevin Sakamoto and Kevin Kaji who nominated Steven for this award;

In Chul Kang of HJ Inc, dba as Sunset Chevron (Entrepreneurial Success of the Year), along with Jay Jean who nominated In Chul for this award;

David Erdman, President and CEO of PRTech, LLC (Small Business Exporter of the Year), who was accompanied by Galileo Tan who nominated David for this award, as well as David's enthusiastic employees, wife, and colleagues;

Kerry Honda of Pine Isle Market (SBA Family-Owned Small Business of the Year), along with Mr. Ernest Magaoay who nominated Kerry for this award;

Leslie Mullens of The Playbook Consulting Group (Financial Services Champion of the Year), along with Paul Felix who nominated Leslie for this award;

Derek Kurisu of KTA Superstores/Mountain Apple Brand (Minority Small Business Champion of the Year), along with Derek's brother Dwayne Kurisu;

Brent Norris of Green Collar Technologies (Home-Based Business Champion of the Year) who was unable to attend, along with Stacey Chun Fat who nominated Brent for this award and was also unable to attend;

Cherylle Morrow of Hawaii Women's Business Center (Women in Business Champion of the Year), along with Taylor Kirihara who nominated Cherylle for this award; and

Rojelio Herrera, Jr. and James C. Lewis of ComCom Technologies (Veteran's Business Champion of the Year), along with Davin Nakasato who nominated Rojelio and James for the award;

Also recognized were Jane Sawyer, the newly appointed Director of the Small Business Association Hawai'i District office; and Candace Hahn, the Small Business Week Coordinator.

Senator Taniguchi recognized and congratulated United Fishing Agency, Ltd. for its leadership achievements in service to the food and seafood industry of Hawai'i for more than 57 years, and extended best wishes for continued success in all future endeavors, including new collaborative educational and visitor-oriented activities to inform people of the important cultural, health, and economic roles of the fishing and seafood industry. United Fishing Agency, Ltd. was represented by Mr. Akira Otani, Chairman of United Fishing Agency, who was accompanied by Mr. Brooks Takenaka, Treasurer and Assistant Manager for United Fishing Agency. Also recognized from United Fishing Agency were Mr. Frank Goto, Secretary and General Manager, who was unable to attend; Mr. Danny Otani, President; Mr. Floyd Otani, Vice President; and Mr. Dexter Okada, Vice President and Director.

Senator Taniguchi also recognized the following guests from various associated industries and organizations:

Representing the commercial fishing industry were Scott Barrow, General Manager of Hawaii Longline Association; and Jim Cook, Pacific Ocean Producers;

Representing Hawaii's seafood industry were Bruce Johnson, President of Fresh Island Fish; Guy Tamashiro, Tamashiro Market; Bob Fram, Garden & Valley Island Seafood; Gary Ishimoto, Diamond Head Seafood; and Damon Johnson, Honolulu Fish Company;

Representing the National Oceanic and Atmospheric Administration (NOAA) Pacific Island Fisheries Science Center were Samuel Pooley, Director, and staff from the Fishery Biology and Stock Assessment and Fisheries Monitoring Branches;

Representing the fishing clubs were members of Atlapac—O'ahu's oldest shoreline casting club established in 1926 to promote fishing education and conservation practices—including Roland Galagac, President; Sandi Arakaki, Secretary; and Frank Farm, Alii Holokai Diving Club;

Representing various fishing agencies, non-profits and organizations were Clay Tam, Division of Aquatic Resources—Papio/Ulua Tagging Project; Neil Kanemoto and Billy Chang, Pacific Island Fisheries Group members and volunteers; Stefanie Sakamoto, Mike Sakamoto Memorial Scholarship; Roy Morioka, International Game Fish Association and lifelong fishing club advocate; Tony Costa, Hawaii Nearshore Fishermen; Scotty Furushima, Keiki Kewalo Fishing Conservancy; Dr. John Kaneko, Hawaii Seafood Council;

Representing local fishing television shows and magazines were Dean Sensui of "Hawaii Goes Fishing", Ben Wong of "Let's Go Fishing", and Marc Inouye of *Hawaii Skin Diver* and *Lawaia Magazine*.

At 12:09 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 p.m.

#### MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 382) was read by the Clerk and was placed on file:

Gov. Msg. No. 382, dated March 18, 2010, transmitting the Employees' Retirement System's Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2008.

#### DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 78) was read by the Clerk and was placed on file:

Dept. Com. No. 78, from the Office of Elections dated March 23, 2010, transmitting the Notice of Award to Hart Intercivic, issued March 16, 2010, pursuant to Act 162, Section 56, SLH 2009.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 277 to 281) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 277, transmitting H.C.R. No. 51, which was adopted by the House of Representatives on March 24, 2010, was placed on file.

By unanimous consent, H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK," was deferred.

Hse. Com. No. 278, transmitting H.C.R. No. 203, which was adopted by the House of Representatives on March 24, 2010, was placed on file.

By unanimous consent, H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE EFFORTS OF THE KAUAI BEEKEEPERS ASSOCIATION AND OTHER KEY STAKEHOLDERS FOR THEIR EFFORTS TO ASSIST THE DEPARTMENT OF AGRICULTURE WITH EDUCATION AND PREVENTION OF THE VARROA MITE AND OTHER INVASIVE SPECIES," was deferred.

Hse. Com. No. 279, transmitting H.C.R. No. 230, which was adopted by the House of Representatives on March 24, 2010, was placed on file.

By unanimous consent, H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CLEAN ENERGY INITIATIVE END-USE EFFICIENCY WORKING GROUP TO CONVENE DEVELOPMENT AND BUILDING INDUSTRY STAKEHOLDERS TO IDENTIFY BARRIERS TO IMPLEMENTATION AND WORK TOWARDS A CONSENSUS POSITION TO PROMOTE THE DESIGN AND CONSTRUCTION OF NET ZERO ENERGY BUILDINGS," was deferred.

Hse. Com. No. 280, transmitting H.C.R. No. 265, which was adopted by the House of Representatives on March 24, 2010, was placed on file.

By unanimous consent, H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF THE HAWAII AIR NATIONAL GUARD," was deferred.

Hse. Com. No. 281, transmitting H.C.R. No. 266, which was adopted by the House of Representatives on March 24, 2010, was placed on file.

By unanimous consent, H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNIVERSITY OF HAWAII AND LEAHI HOSPITAL TO REACH A JOINT AGREEMENT ON A COORDINATED MASTER PLAN TO PROVIDE INNOVATIVE LONG-TERM CARE SERVICES," was deferred.

#### STANDING COMMITTEE REPORTS

Senators Sakamoto and English, for the Committee on Education and Housing and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2855) recommending that S.C.R. No. 93, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2855 and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was deferred until Tuesday, March 30, 2010.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2856) recommending that S.C.R. No. 117, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2856 and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE BUILDING OF MODULAR AND FACTORY MANUFACTURED HOMES IN HAWAII," was deferred until Tuesday, March 30, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2857) recommending that S.C.R. No. 107, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2857 and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT TO THE LEGISLATURE REGARDING INFORMATION ON THE PUBLIC SCHOOL JUNIOR KINDERGARTEN PROGRAM," was deferred until Tuesday, March 30, 2010.

Senators Tokuda and Sakamoto, for the Committee on Higher Education and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2858) recommending that S.C.R. No. 103, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2858 and S.C.R. No. 103, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF CREATING A VOCATIONAL/TECHNICAL EDUCATION LEARNING CENTER AT HONOLULU COMMUNITY COLLEGE," was deferred until Tuesday, March 30, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2859) recommending that S.C.R. No. 156, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2859 and S.C.R. No. 156, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO PROMOTE THE USE OF XYLITOL FOR ITS PREVENTIVE AND THERAPEUTIC HEALTH AND ORAL HEALTH BENEFITS AND TO APPROPRIATELY INCORPORATE XYLITOL INTO THE HEALTHY HAWAII INITIATIVE," was deferred until Tuesday, March 30, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2860) recommending that S.C.R. No. 217, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2860 and S.C.R. No. 217, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE CONTRACTING OF THIRD PARTY AGENTS TO INSPECT AND CERTIFY HAWAII-GROWN GREEN COFFEE BEANS," was deferred until Tuesday, March 30, 2010.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2861) recommending that H.B. No. 2157, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2157, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2862) recommending that H.B. No. 2397, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2397, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2863) recommending that H.B. No. 2784, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2784, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2864) recommending that H.B. No. 840, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 840, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARGING BY WRITTEN INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2865) recommending that H.B. No. 1019, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1019, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2866) recommending that H.B. No. 1862, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1862, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2867) recommending that H.B. No. 1863, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1863, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2868) recommending that S.C.R. No. 210, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE CREATION OF A HAWAII ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2869) recommending that S.C.R. No. 212, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 212, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2870), recommending that S.R. No. 108, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 108, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2871) recommending that S.C.R.

No. 42, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2872), recommending that S.R. No. 27, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2873) recommending that S.C.R. No. 155, as amended in S.D. 1, be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE GUARDIANSHIP PROCESS WITH RESPECT TO THE ISSUE OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR POST-ACUTE CARE," was referred to the Committee on Judiciary and Government Operations.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2874) recommending that S.C.R. No. 113, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMITTEE TO DEVELOP A PLAN TO STUDY AND IMPLEMENT STRUCTURAL AND OPERATIONAL IMPROVEMENTS TO INCREASE THE EFFECTIVENESS OF THE HAWAII HEALTH SYSTEMS CORPORATION AND ITS REGIONS," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2875), recommending that S.R. No. 43, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 43, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMITTEE TO DEVELOP A PLAN TO STUDY AND IMPLEMENT STRUCTURAL AND OPERATIONAL IMPROVEMENTS TO INCREASE THE EFFECTIVENESS OF THE HAWAII HEALTH SYSTEMS CORPORATION AND ITS REGIONS," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2876) recommending that S.C.R. No. 122, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2877) recommending that S.C.R. No. 146, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 146, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A HEALTH CARE REFORM TASK FORCE TO EVALUATE METHODS TO IMPROVE THE QUALITY, SAFETY, EFFICIENCY, AND COST OF HAWAII'S HEALTH CARE SYSTEM, TO REDUCE MEDICAL ERRORS AND INCREASE PATIENT SAFETY, TO SEEK SOLUTIONS TO ELIMINATE DOCTOR SHORTAGES, AND TO ADDRESS THE ROLE AND IMPACT OF THE LEGAL SYSTEM IN COMPENSATING VICTIMS INJURED BECAUSE OF MEDICAL ERRORS," was referred to the Committee on Ways and Means.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2878) recommending that S.C.R. No. 12, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2879) recommending that S.C.R. No. 57, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2880) recommending that S.C.R. No. 58, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2881) recommending that S.C.R. No. 59, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was referred to the Committee on Ways and Means.

Senators Fukunaga, Sakamoto, Hee, and Tokuda, for the Committee on Economic Development and Technology and the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2882) recommending that S.C.R. No. 147, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2882 and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS," was deferred until Tuesday, March 30, 2010.

Senators Fukunaga, Sakamoto, Hee, and Tokuda, for the Committee on Economic Development and Technology and the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 2883) recommending that S.R. No. 67, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2883 and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS," was deferred until Tuesday, March 30, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2884) recommending that S.C.R. No. 178, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2884 and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was deferred until Tuesday, March 30, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2885) recommending that S.C.R. No. 208, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2885 and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE LANDS FOR A GOLF COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK," was deferred until Tuesday, March 30, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2886) recommending that S.R. No. 106, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2886 and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE LANDS FOR A GOLF

COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK," was deferred until Tuesday, March 30, 2010.

#### ORDER OF THE DAY

#### ADOPTION OF A RESOLUTION

#### MATTER DEFERRED FROM WEDNESDAY, MARCH 24, 2010

Stand. Com. Rep. No. 2851 (S.C.R. No. 126):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION," was adopted.

#### THIRD READING

H.B. No. 2351, S.D. 1:

On motion by Senator Espero, seconded by Senator English and carried, H.B. No. 2351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1868, H.D. 1:

Senator Takamine moved that H.B. No. 1868, H.D. 1 pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and said:

"You know, it's interesting: We have so many bills each year trying to expand civil service or trying to protect civil service employees, and yet this bill stands out like a sore thumb as something in retaliation for a certain group of civil service employees; and those civil service employees would be the ones that accepted temporary assignments to other agencies or other departments.

"Interestingly enough, there was opposition to this bill from the State Department of Human Resources, from the City and County Human Resources Development Department, and also from the Maui County Personnel Services Department. And I think that that opposition was well-placed because what this does, if enacted, it prohibits civil service employees who accept an appointed position from returning to their civil service positions more than one year later. I don't think we've had anything like this in the past, and as DHRD pointed out in their testimony, this is objectionable for several reasons. Any change to existing collective bargaining agreements pertaining to leaves of absence should be handled through collective bargaining negotiations and not through the Legislature because the collective bargaining process actually takes precedence over any conflicting legislation. Secondly, this bill conflicts with the Hawaii Revised Statutes Chapter 89C, which provides excluded employees with adjustments that are no less than their included counterparts. Thus, this bill would prove to be unenforceable because Chapter 89C takes precedence over additional legislation. And finally, this one year cap on leaves of absence for the purpose of serving in higher level appointed positions limits the opportunity for career civil servants to contribute in leadership capacities and become an effective part of government.

"The Department of Human Resources in the City and County of Honolulu opposed the bill because of the negative impact the bill would have on civil service employees; and the Maui Department of Personnel Services testified that the bill

appears to create divisiveness among the ranks of public employees. So Madam President and colleagues, I really don't know what the genesis of this bill is. I don't know why we would entertain a bill that is going to create divisiveness where the organizations in the counties and the state have said specifically that we're preempted because of Hawaii Revised Statutes and collective bargaining agreements. So, I would urge my colleagues to reconsider or to vote 'no' on this bill. Thank you."

The motion was put by the Chair and carried, H.B. No. 1868, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

H.B. No. 2289, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2289, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1927, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator English and carried, H.B. No. 1927, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair made the following announcement:

"Re-referrals are made in accordance with the re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.: Re-referred to:

H.B. No. 2267, H.D. 1 Committee on Ways and Means

#### RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.: Re-referred to:

S.C.R. No. 124 Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection

Senator Kim, Chair of the Committee on Ways and Means, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1948, H.D. 1.

Senator Kim noted:

"I request a waiver of the 72-hour notice requirement to hold a public hearing on H.B. 1948, H.D. 1. Your Committee received a late request to hear this measure. We'd like to schedule it for public hearing prior to the second decking deadline."

The Chair granted the waiver.

Senator Hee, Chair of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, requested a waiver of the

notice requirement pursuant to Senate Rule 21 for H.B. No. 2561.

Senator Hee noted:

"I request a waiver of the 72-hour notice requirement to hold a public hearing on H.B. 2561, jointly referred to the Water, Land, Ag, and Hawaiian Affairs, Judiciary and Government Operation, and Ways and Means Committees. Your Committees received a late request from my good friend Attorney General Mark Bennett to hear this measure, and we would like to do so."

The Chair granted the waiver.

#### ADJOURNMENT

At 12:28 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 30, 2010.

## FORTIETH DAY

**Tuesday, March 30, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:41 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Fred Hemmings, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Eighth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ige noted that it was National Doctor's Day and recognized and congratulated the Hawai'i Permanente Medical Group for fifty years of comprehensive coordinated and compassionate medical care for the citizens of Hawai'i. Representing the Hawai'i Permanente Medical Group were Dr. Geoffrey Sewell, President and Executive Medical Director; and Janet Liang, President, Hawai'i Region, Kaiser Health Plan and Hospital, Inc. Also recognized were Richele Thornburg, Director of Physician Leadership and Professional Development; Kevin Imanaka, Director of Communications; Frank Richardson, Vice President of Government Relations & Regional Counsel; John Kirimitsu, Legal and Government Relations Consultant; and Phyllis Dendle, Director of Government Relations.

Senator Green rose on a point of personal privilege as follows:

"I just wanted to add a couple words. I think that we've all noticed that there's been a big issue, and that's the national health care debate over the last 15 months or so, I guess resolved with the signing of the measure yesterday. But I think that it should be recognized that what the country is doing, in many ways, is chasing what Kaiser's been doing for many years. They've been providing care in an extraordinarily intelligent and compassionate way, and I really believe that a lot of the models that Kaiser set up is going to guide health care for the future of our country. So, it's wonderful we have them here today."

Senators English and Hemmings recognized Fe Viernes, who was retiring after 24 years of hard work and excellent service for the State of Hawai'i as a custodian, and extended a heartfelt aloha, a warm mahalo, and best wishes for happiness, good health, and continued success in all her future endeavors.

Senator Hemmings rose on a point of personal privilege as follows:

"I wanted to say on behalf of your Minority, Fe, and colleagues, that Fe has been a great joy for all of us on the second floor. It's not often you come to work and run into someone who's happy every day, has a bright smile on her face, and truly is someone who has made a difference in our environment that we work in; and Fe, we're going to miss you terribly. Thank you. Aloha."

Senator Gabbard recognized and congratulated members of the Environmental Review Working Group who conducted a study of the State's environmental review system in 2008 in order to submit a proposal to the Legislature for improvement. Representing the Environmental Review Working Group were Professor Denise Antolini, Mark Fox, Scott Glenn, Dr. Gail Grabowsky, Robert Harris, David Henkin, and Lee Sichter. Other members who were recognized but unable to attend were David Atkin, Katherine Kealoha, Professor Karl Kim, Peter

Rappa, Dean Uchida, and David Arakawa, as well as Lily Bloom Domingo who served as facilitator, and UH graduate student Nicole Lowen.

Senator Fukunaga introduced Valerie Sue, daughter of Newton Sue, former Auditor of the State of Hawai'i; Brent Chapman; former staff members Diana Chang and Wilbert Sakamoto; and current State Auditor Marion Higa.

At 11:56 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 282 to 292) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 282, informing the Senate that on March 29, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 1992, H.D. 1 (S.D. 1), and  
H.B. No. 2721, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 283, transmitting H.C.R. No. 62, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CAREGIVERS AND RECOGNIZING THEIR ROLE IN MAINTAINING THE HEALTH AND WELL-BEING OF HAWAII'S FRAIL AND VULNERABLE POPULATION," was deferred.

Hse. Com. No. 284, transmitting H.C.R. No. 64, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MARCH AS 'ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH,'" was deferred.

Hse. Com. No. 285, transmitting H.C.R. No. 140, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII," was deferred.

Hse. Com. No. 286, transmitting H.C.R. No. 146, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO LEASE THE EWA VILLAGES MANSION AND CEMETERY TO THE EWA HISTORICAL SOCIETY TO PROTECT, PRESERVE, AND RESTORE THESE HISTORICAL PLACES," was deferred.

Hse. Com. No. 287, transmitting H.C.R. No. 178, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII," was deferred.

Hse. Com. No. 288, transmitting H.C.R. No. 242, which was adopted by the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, H.C.R. No. 242, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION," was deferred.

Hse. Com. No. 289, returning S.B. No. 2111, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2111, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred until Wednesday, March 31, 2010.

Hse. Com. No. 290, returning S.B. No. 2340, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2340, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY REGIONAL COUNCIL," was deferred until Wednesday, March 31, 2010.

Hse. Com. No. 291, returning S.B. No. 2697, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2697, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Wednesday, March 31, 2010.

Hse. Com. No. 292, returning S.B. No. 2910, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 29, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2910 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Wednesday, March 31, 2010.

#### STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2887), recommending that S.C.R. No. 71 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2888) recommending that S.C.R. No. 157, as amended in S.D. 1, be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 157, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ESTABLISH LONG-RANGE MASTER

PLANS FOR EACH SCHOOL THAT DETERMINE A CONSISTENT APPROACH TO ADDRESSING LONG-STANDING FACILITIES MAINTENANCE, MANAGEMENT, AND CAPITAL IMPROVEMENT ISSUES," was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and Baker, for the Committee on Education and Housing and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2889) recommending that S.C.R. No. 171, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF ESTABLISHING A FORECLOSURE MITIGATION COUNSELING PROGRAM TO ASSIST HAWAII'S HOMEOWNERS," was referred to the Committee on Ways and Means.

Senators Tokuda and Ige, for the Committee on Higher Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2890) recommending that S.C.R. No. 167, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 167, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO EVALUATE THE NEED FOR AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES," was referred to the Committee on Commerce and Consumer Protection.

Senators English and Hee, for the majority of the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2891) recommending that S.C.R. No. 131, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COST-BENEFIT STUDY TO DETERMINE WHETHER LEASING INCOME CAN BE MAXIMIZED FROM AIRPORT AND HARBOR SPACE THROUGH THE USE OF RETAIL LEASING AGENTS," was referred to the Committee on Ways and Means.

Senators English and Hee, for the majority of the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2892), recommending that S.R. No. 59, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COST-BENEFIT STUDY TO DETERMINE WHETHER LEASING INCOME CAN BE MAXIMIZED FROM AIRPORT AND HARBOR SPACE THROUGH THE USE OF RETAIL LEASING AGENTS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2893)

recommending that H.B. No. 1902, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1902, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2894) recommending that H.B. No. 2600 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2600, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2895) recommending that H.B. No. 2596 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2596, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 31, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2896) recommending that S.C.R. No. 140, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2896 and S.C.R. No. 140, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RESPOND TO KPMG'S RECOMMENDATIONS REGARDING IMPROVEMENTS TO THE DEPARTMENT'S OPERATIONS AND WORKFLOW," was deferred until Wednesday, March 31, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2897) recommending that S.C.R. No. 195, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2897 and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE SIGN LANGUAGE AND OTHER COMMUNICATION STRATEGIES DURING INSTRUCTION TO ENHANCE THE LEARNING OF CHILDREN WITH COGNITIVE AND OTHER DISABILITIES," was deferred until Wednesday, March 31, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2898) recommending that S.C.R. No. 221, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2898 and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND

MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES," was deferred until Wednesday, March 31, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2899) recommending that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

MICHAEL J. MURAKOSHI, in accordance with Gov. Msg. No. 280;

MICHAEL J. MURAKOSHI, in accordance with Gov. Msg. No. 281; and

JENNIFER L. ZELKO, in accordance with Gov. Msg. No. 279.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2899 and Gov. Msg. Nos. 280, 281, and 279 was deferred until Wednesday, March 31, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2900) recommending that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

STEPHEN H. REELITZ, in accordance with Gov. Msg. No. 315;

STEPHEN H. REELITZ, in accordance with Gov. Msg. No. 284;

GEORGE S. THRONAS, JR., in accordance with Gov. Msg. No. 317; and

GEORGE S. THRONAS, JR., in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2900 and Gov. Msg. Nos. 315, 284, 317, and 283 was deferred until Wednesday, March 31, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2901) recommending that the Senate advise and consent to the nominations to the Hawai'i Historic Places Review Board of the following:

NAOMI CLARKE LOSCH, in accordance with Gov. Msg. No. 282; and

JULIE M.E. TAOMIA, in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2901 and Gov. Msg. Nos. 282 and 197 was deferred until Wednesday, March 31, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2902) recommending that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

MARY BEGIER, in accordance with Gov. Msg. No. 286; and

PETER LARRY ROSEGG, in accordance with Gov. Msg. No. 287.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2902 and Gov. Msg. Nos. 286 and 287 was deferred until Wednesday, March 31, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com.

Rep. No. 2903) recommending that the Senate advise and consent to the nomination of BRUCE E. BUCKY to the Small Business Regulatory Review Board, in accordance with Gov. Msg. No. 285.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2903 and Gov. Msg. No. 285 was deferred until Wednesday, March 31, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2904) recommending that the Senate advise and consent to the nomination of CHESTER JAMES ADESSA, JR. to the Commission of Fatherhood, in accordance with Gov. Msg. No. 347.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2904 and Gov. Msg. No. 347 was deferred until Wednesday, March 31, 2010.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2905) recommending that S.C.R. No. 206, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2905 and S.C.R. No. 206, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was deferred until Wednesday, March 31, 2010.

#### ORDER OF THE DAY

#### ADOPTION OF A RESOLUTION

#### MATTER DEFERRED FROM MONDAY, MARCH 29, 2010

Stand. Com. Rep. No. 2855 (S.C.R. No. 93, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 2855 and S.C.R. No. 93, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was adopted with Senator Slom voting "No".

Stand. Com. Rep. No. 2856 (S.C.R. No. 117, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE BUILDING OF MODULAR AND FACTORY MANUFACTURED HOMES IN HAWAII," was adopted.

Stand. Com. Rep. No. 2857 (S.C.R. No. 107, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT TO THE

LEGISLATURE REGARDING INFORMATION ON THE PUBLIC SCHOOL JUNIOR KINDERGARTEN PROGRAM," was adopted.

Stand. Com. Rep. No. 2858 (S.C.R. No. 103, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 103, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF CREATING A VOCATIONAL/TECHNICAL EDUCATION LEARNING CENTER AT HONOLULU COMMUNITY COLLEGE," was adopted.

Stand. Com. Rep. No. 2859 (S.C.R. No. 156, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 156, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO PROMOTE THE USE OF XYLITOL FOR ITS PREVENTIVE AND THERAPEUTIC HEALTH AND ORAL HEALTH BENEFITS AND TO APPROPRIATELY INCORPORATE XYLITOL INTO THE HEALTHY HAWAII INITIATIVE," was adopted.

Stand. Com. Rep. No. 2860 (S.C.R. No. 217, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 217, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE CONTRACTING OF THIRD PARTY AGENTS TO INSPECT AND CERTIFY HAWAII-GROWN GREEN COFFEE BEANS," was adopted.

Stand. Com. Rep. No. 2882 (S.C.R. No. 147, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS," was adopted.

Stand. Com. Rep. No. 2883 (S.R. No. 67, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A WORKING GROUP TO EXAMINE FARM TO SCHOOL MODELS," was adopted.

Stand. Com. Rep. No. 2884 (S.C.R. No. 178, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was adopted.

Stand. Com. Rep. No. 2885 (S.C.R. No. 208, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE

LANDS FOR A GOLF COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK,” was adopted.

Stand. Com. Rep. No. 2886 (S.R. No. 106, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 106, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE GOVERNOR TO AMEND EXECUTIVE ORDER NO. 3665 THAT SET ASIDE LANDS FOR A GOLF COURSE AND TO RE-DEDICATE THOSE LANDS FOR A REGIONAL PARK,” was adopted.

At this time, Senator Fukunaga rose to request that the Senate adjourn on a rising vote to observe a moment of silence in memory of former State Auditor Newton Sue, and the Chair so ordered. Senator Fukunaga also noted that at the appropriate time, she would like to extend a few remarks in memory of Newton Sue.

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 179.

Senator Chun Oakland noted:

“I request a waiver of the 48-hour notice requirement to hold a reconsideration of a decision on S.C.R. 179, jointly referred to the Health and Human Services Committees. The Human Services Committee needs to correct our vote so that this resolution can move forward to meet tonight’s lateral deadline.”

The Chair granted the waiver.

Senator English, Chair of the Committee on Transportation, International and Intergovernmental Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2016.

Senator English noted:

“I request a waiver of the 72-hour notice requirement to hold a public hearing on House Bill 2016. Your Committee received a late request to hear this measure because the House is not moving the Senate companion.”

The Chair granted the waiver.

At this time, the Chair made the following announcements:

“Re-referrals are made in accordance with the re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

“The deadline for filing standing committee reports on Senate resolutions and concurrent resolutions that need to move laterally to the final Senate committee is 6:00 p.m. tonight.”

At this time, Senator Fukunaga rose on a point of personal privilege as follows:

“Colleagues, in remembering Newton Sue, you know for many of us who enjoyed his dry wit and his humor, I’d like to take a few moments to remember him.

“He was born on New Year’s Day, January 1, 1932, in Hilo, Hawai’i, and passed away on February 10, 2010. A 1950 graduate of Hilo High School, Newton Sue attended the University of Hawai’i at Mānoa for two years, and then went on to earn a bachelor’s and master of arts degree from the University of Minnesota, where he majored in political science and minored in journalism.

“After several years of work in national security with Department of Defense, he returned to Hawai’i to continue his service as a public servant. He served very briefly as an administrative assistant to the Majority Floor Leader in the

House of Representatives, and then began a very impressive 24½ year career with the Office of the Auditor. You know, for many of us who remember some of those reports, Newton Sue’s ability to grasp and distill complex issues and produce readily understandable, meaningful solutions was really a very special part of his tenure during his years with the Auditor, and he was recognized by his peers and superiors alike. He rose to the positions of assistant auditor, deputy auditor, and acting auditor for three years between 1988 and 1991 (upon the retirement of Clinton Tanimura, the State’s first auditor).

“During his years as a public servant, his background in political science and journalism served him well, especially the latter, since he wrote numerous committee reports, resolutions, and think-pieces in a behind-the-scenes role, and there have been a number of those behind-the-scenes reports which often grace the floors of the Senate. For much of the time that he spent with the Office of the Auditor, he was the primary editor of the Office’s reports.

“He was deeply respected by all who knew him and admired by those fortunate to work with him. He touched and inspired many; and while we mourn the loss of a father and brother, a friend and colleague, inspirational mentor and community leader, we also celebrate the life of a man who was so committed to public service and the community. We’d like to also request that we recognize his family before we rise—his daughter Valerie Sue, his sister Gertrude Chow, and his colleagues from the Auditor’s Office. Thank you.”

#### STANDING COMMITTEE REPORTS

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate concurrent resolutions and Senate resolutions be referred to committees of last referral. In consequence thereof and subsequent to its recessing at 12:09 p.m., the Senate took the following actions on the following resolutions and standing committee reports:

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2906) recommending that S.C.R. No. 118, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 118, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE CONTRACTING LICENSING LAWS OF OTHER STATES TO CLARIFY WHAT CONSTITUTES ‘INCIDENTAL AND SUPPLEMENTAL’ WORK IN THE CONTEXT OF CONTRACTOR LICENSING,” was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2907), recommending that S.R. No. 49, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 49, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING A REPORT OF THE CONTRACTING LICENSING LAWS OF OTHER STATES TO CLARIFY WHAT CONSTITUTES ‘INCIDENTAL AND SUPPLEMENTAL’ WORK IN THE CONTEXT OF CONTRACTOR LICENSING,” was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep.

No. 2908) recommending that S.C.R. No. 188, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 188, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF A BILL TO PROVIDE FOR OCCUPATIONAL REGISTRATION OF CERTIFIED ATHLETIC TRAINERS," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2909) recommending that S.C.R. No. 230, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 230, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE ADULT MENTAL HEALTH DIVISION," was referred to the Committee on Ways and Means.

Senators Gabbard and Ige, for the Committee on Energy and Environment and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2910) recommending that S.C.R. No. 183, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was referred to the Committee on Ways and Means.

Senators Gabbard and Ige, for the Committee on Energy and Environment and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2911), recommending that S.R. No. 84, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was referred to the Committee on Ways and Means.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2912) recommending that S.C.R. No. 173, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PROVIDE PERMANENT STAFFING AND FUNDING FOR THE HAWAII STATE ENERGY OFFICE," was referred to the Committee on Ways and Means.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2913), recommending that S.R. No. 76, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION URGING THE STATE OF HAWAII TO PROVIDE PERMANENT STAFFING AND FUNDING FOR THE HAWAII STATE ENERGY OFFICE," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2914) recommending that S.C.R. No. 180, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2915), recommending that S.R. No. 81, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 81, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2916), recommending that S.C.R. No. 194 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2917), recommending that S.R. No. 93 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 93, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2918), recommending that S.C.R. No. 169 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT POVERTY REDUCTION TASK FORCE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2919), recommending that S.R. No. 74 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 74, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF A JOINT POVERTY REDUCTION TASK FORCE," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2920) recommending that S.C.R. No. 70, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 70, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," was referred to the Committee on Ways and Means.

Senators Hooser and Nishihara, for the Committee on Energy and Environment and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 2921), recommending that S.C.R. No. 151 be referred to the Committee on Transportation, International and Intergovernmental Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND AIRING OF PUBLIC SERVICE ANNOUNCEMENTS ON COMMERCIAL PASSENGER AIR FLIGHTS TO THE STATE ON THE IMPORTANCE OF CARING FOR THE STATE'S UNIQUE AND FRAGILE ECOSYSTEM," was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2922) recommending that S.C.R. No. 227, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 227, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA," was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2923), recommending that S.R. No. 118, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA," was referred to the Committee on Ways and Means.

Senators Espero and Taniguchi, for the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2924) recommending that S.C.R. No. 191, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 191, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was referred to the Committee on Ways and Means.

Senators Espero and Taniguchi, for the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2925), recommending that S.R. No. 90, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 90, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2926), recommending that S.R. No. 55 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 55, entitled: "SENATE RESOLUTION CONVENING A JOINT LEGISLATIVE WORK GROUP TO DEVELOP RECOMMENDATIONS FOR INCENTIVES TO ASSIST FILM AND CREATIVE MEDIA AND DEFENSE AND DUAL-USE INDUSTRIES," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2927) recommending that S.C.R. No. 123, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 123, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was referred to the Committee on Commerce and Consumer Protection.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2928), recommending that S.R. No. 53, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 53, S.D. 1, entitled: "SENATE RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was referred to the Committee on Commerce and Consumer Protection.

Senators Ige and Chun Oakland, for the Committee on Health and the majority of the Committee on Human Services,

presented a joint report (Stand. Com. Rep. No. 2929) recommending that S.C.R. No. 179, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was referred to the Committee on Commerce and Consumer Protection.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2930) recommending that S.C.R. No. 239, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 239, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM AND THE PREPAID HEALTH CARE ACT," was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2931), recommending that S.R. No. 119, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM AND THE PREPAID HEALTH CARE ACT," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Taniguchi, for the Committee on Human Services and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2932) recommending that S.C.R. No. 82, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE FOR THE DEVELOPMENT OF A STATEWIDE RESPONSE SYSTEM TO ASSIST WITH MISSING OR LOST SENIOR CITIZENS AND OTHER DISORIENTED ADULTS," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Taniguchi, for the Committee on Human Services and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2933) recommending that S.C.R. No. 91, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING AN INVESTIGATING COMMITTEE TO INVESTIGATE CONTESTED CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, AND TO ASSESS THE USE AND APPLICATION OF SECTION 571-46, HAWAII REVISED STATUTES," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Taniguchi, for the Committee on Human Services and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 2934) recommending that S.C.R. No. 7, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 7, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND HOUSE OF REPRESENTATIVES TO CONVENE A WORKING GROUP TO FURTHER STUDY FAMILY COURT CUSTODY EVALUATOR STANDARDS, INCLUDING A MINIMUM CURRICULUM, PROCEDURES AND REQUIREMENTS FOR APPOINTMENT, AND OTHER RECOMMENDATIONS," was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 6:00 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 31, 2010, on a rising vote, observing a moment of silence in memory of Newton Sue.

## FORTY-FIRST DAY

## Wednesday, March 31, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:36 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Joanne Nakashima, Office of the Honorable Gary L. Hooser, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fortieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Slom introduced the following guests who were visiting for the release of the 2010 Hawaii Pork Report: Ms. Jamie Story, President of the Grassroot Institute of Hawai'i; Mr. David Williams, Vice President of Policy for Citizens against Government Waste in Washington, D.C.; and PigFoot.

Senator Espero recognized and congratulated the United Service Organization (USO) of Hawaii for its continued outstanding efforts to support U.S. military personnel and their family members with its unselfish devotion of generosity, and extended warm wishes for its continued efforts and success. Representing the USO of Hawaii were the Chair of the USO Hawaii Advisory Council Karl Kiyokawa, Vice President Hawaii Operations, Tri-West Healthcare Alliance; Chair-Elect of the USO Hawaii Advisory Council Kyle Brockett, Assistant Vice President and Branch Manager of Kaneohe MCBH - Bank of Hawaii; Regional Vice President of USO Pacific Region Tom Kolstad; and the Director of USO Hawaii Eva Laird Smith.

Senator Espero also recognized the following individuals in the gallery who have been supportive of the USO Hawaii Region: Advisory Council members Mildred Courtney and Colonel Jimmie R. Lackey (Ret.); USO Hawaii officials, staff, and volunteers including USO Center Manager – Hickam Air Force Base Elaine Ota; USO Center Manager – Honolulu International Airport William Johnson; Programs Manager Nicole Darity; Military Liaison, USO Hawaii Advisory Council Command Master Chief Petty Officer Earl Gray (U.S. Navy – Pearl Harbor); Command Master Chief Petty Officer Bill Holz (U.S. Navy – Region Hawaii); Sergeant Major James Sutton (United States Marine Corps); from the United States Coast Guard Rear Admiral Manson Brown and Master Chief Petty Officer Leilani Cale-Jones; from the United States Marine Corps Colonel Robert Rice; from the United States Air Force Colonel Sam Barrett, Base Commander, Joint Basing Captain Richard Kitchens; City and County of Honolulu Councilman Gary Okino; from the business community Alan Hayashi of BAE Systems, Mark Torreano of Lockheed Martin, Steve Colon of Hunt Development, Larry Osborn of Northrup Grumman, Charlie Ota of the Chamber of Commerce of Hawaii, Bill Comstock of Outrigger Hotels & Resorts; and other military personnel and USO supporters seated in the gallery.

At 11:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 383 to 398) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 383, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of KARL P. ESPALDON, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 384, submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, the nomination of BRUCE T. KAWANO, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 385, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of MORRIS H. KANESHIRO, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 386, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of CAROL H. IGARASHI, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 387, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of LAURA Y. CHOCK, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 388, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of OLIVIA B. NAGASHIMA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 389, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of EUGENE A. H. MAGNIER MD, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 390, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of LEO MAHER MD, MHA, FAAN, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 391, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of ALAN SERIKAWA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 392, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority, the nomination of R. ERIC HO'OLULUKAMAKANI BEAVER, ESQ., term to expire June 30, 2014, was referred to the Committee on Education and Housing.

Gov. Msg. No. 393, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of TREVOR H. KAINOA DAINES, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 394, submitting for consideration and confirmation to the Environmental Council, the nomination of PETER H. COOPER, term to expire June 30, 2014, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 395, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, the nomination of MICHAEL BUCHAL, term to expire June 30, 2014, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 396, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of HERBERT C. SHARP, term to expire June 30, 2014, was referred to the Committee on Human Services.

Gov. Msg. No. 397, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of FEREDOUN DON PARSA, MD, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 398, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, the nomination of MARK ITARU YAMADA, term to expire June 30, 2014, was referred to the Committee on Higher Education.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 293 to 297) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 293, informing the Senate that on March 30, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 1927, H.D. 2 (S.D. 1);  
H.B. No. 2289, H.D. 2 (S.D. 1); and  
H.B. No. 2351 (S.D. 1),

was placed on file.

Hse. Com. No. 294, transmitting H.C.R. No. 102, H.D. 1, which was adopted by the House of Representatives on March 30, 2010, was placed on file.

By unanimous consent, H.C.R. No. 102, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE VIGOROUS ENFORCEMENT OF EXISTING OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS ON THE USE OF HEXAVALENT CHROMIUM AND URGING THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TO PROMOTE THE USE OF SAFER ALTERNATIVES WITH THE GOAL OF EVENTUALLY BANNING HEXAVALENT CHROMIUM," was referred jointly to the Committee on Labor and the Committee on Health.

Hse. Com. No. 295, transmitting H.C.R. No. 141, which was adopted by the House of Representatives on March 30, 2010, was placed on file.

By unanimous consent, H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE APPLICATION OF HAWAIIAN AIRLINES TO PROVIDE AIRLINE SERVICE TO HANEDA AIRPORT IN TOKYO, JAPAN," was referred jointly to the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 296, transmitting H.C.R. No. 142, which was adopted by the House of Representatives on March 30, 2010, was placed on file.

By unanimous consent, H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES

CONGRESS TO EXPEDITE PAYMENT OF WAR BENEFITS TO FILIPINO VETERANS WHO FOUGHT IN WORLD WAR II BUT WERE SUBSEQUENTLY DENIED THEIR ENTITLED BENEFITS," was referred jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs.

Hse. Com. No. 297, transmitting H.C.R. No. 175, which was adopted by the House of Representatives on March 30, 2010, was placed on file.

By unanimous consent, H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was referred jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2935) recommending that S.C.R. No. 218, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2935 and S.C.R. No. 218, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RIGHT TO DISPLAY THE UNITED STATES FLAG," was deferred until Thursday, April 1, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2936) recommending that S.C.R. No. 235, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2936 and S.C.R. No. 235, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A CLEAN AND SOBER HOME AND HALFWAY HOUSE TASK FORCE," was deferred until Thursday, April 1, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2937) recommending that S.R. No. 79, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2937 and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was deferred until Thursday, April 1, 2010.

Senators Ige and Takamine, for the Committee on Health and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2938) recommending that S.C.R. No. 40, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2938 and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ENFORCEMENT OF EXISTING OSHA REGULATIONS ON THE USE OF HEXAVALENT

CHROMIUM AND URGING OSHA TO DEVELOP SAFER ALTERNATIVES AND BAN HEXAVALENT CHROMIUM," was deferred until Thursday, April 1, 2010.

Senators Tokuda and Fukunaga, for the Committee on Higher Education and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2939) recommending that S.C.R. No. 145, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2939 and S.C.R. No. 145, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII," was deferred until Thursday, April 1, 2010.

Senators Tokuda and Fukunaga, for the Committee on Higher Education and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 2940) recommending that S.R. No. 66, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2940 and S.R. No. 66, S.D. 1, entitled: "SENATE RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII," was deferred until Thursday, April 1, 2010.

Senators Espero and English, for the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2941) recommending that S.C.R. No. 207, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2941 and S.C.R. No. 207, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009," was deferred until Thursday, April 1, 2010.

Senators Espero and English, for the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2942) recommending that S.R. No. 105, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2942 and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009," was deferred until Thursday, April 1, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2943) recommending that the Senate advise and consent to the nomination of ALLAN LOS BANOS JR. to the Board of Directors of the Hawai'i Housing Finance and Development Corporation (HFD), in accordance with Gov. Msg. No. 196.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2943 and Gov. Msg. No. 196 was deferred until Thursday, April 1, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2944) recommending that the Senate advise and consent to the nomination of VOLETTA NOE NOE TOM to the Hawaii

Teacher Standards Board, in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2944 and Gov. Msg. No. 277 was deferred until Thursday, April 1, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2945) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Public Housing Authority (HPHA) of the following:

MATTIE A. YOSHIOKA, in accordance with Gov. Msg. No. 255; and

ROGER K. GODFREY, in accordance with Gov. Msg. No. 278.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2945 and Gov. Msg. Nos. 255 and 278 was deferred until Thursday, April 1, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2946) recommending that the Senate advise and consent to the nomination of JOHN B. RAY to the Commission on Transportation, in accordance with Gov. Msg. No. 371.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2946 and Gov. Msg. No. 371 was deferred until Thursday, April 1, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2947) recommending that H.B. No. 2020, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2947 and H.B. No. 2020, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2948) recommending that H.B. No. 1684, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2948 and H.B. No. 1684, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2949) recommending that H.B. No. 134, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2949 and H.B. No. 134, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2950) recommending that H.B. No. 1944, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2950 and H.B. No. 1944, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was deferred until Tuesday, April 6, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep.

No. 2951) recommending that H.B. No. 1978, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2951 and H.B. No. 1978, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOWING," was deferred until Tuesday, April 6, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2952) recommending that H.B. No. 2297, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2952 and H.B. No. 2297, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2953) recommending that H.B. No. 2568, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2953 and H.B. No. 2568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY," was deferred until Thursday, April 1, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2954) recommending that H.B. No. 2056, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2954 and H.B. No. 2056, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," was deferred until Thursday, April 1, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2955) recommending that H.B. No. 2197, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2955 and H.B. No. 2197, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Thursday, April 1, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2956) recommending that H.B. No. 2548, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

#### **ORDER OF THE DAY**

#### **AGREE/DISAGREE**

#### **MATTERS DEFERRED FROM TUESDAY, MARCH 30, 2010**

S.B. No. 2111, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2111, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred until Thursday, April 1, 2010.

S.B. No. 2340, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 2340, S.D. 1, seconded by Senator Sakamoto.

Senator Hee noted:

"What the House did is make the date good, so the Senate agrees."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2340, S.D. 1, and S.B. No. 2340, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY REGIONAL COUNCIL," was placed on the calendar for Final Reading on Thursday, April 1, 2010.

S.B. No. 2697, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2697, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Thursday, April 1, 2010.

S.B. No. 2910 (H.D. 1):

By unanimous consent, action on S.B. No. 2910 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Thursday, April 1, 2010.

#### **ADVISE AND CONSENT**

Stand. Com. Rep. No. 2899 (Gov. Msg. Nos. 280, 281, and 279):

Senator Fukunaga moved that Stand. Com. Rep. No. 2899 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

MICHAEL J. MURAKOSHI, term to expire June 30, 2010 (Gov. Msg. No. 280);

MICHAEL J. MURAKOSHI, term to expire June 30, 2014 (Gov. Msg. No. 281); and

JENNIFER L. ZELKO, term to expire June 30, 2014 (Gov. Msg. No. 279),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 2900 (Gov. Msg. Nos. 315, 284, 317, and 283):

Senator Fukunaga moved that Stand. Com. Rep. No. 2900 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

STEPHEN H. REELITZ, term to expire June 30, 2010 (Gov. Msg. No. 315);

STEPHEN H. REELITZ, term to expire June 30, 2014 (Gov. Msg. No. 284);

GEORGE S. THRONAS, JR., term to expire June 30, 2010 (Gov. Msg. No. 317); and

GEORGE S. THRONAS, JR., term to expire June 30, 2014 (Gov. Msg. No. 283),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 2901 (Gov. Msg. Nos. 282 and 197):

Senator Fukunaga moved that Stand. Com. Rep. No. 2901 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Hawai'i Historic Places Review Board of the following:

NAOMI CLARKE LOSCH, term to expire June 30, 2014 (Gov. Msg. No. 282); and

JULIE M.E. TAOMIA, term to expire June 30, 2014 (Gov. Msg. No. 197),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 2902 (Gov. Msg. Nos. 286 and 287):

Senator Fukunaga moved that Stand. Com. Rep. No. 2902 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

MARY BEGIER, term to expire June 30, 2014 (Gov. Msg. No. 286); and

PETER LARRY ROSEGG, term to expire June 30, 2014 (Gov. Msg. No. 287),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 2903 (Gov. Msg. No. 285):

Senator Fukunaga moved that Stand. Com. Rep. No. 2903 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of BRUCE E. BUCKY to the Small Business Regulatory Review Board, term to expire June 30, 2014, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 2904 (Gov. Msg. No. 347):

Senator Chun Oakland moved that Stand. Com. Rep. No. 2904 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of CHESTER JAMES ADESSA, JR. to the Commission of Fatherhood, term to expire June 30, 2011, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

#### ADOPTION OF RESOLUTIONS

##### MATTERS DEFERRED FROM TUESDAY, MARCH 30, 2010

Stand. Com. Rep. No. 2896 (S.C.R. No. 140, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 140, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RESPOND TO KPMG'S RECOMMENDATIONS REGARDING IMPROVEMENTS TO THE DEPARTMENT'S OPERATIONS AND WORKFLOW," was adopted.

Stand. Com. Rep. No. 2897 (S.C.R. No. 195, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE SIGN LANGUAGE AND OTHER COMMUNICATION STRATEGIES DURING INSTRUCTION TO ENHANCE THE LEARNING OF CHILDREN WITH COGNITIVE AND OTHER DISABILITIES," was adopted.

Stand. Com. Rep. No. 2898 (S.C.R. No. 221, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TASK FORCE TO MAKE RECOMMENDATIONS FOR AN EDUCATIONAL PROGRAM FOR HIGH SCHOOL ATHLETIC COACHES AND TRAINERS TO AVOID AND MINIMIZE INJURIES TO HIGH SCHOOL ATHLETES," was adopted.

Stand. Com. Rep. No. 2905 (S.C.R. No. 206, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 206, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was adopted.

#### THIRD READING

H.B. No. 2157, H.D. 1, S.D. 1:

On motion by Senator Ige, seconded by Senator Chun Oakland and carried, H.B. No. 2157, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 2397, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 2397, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 2784, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 2784, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 840, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 840, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARGING BY WRITTEN INFORMATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 1019, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 1019, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 1862, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 1862, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 1863, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 1863, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1863, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Tokuda).

H.B. No. 1902, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, H.B. No. 1902, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

H.B. No. 2600:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, H.B. No. 2600, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Tokuda).

H.B. No. 2596:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, H.B. No. 2596, entitled: "A BILL FOR AN ACT

RELATING TO TAX CREDITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

At this time, Senator Hee rose on a point of personal privilege and said:

"Your Committee on Water and Land will be having an informational briefing, an oversight briefing, on the National Park Service report on the State Historic Preservation Division. The State Historic Preservation Division, as most people know, risks losing more than \$1.1 million in federal funding, about half its budget, due to program lapses detailed in a new report by the National Park Service. The Park Service put it on a high-risk grantee status, which is very unusual, due to details of a multitude of persistent problems. The Division is required to meet a list of corrective actions within two years. If it fails, the Park Service will suspend annual matching federal grants. But Laura Thielen, according to a newspaper article, had said, 'Some of the corrective actions are unrealistic because of insufficient resources, fiscal constraints, limited staff, and heavy workload,' regardless of that, according to the Park Service, this has been a pattern of recurrent problems such as: In 2007, Administrator Melanie Chinen resigned following a criticism of her management style and the departure of 19 staff members over a two year period. An additional 18 people have left since then. This is a classic case of Ms. Chinen not meeting the statutory requirements ordered by law for the SHPO. I think we all know that the initial director of DLNR also did not meet the statutory requirements of SHPO, as well as the present SHPO, who also does not meet the statutory requirement; and, to no one's surprise, also the Director of the Office of State Planning doesn't meet the requirements required by statute.

"Therefore, your Committee on Water, Land, and Hawaiian Affairs has invited Mr. Frank Case, the Director of the National Park Service; Ms. Laura Thielen; Ms. Pua Aiu; Ms. Nancy McMahon; Mr. Glenn Mason, a historic architect; Madam Kiersten Faulkner of Historic Hawaii Foundation; and Kevin Mulligan of the HGEA to brief us from their perspective of an oversight hearing on the National Park Service report on the State Historic Preservation Division. As I said earlier, we'll post it today for Saturday, April 3, 2010, at 10:30 a.m. in conference room 229. Thank you."

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the re-referrals listed on the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

"The deadline for filing standing committee reports on House bills that need to pass Second Reading tomorrow is 8:00 p.m. this evening.

"The Chair wishes to inform the body that we have received approximately 24 nominations from the Governor; and as you know, today is the forty-first day, so today is the deadline under our rules. We are deeming those notifications on time, but they will be on tomorrow's Order of the Day."

#### REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The President made the following committee assignments of House concurrent resolutions that were received on Monday, March 29, 2010; and Tuesday, March 30, 2010:

H.C.R. No.:	Referred to:
H.C.R. No. 51	Committee on Human Services
H.C.R. No. 62	Committee on Human Services
H.C.R. No. 64	Committee on Human Services

- H.C.R. No. 102, H.D. 1 Jointly to the Committee on Labor and the Committee on Health
- H.C.R. No. 140 Committee on Higher Education
- H.C.R. No. 141 Jointly to the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs
- H.C.R. No. 142 Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs
- H.C.R. No. 146 Jointly to the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Economic Development and Technology
- H.C.R. No. 175 Jointly to the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs
- H.C.R. No. 178 Committee on Energy and Environment
- H.C.R. No. 230 Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection
- H.C.R. No. 242 Committee on Transportation, International and Intergovernmental Affairs
- H.C.R. No. 265 Committee on Public Safety and Military Affairs, then to the Committee on Ways and Means
- H.C.R. No. 266 Jointly to the Committee on Human Services and the Committee on Higher Education

**RE-REFERRAL OF  
MESSAGES FROM THE GOVERNOR**

The Chair re-referred the following Governor's Messages that were received:

- | G.M. No.:    | Re-referred to:  |
|--------------|--|
| G.M. No. 389 | Committee on Transportation, International and Intergovernmental Affairs |
| G.M. No. 390 | Committee on Transportation, International and Intergovernmental Affairs |
| G.M. No. 391 | Committee on Transportation, International and Intergovernmental Affairs |

**ADJOURNMENT**

At 12:03 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, April 1, 2010.

## FORTY-SECOND DAY

Thursday, April 1, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:39 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Lee Sterling, First Baptist Church of Pearl City, after which the Roll was called showing all Senators present with the exception of Senator Tsutsui who was excused.

The President announced that she had read and approved the Journal of the Forty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kidani introduced her cousin Denise Rowe and Ms. Rowe's daughter Lily, who were visiting from Greensboro, North Carolina.

Senator Kokubun introduced Mr. Grigory Fandeev, a legislator from Karelia, Russia who was participating in NCSL's prestigious Legislative Fellows program and would be in Hawai'i for the entire month of April learning about the legislative process and the workings of the Hawai'i state government.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 399 to 461) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 399, informing the Senate that on March 31, 2010, the Governor signed into law Senate Bill No. 2740 as Act 10, entitled: "RELATING TO SAINT DAMIEN DE VEUSTER DAY," was placed on file.

Gov. Msg. No. 400, informing the Senate that on March 31, 2010, the Governor withdrew the nomination of STUART K. HANCHETT to the Hawaiian Homes Commission, under Gov. Msg. No. 355, dated March 5, 2010.

In compliance with Gov. Msg. No. 400, the nomination listed under Gov. Msg. No. 355 was returned.

Gov. Msg. No. 401, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of STEVEN R. OBERG CPA, term to expire June 30, 2010, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 402, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of STEVEN R. OBERG CPA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 403, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nomination of KEANE K. MURANAKA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 404, submitting for consideration and confirmation to the Hawaii Medical Board, the nomination of CARL K. YORITA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 405, submitting for consideration and confirmation to the Board of Naturopathic Medicine, the nomination of DAVID R. KERN, term to expire June 30, 2014,

was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 406, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of TODD K. INAFUKU, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 407, submitting for consideration and confirmation to the Real Estate Commission, the nomination of SCOTT A. SHERLEY, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 408, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of ALVIN NAAWAO PARKER, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 409, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of KALEIAHIHI K. FERMANTEZ, term to expire June 30, 2010, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 410, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of KALEIAHIHI K. FERMANTEZ, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 411, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of RICHARD SCHNITZLER, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 412, submitting for consideration and confirmation to the Early Learning Council, the nomination of CHARLES E. LARSON, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 413, submitting for consideration and confirmation to the Early Learning Council, the nomination of CRYSTAL RAY K. NAONE, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 414, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of DONALD THOMSON, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 415, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of DALE M. ALLISON PHD, APRN, FAAN, term to expire June 30, 2014, was referred to the Committee on Higher Education.

Gov. Msg. No. 416, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, the nomination of DONN MASAO TAKAKI, term to expire June 30, 2014, was referred to the Committee on Higher Education.

Gov. Msg. No. 417, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Oahu Service Area Board, the nomination of ELLEN ALISSA HEID, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 418, submitting for consideration and confirmation to the Defender Council, the nomination of JEFFREY ALAN HAWK, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 419, submitting for consideration and confirmation to the Defender Council, the nomination of SHIRLEY MIKI KAWAMURA, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 420, submitting for consideration and confirmation to the Board of Registration of the Islands of Kaua'i and Ni'ihau, the nomination of DANIEL KAWAMURA, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 421, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of ELENA M.H. CABATU, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 422, submitting for consideration and confirmation to the Hawai'i Labor Relations Board, the nomination of NORMAN KENICHI KATO II, term to expire June 30, 2011, was referred to the Committee on Labor.

Gov. Msg. No. 423, submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), the nomination of ALAN MUN LEONG YEE, term to expire June 30, 2014, was referred to the Committee on Ways and Means.

Gov. Msg. No. 424, submitting for consideration and confirmation to the Board of Taxation Review, 3rd Taxation District, the nomination of MICHAEL CHANG, term to expire June 30, 2014, was referred to the Committee on Ways and Means.

Gov. Msg. No. 425, submitting for consideration and confirmation to the Island Burial Council, Islands of Kaua'i and Ni'ihau, the nomination of CLISSON KUNANE AIPOALANI, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 426, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of KEKAMAIIKAMAIIKALANI HELM, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 427, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of ROBERT J. PACHECO, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 428, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of LARRY S. SAGARIO, term to expire June 30, 2011, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 429, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of GAIL H. AWAKUNI, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 430, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of LEONARDO FLORES DELGADO, term to

expire June 30, 2012, was referred to the Committee on Education and Housing.

Gov. Msg. No. 431, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of JONATHAN D. KISSIDA, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 432, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of RUTH L. SILBERSTEIN, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 433, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of JEFFREY N. DODGE, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 434, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of DORADEEN M. KANUHA, term to expire June 30, 2011, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 435, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of CLIFFORD P. KAPONO, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 436, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), the nomination of STEVEN CHARLES WHEELWRIGHT, term to expire June 30, 2014, was referred to the Committee on Higher Education.

Gov. Msg. No. 437, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of RONALD G. HAY, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 438, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of LEE A. MANSFIELD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 439, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of AUDREY K. UYEMA PAK, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 440, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of VIRGILIO A. VIERNES, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 441, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, the nomination of ELOISE JOEY ENOS, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 442, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, the nomination of PETER GONZALEZ, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 443, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of ELWOOD EDWARD MACHADO, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 444, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of F. ADELE RUGG, term to expire June 30, 2014, was referred to the Committee on Human Services.

Gov. Msg. No. 445, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of GORDON L. FULLER, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 446, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of MARIE M. BRUEGMANN, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 447, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of JUDITH CORYELL, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 448, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of REGINA GOO, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 449, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of GWEN L. KELIHOOMALU, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 450, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of PINA S. LEMUSU, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 451, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of HOWARD ALAN LESSER, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 452, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of ROBERT SCOTT WALL, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 453, submitting for consideration and confirmation to the Board of Trustees of the Employees' Retirement System (ERS), the nomination of JERRY RAUCKHORST, term to expire January 1, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 454, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of EDWARD R. CRUICKSHANK, term to expire June 30, 2011, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 455, submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), the nomination of MICHELE A. KATO, term to expire June 30, 2014, was referred to the Committee on Ways and Means.

Gov. Msg. No. 456, submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), the nomination of FAYE M. MURAYAMA, term to expire June 30, 2012, was referred to the Committee on Ways and Means.

Gov. Msg. No. 457, submitting for consideration and confirmation to the Tax Review Commission, the nomination of MICHAEL T. MCENERNEY, term to expire June 30, 2012, was referred to the Committee on Ways and Means.

Gov. Msg. No. 458, submitting for consideration and confirmation to the Tax Review Commission, the nomination of GREGG M. TAKETA, term to expire June 30, 2012, was referred to the Committee on Ways and Means.

Gov. Msg. No. 459, submitting for consideration and confirmation to the Board of Agriculture, the nomination of MICHELLE M. GALIMBA, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 460, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nomination of KA'IULANI MURPHY, term to expire June 30, 2012, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 461, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of MOKE KIM, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 298 to 315) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 298, returning S.B. No. 1105, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1105, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 299, returning S.B. No. 2045, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2045, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 300, returning S.B. No. 2137, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2137, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 301, returning S.B. No. 2163, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2163, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 302, returning S.B. No. 2357, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2357, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 303, returning S.B. No. 2432, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

Hse. Com. No. 304, returning S.B. No. 2441, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2441, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 305, returning S.B. No. 2449, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2449 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 306, returning S.B. No. 2488, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2488, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 307, returning S.B. No. 2676, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

Hse. Com. No. 308, returning S.B. No. 2745, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2745, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 309, returning S.B. No. 2754, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

Hse. Com. No. 310, returning S.B. No. 2759, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

Hse. Com. No. 311, returning S.B. No. 2837, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2837, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO LICENSING," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 312, returning S.B. No. 2859, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2859, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 313, returning S.B. No. 2898, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2898, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY

DEPENDANT NURSES," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 314, returning S.B. No. 2921, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2921, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," was deferred until Tuesday, April 6, 2010.

Hse. Com. No. 315, transmitting H.C.R. No. 92, H.D. 1, which was adopted by the House of Representatives on March 31, 2010, was placed on file.

By unanimous consent, H.C.R. No. 92, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU LIQUOR COMMISSION TO STUDY THE FEASIBILITY OF MANDATORY STATEWIDE TRAINING STANDARDS FOR SELLERS AND SERVERS OF ALCOHOLIC BEVERAGES," was deferred.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2957) recommending that H.B. No. 2725, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2725, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2958) recommending that H.B. No. 2724, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2724, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senators Hee and Hooser, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2959) recommending that H.B. No. 1554, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2960) recommending that H.B. No. 2016, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was

placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2961) recommending that H.B. No. 2283, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2283, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2962) recommending that H.B. No. 2676, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2676, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2963) recommending that H.B. No. 1907, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1907, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2964) recommending that H.B. No. 1985, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1985, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2965) recommending that H.B. No. 2594, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2594, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2966) recommending that H.B. No. 2866, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2866, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2967) recommending that H.B. No. 865, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 865, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2968) recommending that H.B. No. 2690, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2969) recommending that H.B. No. 2542, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2542, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2970) recommending that H.B. No. 2200, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2200, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2971) recommending that H.B. No. 1439, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1439, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2972) recommending that H.B. No. 2058, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2058, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senators Gabbard, English, and Hee, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2973) recommending that H.B. No. 2450, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2450, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2974) recommending that H.B. No. 2129, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senators Hee, Taniguchi, and Kim, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 2975) recommending that H.B. No. 2561, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2976) recommending that H.B. No. 1948, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1948, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2977) recommending that H.B. No. 2267, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2267, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2978) recommending that H.B. No. 2003, H.D. 3, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2003, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 6, 2010.

Senators Gabbard and Hee, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2979) recommending that S.C.R. No. 99 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2979 and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO ANALYZE THE POTENTIAL DEVELOPMENT OF GEOTHERMAL ENERGY AS THE PRIMARY ENERGY SOURCE TO MEET THE BASELOAD DEMAND FOR ELECTRICITY ON THE BIG ISLAND," was deferred until Tuesday, April 6, 2010.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2980) recommending that S.C.R. No. 209, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2980 and S.C.R. No. 209, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER (DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES," was deferred until Tuesday, April 6, 2010.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2981) recommending that S.R. No. 107, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2981 and S.R. No. 107, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER (DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES," was deferred until Tuesday, April 6, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2982) recommending that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

JAMES LEE WEANDER, in accordance with Gov. Msg. No. 221; and

JAMES LEE WEANDER, in accordance with Gov. Msg. No. 222.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2982 and Gov. Msg. Nos. 221 and 222 was deferred until Tuesday, April 6, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2983) recommending that the Senate advise and consent to the nomination of GUY SEICHI MORIGUCHI to the Board of Certification of Public Water System Operators, in accordance with Gov. Msg. No. 223.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2983 and Gov. Msg. No. 223 was deferred until Tuesday, April 6, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM WEDNESDAY, MARCH 31, 2010

At 11:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 a.m.

S.B. No. 2111, S.D. 2 (H.D. 1):

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2111, S.D. 2, seconded by Senator English.

Senator English noted:

“Madam President, the House perfected the date on this bill, thereby agreeing to the Senate position.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2111, S.D. 2, and S.B. No. 2111, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,” was placed on the calendar for Final Reading on Tuesday, April 6, 2010.

S.B. No. 2697, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2697, S.D. 1 (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO INSURANCE,” was deferred until Tuesday, April 6, 2010.

S.B. No. 2910 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 2910, seconded by Senator Taniguchi.

Senator Baker noted:

“Madam President, the House made only one clarifying amendment to the Senate draft and it’s acceptable to both co-chairs.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2910, and S.B. No. 2910, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REAL PROPERTY,” was placed on the calendar for Final Reading on Tuesday, April 6, 2010.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2943 (Gov. Msg. No. 196):

Senator Sakamoto moved that Stand. Com. Rep. No. 2943 be received and placed on file, seconded by Senator Kidani and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of ALLAN LOS BANOS JR. to the Board of Directors of the Hawai‘i Housing Finance and Development Corporation (HFD), term to expire June 30, 2014, seconded by Senator Kidani.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2944 (Gov. Msg. No. 277):

Senator Sakamoto moved that Stand. Com. Rep. No. 2944 be received and placed on file, seconded by Senator Kidani and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of VOLETTA NOE NOE TOM to the Hawaii Teacher Standards Board, term to expire June 30, 2013, seconded by Senator Kidani.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2945 (Gov. Msg. Nos. 255 and 278):

Senator Sakamoto moved that Stand. Com. Rep. No. 2945 be received and placed on file, seconded by Senator Kidani and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai‘i Public Housing Authority (HPHA) of the following:

MATTIE A. YOSHIOKA, term to expire June 30, 2014 (Gov. Msg. No. 255); and

ROGER K. GODFREY, term to expire June 30, 2013 (Gov. Msg. No. 278),

seconded by Senator Kidani.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2946 (Gov. Msg. No. 371):

Senator English moved that Stand. Com. Rep. No. 2946 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of JOHN B. RAY to the Commission on Transportation, term to expire June 30, 2014, seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM WEDNESDAY, MARCH 31, 2010

Stand. Com. Rep. No. 2935 (S.C.R. No. 218, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 2935 and S.C.R. No. 218, S.D. 1 be adopted, seconded by Senator Slom.

Senator Hemmings requested that his vote be cast “no” and the Chair so ordered.

Senator Hemmings rose in opposition to the measure as follows:

“Thank you, Madam President and colleagues. It might not seem appropriate for me to be voting against a resolution expressing legislative support for the right to display the United States flag. I voted ‘no’ in committee and feel it’s only responsible for me to follow suit here on the floor of the Senate.

“It’s a very well-crafted resolution and speaks well about the rights of citizens to display their flags in the State of Hawai‘i, but unfortunately, it does not codify that right as was done in House Bill 2311, which passed out of the House and did not

receive a hearing here in the Senate. I would like to say that the federal law, as expressed in the Committee, does protect rights to a certain extent, but they are not all-inclusive and do not satisfy the needs of many citizens in this state who expressed support of House Bill 2311 that would have given them further rights to display their flags in the time and manner which they see fit within their neighborhoods and special districts.

“And I find it rather ironic that we passed a very strident bill that would allow people to fly their laundry in neighborhoods in a manner they see fit, but we would not do the same for the American flag. And though you may hear words to the contrary about this resolution expressing legislative support, we all know resolutions are just that: resolutions. They are not codification. And the total ability for individual citizens in neighborhoods to fly their flags is not protected by the federal law to the extent that this bill would have, and so for that reason, I have to vote ‘no’ against the resolution. Thank you, Madam President.”

Senator Baker rose in support of the measure as follows:

“Madam President, the measure that your Committee on Commerce and Consumer Affairs passed out was, we felt, an appropriate response to some of the concerns that had been raised regarding honoring and flying the American flag. This concurrent resolution highlights the values and ideals that are symbolized by the American flag and underscores the right of all United States citizens to display the flag in an appropriate manner consistent with custom and federal law.

“After reading the testimony on the House side on H.B. 2311, the resolution was introduced—signed by, I think, 17 or so members—to address the underlying concerns that most of the testimony on the House bill acknowledged. Much of the House testimony demonstrated that many were unaware of the preeminent federal law. H.B. 2311, which the Committee did not hear, is not about displaying the flag. It’s not about honoring our flag. It’s not about veterans’ rights. It’s about a flag pole; and as such, it was merely one way to display the flag. Federal law, Public Law 109-243, adopted by the Congress and signed into law on July 24, 2006, already tells condominiums, cooperatives, and planned community associations that they may not adopt or enforce any policy or enter into any agreement that would restrict or prevent a member of the association from displaying the United States flag on his or her own premises. Indeed, the bill, we felt, was somewhat superfluous and unnecessary because the right of homeowners in planned community associations to display the flag is protected under federal law. The appropriate venue, if there are issues with a condominium or homeowners’ association, would be to engage the community association, become a member of the board, and change the policy if they felt that the restrictions in terms of health, safety, visual or whatever were inappropriate, or go to the courts.

“It was important, we felt, to affirm our support for that law, the federal law, and our love of our flag, especially as the Committee considered this measure the day after we awarded the Hawai’i Medal of Honor to 28 brave servicemen and women who paid the ultimate sacrifice for their freedom.

“We believe that this concurrent resolution can help to educate community associations regarding the federal law and foster compliance. We included most of the language of the federal law in the resolution so it could be clear. The Congress of the United States and the President of the United States, on signing this law, acknowledged that there were certain restrictions that condominium associations, cooperatives, and planned community associations could place on just the process of getting the appropriate placement, making sure that if it was a flag pole that it met safety standards (it wasn’t going to topple over), the size of the flag, the height of the flag pole. That’s already been acknowledged; and to my understanding, most of

the condominium associations, planned community associations, and others acknowledge that as well.

“The issue that brought the House bill to the floor was this: A homeowner, who happened to be a veteran, had gone through the process, missed the deadline, and was fined \$100, and didn’t want to pay that \$100. So we have this whole hoopla, and people not understanding what their rights are and not understanding the process, and we think this resolution helps to address that.

“Madam President, in addition to these remarks, I would ask that we include a copy of Public Law 109-243 so that it’s contained in the record, so it’s there for anyone to see if they’re reading through our Journal. (The Chair having so ordered, the copy of Public Law 109-243 is identified as “**ATTACHMENT A**” to the Journal of this day.)

“The issue of the clothesline was raised. Well, with all due respect, there was no compelling federal interest, there was no prevailing federal law that addressed that; and it addressed a public interest, and that was to help people have an alternative to using electricity and machines to dry their clothes. But even there, the condominium association had a right to regulate placement and certain other matters. So, the two are really not related. This is a proposal, or a resolution, that states affirmatively the Legislature’s desire to have all people display the flag, display it appropriately, and to acknowledge and to educate that there is a federal law that allows and requires it.

“So Madam President, I just wanted to add some words because I know that perhaps not all of the members had an opportunity to read the testimony and see some of the other information that was made available to the Committee, and I just wanted to add that for clarification. Thank you, Madam President. I ask all my colleagues to vote up on this measure.”

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.C.R. No. 218, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RIGHT TO DISPLAY THE UNITED STATES FLAG,” was adopted with Senator Hemmings voting “No”.

Stand. Com. Rep. No. 2936 (S.C.R. No. 235, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 235, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A CLEAN AND SOBER HOME AND HALFWAY HOUSE TASK FORCE,” was adopted.

Stand. Com. Rep. No. 2937 (S.R. No. 79, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 79, S.D. 1, entitled: “SENATE RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAEO COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS,” was adopted.

Stand. Com. Rep. No. 2938 (S.C.R. No. 40, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 40, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ENFORCEMENT OF EXISTING OSHA REGULATIONS ON THE USE OF HEXAVALENT

CHROMIUM AND URGING OSHA TO DEVELOP SAFER ALTERNATIVES AND BAN HEXAVALENT CHROMIUM," was adopted.

Stand. Com. Rep. No. 2939 (S.C.R. No. 145, S.D. 1):

Senator Sakamoto moved that the Stand. Com. Rep. No. 2939 and S.C.R. No. 145, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "aye, with reservations" and the Chair so ordered.

Senator Hemmings requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 145, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII," was adopted with Senator Slom voting "Aye with Reservations" and Senator Hemmings voting "No".

Stand. Com. Rep. No. 2940 (S.R. No. 66, S.D. 1):

Senator Sakamoto moved that the Stand. Com. Rep. No. 2940 and S.R. No. 66, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "aye, with reservations" and the Chair so ordered.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 66, S.D. 1, entitled: "SENATE RESOLUTION PROCLAIMING 2010 AS THE YEAR OF ETHNIC STUDIES IN HAWAII," was adopted with Senator Slom voting "Aye with Reservations".

Stand. Com. Rep. No. 2941 (S.C.R. No. 207, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 207, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009," was adopted.

Stand. Com. Rep. No. 2942 (S.R. No. 105, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 208, THE NATIONAL GUARDSMEN AND RESERVISTS PARITY FOR PATRIOTS ACT, AND S. 644, THE NATIONAL GUARD AND RESERVE RETIRED PAY EQUITY ACT OF 2009," was adopted.

#### FINAL READING

S.B. No. 2340, S.D. 1, H.D. 1:

On motion by Senator Hee, seconded by Senator Tokuda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2340, S.D. 1, and S.B. No. 2340, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY REGIONAL COUNCIL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

#### THIRD READING

Stand. Com. Rep. No. 2953 (H.B. No. 2568, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2953 was adopted and H.B. No. 2568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2954 (H.B. No. 2056, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2954 was adopted and H.B. No. 2056, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 2955 (H.B. No. 2197, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2955 was adopted and H.B. No. 2197, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tsutsui).

At this time, Senator Galuteria rose on a point of personal privilege and said:

"As we move into this hallowed Easter weekend, may I begin by saying how stunning you look today, Madam President?"

"Also, your 'Committee on Food Bank' would like to present a report before we finish off today's session; and I'm just so proud to say that we are headed in the right direction with total funds eclipsing the \$10,000 mark, and if we're on point, we will be eclipsing that high bar that Senator Kidani set last year. I also want to say thank you so much to each and every one of our members. We've had some very innovative fundraising going on, everything from cupid notes to Irish notes to malasadas to boiled peanuts to Indian food. But I will say that the four leaders in the categories of fundraising include, in no particular order, the Ways and Means Chair, the Higher Education Chair, the Energy Chair, and the Health Chair; and we thank you very much for your efforts. As a matter of fact, if the look of my office is any indication of the success of the drive, it looks like the Hasegawa General Store with diapers and canned goods. And speaking of, the Senator from Hana over there, he'll be hosting a putting challenge next week, and he wants to invite you to challenge Danny Kaleikini, who's going to be coming and putting against anybody for \$5. Okay? So bear that in mind. And so, I thank you once again for your kind indulgence.

"And one final word on this special day, and I announced this on the radio show that I co-host this morning. It's a very important event that's happening. At 12:30 today, members, a once-in-a-lifetime astronomical event is going to occur, and I wanted to give you heads up. The planet Pluto will pass behind Jupiter, which means that it will counteract—lessen—the earth's gravity. At 12:30 today, wherever you are, tether yourselves to your desks because gravity will be weightlessness; we'll be hanging around for about 30 seconds. April Fools'. Mahalo, Madam President. Thank you."

Senator Hemmings rose on a point of personal privilege and said:

“Thank you, Madam President. As my colleagues no doubt know, this is my swan song and my last session in the Hawai‘i State Legislature, and I would feel remiss if I just faded away. With all the sincerest and best of intent, I wish to share a perspective on something that is going to haunt us—and will haunt us unless we do something—and I’ve been talking about it for several years—in fact produced a white paper two years ago on it—that has recently been echoed by the *Wall Street Journal*, an institution, a paper, that would not print hearsay or undocumented evidence. The editorial says American’s most privileged class are the public union workers and it does, as my paper did several years ago, point out on an item-by-item basis that public workers across this nation exceed in pay and benefits, averagely, that of their counterparts.

“I often hear the word used in our business: fairness, fairness, fairness. We take from the rich and give to the poor to be fair. We take from producers and give to those who aren’t producing to be fair. We take from the healthy and give to those who aren’t so healthy and sometimes those who abuse their own bodies in order to be fair. Well, it’s unfair to the taxpayers of this State and this nation who are underwriting some excessive benefits, so much so that we’ve lost control of our government, Madam President. I’ve heard on this floor oftentimes, ‘We can’t do something here in the legislative body of the State of Hawai‘i because it’s preempted by collective bargaining laws.’ I find that incredulous.

“I used the word the other day in Ways and Means about not taking anything away from anybody, but in the spirit of fairness, balancing things. Give the public workers what their counterparts in the private sector get as far as compensation and benefits go. Well, the *Wall Street Journal* says it better than I. It says, ‘If government workers earned the average of what private workers earn, states and localities would save \$339 billion a year from their more than \$2.1 trillion budgets. These savings are larger than the combined estimate deficits for 2010 and 2011 of every state in America.’ So, we could easily balance our budget just by being fair and giving public workers what their private sector counterparts get.

“I will mention, too, that there are other ways to balance the budget that have been thrown by the wayside by this Legislature. I’ll just mention one; there are many. There was a bill to convert Hawai‘i Health Care Systems into a non-profit, private corporation. We paid, in our ongoing efforts to address this issue, for a report called ‘Stroudwater,’ and of their three essential changes, one was to convert HHSC into a non-profit, private corporation. If that was done, our total annual projected savings would be approximately \$82 million. This year, Maui Memorial, Hilo, and Kona are going to lose \$92 million and will have to be subsidized. That alone would have gone a long way to balance the budget.

“But colleagues, it’s been ten years now, and I’ve tried my best. You’re going to have to deal with this next year, and the year after, and the year after. Let’s do what’s fair for the people of Hawai‘i, all the people of Hawai‘i. Thank you, Madam President.”

Senator Espero rose on a point of personal privilege and said:

“Colleagues, if you read today’s newspaper, very sad news: A member of the Hawai‘i National Guard died Monday in Iraq in a non-combat incident. This definitely brings home the war in the Middle East and the effects and impact it has on our residents and our families. Private First Class Raymond Paclab of Pearl City volunteered to serve with the Virginia Army National Guard, 229<sup>th</sup> Military Police Company, as a unit supply specialist. His death was announced today, and if I may ask that we recess on a moment of silence in honor of Private First Class Raymond Paclab. (The Chair so ordered.) Thank you.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

“The deadline for filing committee reports on House bills to be positioned for Third Reading on Tuesday is 8:00 p.m. tonight.”

#### STANDING COMMITTEE REPORTS

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive standing committee reports recommending that House bills be placed on the calendar for Third Reading. In consequence thereof and subsequent to its recessing at 12:10 p.m., the Senate took the following actions on the following resolutions and standing committee reports:

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2984) recommending that H.B. No. 2288, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2984 and H.B. No. 2288, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES,” was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2985) recommending that H.B. No. 2085, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2985 and H.B. No. 2085, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2986) recommending that H.B. No. 2061, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2986 and H.B. No. 2061, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHILDREN,” was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2987) recommending that H.B. No. 2383, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2987 and H.B. No. 2383, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FLAGS,” was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2988) recommending that H.B. No. 2441, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2988 and H.B. No. 2441, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2989) recommending that H.B.

No. 2349, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2989 and H.B. No. 2349, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2990) recommending that H.B. No. 1190, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2990 and H.B. No. 1190, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2991) recommending that H.B. No. 2132, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2991 and H.B. No. 2132, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2992) recommending that H.B. No. 2575, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2992 and H.B. No. 2575, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2993) recommending that H.B. No. 1808, H.D. 3, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2993 and H.B. No. 1808, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2994) recommending that H.B. No. 2133, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2994 and H.B. No. 2133, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 2995) recommending that H.B. No. 2897, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2995 and H.B. No. 2897, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2996) recommending that H.B. No. 2505, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2996 and H.B. No. 2505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE ACCESS HAWAII COMMITTEE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2997) recommending that H.B. No. 2084, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2997 and H.B. No. 2084, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2998) recommending that H.B. No. 979, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2998 and H.B. No. 979, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2999) recommending that H.B. No. 2318, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2999 and H.B. No. 2318, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3000) recommending that H.B. No. 2670, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3000 and H.B. No. 2670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3001) recommending that H.B. No. 2290, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3001 and H.B. No. 2290, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3002) recommending that H.B. No. 2409, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3002 and H.B. No. 2409, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3003) recommending that H.B. No. 2266, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3003 and H.B. No. 2266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3004) recommending that H.B. No. 2152, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3004 and H.B. No. 2152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3005) recommending that H.B. No. 674, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3005 and H.B. No. 674, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3006) recommending that H.B. No. 2000, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3006 and H.B. No. 2000, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3007) recommending that H.B. No. 1854, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3007 and H.B. No. 1854, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3008) recommending that H.B. No. 2294, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3008 and H.B. No. 2294, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3009) recommending that H.B. No. 2377, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3009 and H.B. No. 2377, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3010) recommending that H.B. No. 2486, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3010 and H.B. No. 2486, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3011) recommending that H.B. No. 415, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3011 and H.B. No. 415, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3012) recommending that H.B. No. 1818, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3012 and H.B. No. 1818, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO COGNITIVE RESTRUCTURING," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3013) recommending that H.B. No. 2461, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3013 and H.B. No. 2461, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3014) recommending that H.B. No. 2533, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3014 and H.B. No. 2533, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3015) recommending that H.B. No. 2919, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3015 and H.B. No. 2919, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3016) recommending that H.B. No. 2239, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3016 and H.B. No. 2239, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3017) recommending that H.B. No. 2503, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3017 and H.B. No. 2503, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3018) recommending that H.B. No. 2582, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3018 and H.B. No. 2582, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3019) recommending that H.B. No. 2583, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3019 and H.B. No. 2583, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3020) recommending

that H.B. No. 2741, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3020 and H.B. No. 2741, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3021) recommending that H.B. No. 2775, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3021 and H.B. No. 2775, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3022) recommending that H.B. No. 2598, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3022 and H.B. No. 2598, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3023) recommending that H.B. No. 2984, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3023 and H.B. No. 2984, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3024) recommending that H.B. No. 2962, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3024 and H.B. No. 2962, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3025) recommending that H.B. No. 2832, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3025 and H.B. No. 2832, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3026) recommending that H.B. No. 2604, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3026 and H.B. No. 2604, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3027) recommending that H.B. No. 2643, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3027 and H.B. No. 2643, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO CLEAN ENERGY BONDS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3028) recommending that H.B. No. 2644, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3028 and H.B. No. 2644, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3029) recommending that H.B. No. 2688, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3029 and H.B. No. 2688, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3030) recommending that H.B. No. 2831, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3030 and H.B. No. 2831, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3031) recommending that H.B. No. 2783, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3031 and H.B. No. 2783, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3032) recommending that H.B. No. 2087, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3032 and H.B. No. 2087, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3033) recommending that H.B. No. 2774, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3033 and H.B. No. 2774, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3034) recommending that H.B. No. 1901, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3034 and H.B. No. 1901, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3035) recommending that H.B. No. 2692, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3035 and H.B. No. 2692, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3036) recommending that H.B. No. 2698, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3036 and H.B. No. 2698, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3037) recommending that H.B. No. 2306, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3037 and H.B. No. 2306, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3038) recommending that H.B. No. 2923, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3038 and H.B. No. 2923, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 6, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3039) recommending that H.B. No. 2083, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3039 and H.B. No. 2083, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILK LABELING," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3040) recommending that H.B. No. 2086, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3040 and H.B. No. 2086, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3041) recommending that H.B. No. 2376, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3041 and H.B. No. 2376, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3042) recommending that H.B. No. 347, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3042 and H.B. No. 347, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 6, 2010.

Senators Taniguchi and Kim, for the Committee on Judiciary and Government Operations and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3043) recommending that H.B. No. 921, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3043 and H.B. No. 921, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3044) recommending that H.B. No. 1987, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3044 and H.B. No. 1987, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3045) recommending that H.B. No. 2421, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3045 and H.B. No. 2421, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3046) recommending that H.B. No. 2595, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3046 and H.B. No. 2595, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3047) recommending that H.B. No. 2381, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3047 and H.B. No. 2381, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3048) recommending that H.B. No. 2667, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3048 and H.B. No. 2667, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERRIES," was deferred until Tuesday, April 6, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3049) recommending that H.B. No. 2661, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3049 and H.B. No. 2661, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, April 6, 2010.

Senators Taniguchi and Kim, for the Committee on Judiciary and Government Operations and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3050) recommending that H.B. No. 2631, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3050 and H.B. No. 2631, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3051) recommending that H.B. No. 40, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3051 and H.B. No. 40, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Tuesday, April 6, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3052) recommending that H.B. No. 2497, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3052 and H.B. No. 2497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, April 6, 2010.

#### **RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

S.C.R. No.:	Re-referred to:
S.C.R. No. 18	Committee on Ways and Means
S.C.R. No. 172	Committee on Public Safety and Military Affairs

#### **RE-REFERRAL OF A SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

S.R. No.:	Re-referred to:
S.R. No. 75	Committee on Public Safety and Military Affairs

#### **ADJOURNMENT**

At 8:00 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 9:00 a.m., Tuesday, April 6, 2010, on a rising vote, observing a moment of silence in memory of Private First Class Raymond Pacleb.

**ATTACHMENT A**

120 STAT. 572

PUBLIC LAW 109-243—JULY 24, 2006

**Public Law 109-243  
109th Congress**

**An Act**

July 24, 2006  
[H.R. 42]

To ensure that the right of an individual to display the flag of the United States on residential property not be abridged.

Freedom to Display the American Flag Act of 2005.  
4 USC 5 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Freedom to Display the American Flag Act of 2005".

4 USC 5 note.

**SEC. 2. DEFINITIONS.**

For purposes of this Act—

(1) the term "flag of the United States" has the meaning given the term "flag, standard, colors, or ensign" under section 3 of title 4, United States Code;

(2) the terms "condominium association" and "cooperative association" have the meanings given such terms under section 604 of Public Law 96-399 (15 U.S.C. 3603);

(3) the term "residential real estate management association" has the meaning given such term under section 528 of the Internal Revenue Code of 1986 (26 U.S.C. 528); and

(4) the term "member"—

(A) as used with respect to a condominium association, means an owner of a condominium unit (as defined under section 604 of Public Law 96-399 (15 U.S.C. 3603)) within such association;

(B) as used with respect to a cooperative association, means a cooperative unit owner (as defined under section 604 of Public Law 96-399 (15 U.S.C. 3603)) within such association; and

(C) as used with respect to a residential real estate management association, means an owner of a residential property within a subdivision, development, or similar area subject to any policy or restriction adopted by such association.

4 USC 5 note.

**SEC. 3. RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES.**

A condominium association, cooperative association, or residential real estate management association may not adopt or enforce any policy, or enter into any agreement, that would restrict or prevent a member of the association from displaying the flag of the United States on residential property within the association with respect to which such member has a separate ownership interest or a right to exclusive possession or use.

PUBLIC LAW 109-243—JULY 24, 2006

120 STAT. 573

**SEC. 4. LIMITATIONS.**

4 USC 5 note.

Nothing in this Act shall be considered to permit any display or use that is inconsistent with—

(1) any provision of chapter 1 of title 4, United States Code, or any rule or custom pertaining to the proper display or use of the flag of the United States (as established pursuant to such chapter or any otherwise applicable provision of law); or

(2) any reasonable restriction pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the condominium association, cooperative association, or residential real estate management association.

Approved July 24, 2006.

## FORTY-THIRD DAY

**Tuesday, April 6, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:11 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Elizabeth A. Zivanov, The Parish of St. Clement, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Forty-Second Day.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 462 to 464) were read by the Clerk and were placed on file:

Gov. Msg. No. 462, informing the Senate that on April 1, 2010, the Governor signed into law Senate Bill No. 2699, S.D. 1 as Act 11, entitled: "RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES."

Gov. Msg. No. 463, letter dated April 1, 2010, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2400, S.D. 1, H.D. 1, which appropriates \$390,000 in general funds in FY 10 to the Office of Elections to fund operating costs for the 2010 regular elections (\$250,000) and to reimburse the City and County of Honolulu for the special election to fill the vacant U.S. House of Representatives seat in Congressional District 1 (\$140,000).

Gov. Msg. No. 464, letter dated April 1, 2010, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1178, S.D. 2, H.D. 2, which appropriates \$40,000,000 in general funds and \$80,000,000 in federal funds for an emergency appropriation in FY 10 for the Health Care Payments program to address a funding shortfall in the Medicaid program.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 316 to 322) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 316, informing the Senate that on April 1, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 840, H.D. 1 (S.D. 1);  
H.B. No. 1019, H.D. 1 (S.D. 1);  
H.B. No. 1862, H.D. 1 (S.D. 1);  
H.B. No. 1863, H.D. 1 (S.D. 1);  
H.B. No. 2157, H.D. 1 (S.D. 1);  
H.B. No. 2397, H.D. 1 (S.D. 1); and  
H.B. No. 2784, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 317, returning S.B. No. 2109, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2109, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," was deferred until Wednesday, April 7, 2010.

Hse. Com. No. 318, returning S.B. No. 2173, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2173, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Wednesday, April 7, 2010.

Hse. Com. No. 319, returning S.B. No. 2685, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2685, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Wednesday, April 7, 2010.

Hse. Com. No. 320, returning S.B. No. 2803, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2803, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," was deferred until Wednesday, April 7, 2010.

Hse. Com. No. 321, returning S.B. No. 2806, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2806, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Wednesday, April 7, 2010.

Hse. Com. No. 322, returning S.B. No. 2825, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2825, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred until Wednesday, April 7, 2010.

**CONFERENCE COMMITTEE REPORTS**

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1642, H.D. 1, presented a report (Conf. Com. Rep. No. 1-10) recommending that H.B. No. 1642, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 1-10 and H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," was deferred for a period of 48 hours.

**STANDING COMMITTEE REPORTS**

Senator Gabbard, for the Committee on Energy and Environment presented a report (Stand. Com. Rep. No. 3053) recommending that the Senate advise and consent to the nomination of LOIS FUJISHIGE to the Kaua'i Aquatic Life and Wildlife Advisory Committee, in accordance with Gov. Msg. No. 256.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3053 and Gov. Msg. No. 256 was deferred until Wednesday, April 7, 2010.

Senator Tokuda, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 3054) recommending that the Senate advise and consent to the nomination of FLORDELINE B. VILA to the Hawai'i Commission for National and Community Service, in accordance with Gov. Msg. No. 203.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3054 and Gov. Msg. No. 203 was deferred until Wednesday, April 7, 2010.

Senator Takamine, for the Committee on Labor presented a report (Stand. Com. Rep. No. 3055) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

CARL W. HINSON, in accordance with Gov. Msg. No. 268; and

JEFFREY W. PIONTEK, in accordance with Gov. Msg. No. 298.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3055 and Gov. Msg. Nos. 268 and 298 was deferred until Wednesday, April 7, 2010.

Senator Takamine, for the Committee on Labor presented a report (Stand. Com. Rep. No. 3056) recommending that the Senate advise and consent to the nomination of ROLAND QUOK FONG THOM to the Labor and Industrial Relations Appeals Board, in accordance with Gov. Msg. No. 267.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3056 and Gov. Msg. No. 267 was deferred until Wednesday, April 7, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs presented a report (Stand. Com. Rep. No. 3057) recommending that the Senate advise and consent to the nomination of MARISSA SANDBLOM to the Board of Directors of the Agribusiness Development Corporation, in accordance with Gov. Msg. No. 354.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3057 and Gov. Msg. No. 354 was deferred until Wednesday, April 7, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs presented a report (Stand. Com. Rep. No. 3058) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

DUANE C.K. LAU, in accordance with Gov. Msg. No. 372; and

DAVID G. RIETOW, in accordance with Gov. Msg. No. 373.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3058 and Gov. Msg. Nos. 372 and 373 was deferred until Wednesday, April 7, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3059) recommending that S.C.R. No. 75, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3059 and S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was deferred until Wednesday, April 7, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3060) recommending that S.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3060 and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was deferred until Wednesday, April 7, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3061) recommending that S.C.R. No. 202, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3061 and S.C.R. No. 202, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was deferred until Wednesday, April 7, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3062) recommending that S.R. No. 101, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3062 and S.R. No. 101, S.D. 1, entitled: "SENATE RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was deferred until Wednesday, April 7, 2010.

Senators Ige and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 3063) recommending that S.C.R. No. 124, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3063 and S.C.R. No. 124, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR WEIGHT MANAGEMENT AND OBESITY TREATMENT FOR CHILDREN," was deferred until Wednesday, April 7, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3064) recommending that S.C.R. No. 228, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3064 and S.C.R. No. 228, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was deferred until Wednesday, April 7, 2010.

Senator Taniguchi, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3065) recommending that S.C.R. No. 37, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3065 and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN

APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was deferred until Wednesday, April 7, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3066) recommending that S.R. No. 26, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3066 and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was deferred until Wednesday, April 7, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM THURSDAY, APRIL 1, 2010

S.B. No. 2697, S.D.1 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2697, S.D.1, and requested a conference on the subject matter thereof.

S.B. No. 2441, S.D.2 (H.D.2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2441, S.D.2, and requested a conference on the subject matter thereof.

S.B. No. 2449 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2449, and requested a conference on the subject matter thereof.

S.B. No. 2488, S.D.2 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2488, S.D.2, and requested a conference on the subject matter thereof.

S.B. No. 2745, S.D.2 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2745, S.D.2, and requested a conference on the subject matter thereof.

S.B. No. 2859, S.D.2 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2859, S.D.2, and requested a conference on the subject matter thereof.

At this time, the Chair said:

"Conferees for said bills will be named at a later date."

S.B. No. 1105, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 1105, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred until Wednesday, April 7, 2010.

S.B. No. 2045, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2045, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Wednesday, April 7, 2010.

S.B. No. 2137, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2137, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was deferred until Wednesday, April 7, 2010.

S.B. No. 2163, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2163, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred until Wednesday, April 7, 2010.

S.B. No. 2898, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2898, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES," was deferred until Wednesday, April 7, 2010.

S.B. No. 2357, S.D. 2 (H.D. 1):

Senator Gabbard moved that the Senate disagree to the amendments made by the House to S.B. No. 2357, S.D. 2, seconded by Senator Baker.

Senator Gabbard noted:

"Colleagues, this measure would require the gas utility to report information to the PUC regarding the amounts of petroleum and renewable energy that go into producing their natural gas, and I'm asking you to support this motion to agree to the House amendments that would require the PUC to transmit the information it collects to DBEDT. This will allow DBEDT to evaluate the gas utility's progress away from petroleum and toward renewable energy sources."

At 9:19 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:32 a.m.

At this time, Senator Gabbard withdrew the motion to disagree to the amendments made by the House to S.B. No. 2357, S.D. 2, and Senator Baker withdrew her second.

The Chair announced that the motion was withdrawn.

Senator Gabbard moved that the Senate agree to the amendments made by the House to S.B. No. 2357, S.D. 2, seconded by Senator Baker.

Senator Gabbard noted:

"Colleagues, again, my previous statements hold. Basically, the House amendments require the PUC to transmit the information that it collects to DBEDT for evaluation."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2357, S.D. 2, and S.B. No. 2357, S.D. 2, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was placed on the calendar for Final Reading on Wednesday, April 7, 2010.

Senator Baker rose on a point of inquiry as follows:

"Madam President, for those of us that are trying to follow the Order of the Day and note which ones are deferred and which ones we are disagreeing to, would it be possible for the

Clerk to go down the list of measures and give us that information one more time?"

The Chair having so ordered, the Clerk noted the following:

"Hse. Com. No. 291: Disagree;  
Hse. Com. No. 298: Defer one day;  
Hse. Com. No. 299: Defer one day;  
Hse. Com. No. 300: Defer one day;  
Hse. Com. No. 301: Defer one day;  
Hse. Com. No. 302: Agree;  
Hse. Com. No. 304: Disagree;  
Hse. Com. No. 305: Disagree;  
Hse. Com. No. 306: Disagree;  
Hse. Com. No. 308: Disagree;  
Hse. Com. No. 311: For agree/disagree;  
Hse. Com. No. 312: Disagree;  
Hse. Com. No. 313: Defer one day; and  
Hse. Com. No. 314: For agree/disagree."

S.B. No. 2837, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 2837, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"Madam President, the House made only minor, technical, non-substantive, clarifying amendments that are consistent with the Senate position."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2837, S.D. 1, and S.B. No. 2837, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," was placed on the calendar for Final Reading on Wednesday, April 7, 2010.

S.B. No. 2921, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 2921, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"Madam President, the House made only minor, technical, non-substantive, clarifying amendments that are consistent with the Senate position."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2921, S.D. 1, and S.B. No. 2921, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," was placed on the calendar for Final Reading on Wednesday, April 7, 2010.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2982 (Gov. Msg. Nos. 221 and 222):

Senator Takamine moved that Stand. Com. Rep. No. 2982 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

JAMES LEE WEANDER, term to expire June 30, 2010 (Gov. Msg. No. 221); and

JAMES LEE WEANDER, term to expire June 30, 2014 (Gov. Msg. No. 222),

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2983 (Gov. Msg. No. 223):

Senator Takamine moved that Stand. Com. Rep. No. 2983 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nomination of GUY SEICHI MORIGUCHI to the Board of Certification of Public Water System Operators, term to expire June 30, 2014, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY, APRIL 1, 2010

Stand. Com. Rep. No. 2979 (S.C.R. No. 99):

Senator Sakamoto moved that Stand. Com. Rep. No. 2979 and S.C.R. No. 99 be adopted, seconded by Senator Slom.

Senator Hemmings rose in opposition to the measure as follows:

"What would appear at first glance to be an innocuous resolution really is indicative of a pattern of flawed decision making in the past that unfortunately has put aside many important projects to the welfare, I believe, of the people of Hawai'i. It's particular interesting because it addresses an issue that goes right to the foundation of our country, and also something that was pertinent in this morning's prayer; and that is that we are a republic, for obvious reasons not a pure democracy, and we do not oftentimes yield to the will or the tyranny of the majority. Rather, we here as a body ruminate on the issues and make decisions based on what is, in our estimation—individually and collectively—in the best interests of the people of Hawai'i.

"But unfortunately, and I say most unfortunately because in years gone by we have seen the tyranny of the minority rise up where a handful of protesters with the proper color shirts and sometimes blowing a conch shell or otherwise have brought to its knees many projects that would have benefited Hawai'i tremendously. Superferry, a private-sector hospital which could save hundreds of millions or more down through the years on Maui, and even having shovels in the ground for a \$600 million investment by a private sector to develop land in Kaka'ako have all yielded to the loud and sometimes shrill opposition of what appeared to be a very small minority of people.

"This resolution speaks to something that could have been a reality 30 years ago. I was in the House of Representatives when geothermal energy was first being discussed; and unfortunately, some well-meaning cultural practitioners objected because it was some violation of Pele and some pseudo—I use the word loosely—environmentalists objected because it was going to be unhealthy for the environment. And what we have found in the ensuing years is that we have yielded energy production on the Big Island to a monopoly that has built fossil fuel burning, very expensive generators on the Kona coast, while the Big Island could have been totally energy independent with geothermal energy, and so much energy that it could have been exporting it very intelligently through hydrogen or other means to export energy in a cost-effective manner.

“So passing this resolution, in many ways, is an admission of flawed decision making on our behalf that has caused this state, the environment, and the economy much damage. I always love it when the self-righteous extremists stand up and tell us how much they’re helping us by stopping these things from happening, and then some of them 10, 20, 30 years later get on board and support it as some environmental organizations have done with geothermal now that global warming and carbon emissions is the world’s most pressing environmental problem. That is the procedural problem I have with this resolution: It, in fact, is an admission of guilt of our problems in decision making. But secondly, substantively, the resolution itself even contradicts its own words. ‘WHEREAS, geothermal energy is efficient and stable, and has long-term viability to help Hawaii meet its 2030 goals, reduce its contribution to global warming, and create a sustainable energy market,’ says it all. I might add, it said it 30 years ago, too.

“So then we request, after saying what it will do and how beneficial it will be, we do what we often do when we’re not prepared to be the leaders we’re elected to be: We establish, convene, and facilitate a working group. What conclusions is a working group going to come to other than the conclusion that’s already written in this resolution, that this energy form is desperately needed now?”

“Madam President, it’s the start of a long day and I’m sorry to be so verbose on this issue, but it’s not just this issue, as I said in my remarks. It is a pattern that we’ve often yielded decision making to the most vociferous and oftentimes ill-informed minority group under the guise that we’re doing what’s best for the people of Hawai’i. We don’t need this resolution. We need geothermal energy. I’m voting ‘no.’”

Senator Slom requested that his vote be cast “no” and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 99, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO ANALYZE THE POTENTIAL DEVELOPMENT OF GEOTHERMAL ENERGY AS THE PRIMARY ENERGY SOURCE TO MEET THE BASELOAD DEMAND FOR ELECTRICITY ON THE BIG ISLAND,” was adopted with Senators Hemmings and Slom voting “No”.

Stand. Com. Rep. No. 2980 (S.C.R. No. 209, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 209, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER (DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES,” was adopted.

Stand. Com. Rep. No. 2981 (S.R. No. 107, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 107, S.D. 1, entitled: “SENATE RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER (DECABDE) AND ALL OTHER POLYBROMINATED DIPHENYL ETHERS (PBDES) IN THE UNITED STATES,” was adopted.

#### FINAL READING

S.B. No. 2111, S.D. 2, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by

the House to S.B. No. 2111, S.D. 2, and S.B. No. 2111, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2910, H.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2910, and S.B. No. 2910, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REAL PROPERTY,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### THIRD READING

Stand. Com. Rep. No. 2947 (H.B. No. 2020, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2947 was adopted and H.B. No. 2020, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2948 (H.B. No. 1684, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2948 was adopted and H.B. No. 1684, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2951 (H.B. No. 1978, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2951 was adopted and H.B. No. 1978, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TOWING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2952 (H.B. No. 2297, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2952 was adopted and H.B. No. 2297, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2548, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 2548, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2725, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 2725, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMALS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1554, S.D. 1:

On motion by Senator Hee, seconded by Senator English and carried, H.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 865, H.D. 1, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, H.B. No. 865, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1439, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, H.B. No. 1439, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2058, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Baker and carried, H.B. No. 2058, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROPERTY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2129, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 2129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2561, S.D. 1:

On motion by Senator Hee, seconded by Senator Taniguchi and carried, H.B. No. 2561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2984 (H.B. No. 2288, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2984 was adopted and H.B. No. 2288, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2987 (H.B. No. 2383, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2987 was adopted and H.B. No. 2383, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2992 (H.B. No. 2575, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2992 was adopted

and H.B. No. 2575, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3000 (H.B. No. 2670, H.D. 1, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3000 was adopted and H.B. No. 2670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3007 (H.B. No. 1854, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3007 was adopted and H.B. No. 1854, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3010 (H.B. No. 2486, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3010 was adopted and H.B. No. 2486, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3012 (H.B. No. 1818, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3012 was adopted and H.B. No. 1818, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3014 (H.B. No. 2533, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3014 was adopted and H.B. No. 2533, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3018 (H.B. No. 2582, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3018 be adopted and H.B. No. 2582, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Fukunaga requested that her vote be cast "aye, with reservations," and the Chair so ordered.

At 9:44 a.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 9:45 a.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3018 was adopted and H.B. No. 2582, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Fukunaga). Noes, none.

Stand. Com. Rep. No. 3025 (H.B. No. 2832, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3025 was adopted and H.B. No. 2832, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3026 (H.B. No. 2604, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3026 was adopted and H.B. No. 2604, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3030 (H.B. No. 2831, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3030 was adopted and H.B. No. 2831, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3031 (H.B. No. 2783, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3031 was adopted and H.B. No. 2783, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3038 (H.B. No. 2923, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3038 was adopted and H.B. No. 2923, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3040 (H.B. No. 2086, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 3040 was adopted and H.B. No. 2086, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3049 (H.B. No. 2661, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 3049 was adopted and H.B. No. 2661, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2220, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2220, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Kim then offered the following amendment (Floor Amendment No. 6) to H.B. No. 2220, H.D. 1, S.D. 1:

"SECTION 1. House Bill No. 2200, H.D. 1, S.D. 1, page 7, is amended by deleting the fiscal year 2011 appropriation of \$1,541,979, for item number 23, BED151, Aloha Tower Development Corporation, to conform the amount to the current appropriation under Act 162, Session Laws of Hawaii 2009.

"23. BED151 - ALOHA TOWER DEVELOPMENT CORPORATION			
OPERATING	BED	1,628,940B	B"

SECTION 2. House Bill No. 2200, H.D. 1, S.D. 1, pages 20-21 is amended by increasing the amount for item number 6, HTH560, Family Health, from \$1,520,962, to \$3,120,962, by adding \$1,600,000 in interdepartmental transfer funds for the voluntary Healthy Start program. The source of funds is temporary assistance for needy families (TANF).

"6. HTH560 - FAMILY HEALTH		169.75*	[ <del>169.75*</del>
			107.00*
OPERATING	HTH	25,394,205A	[ <del>25,618,016A</del>
			22,233,529A
		9.50*	9.50*
	HTH	18,509,132B	[ <del>18,285,321B</del>
			15,175,368B
		182.50*	[ <del>182.50*</del>
			181.50*
	HTH	46,018,585N	46,018,585N
		0.50*	0.50*
	HTH	3,139,907U	[ <del>3,139,907U</del>
			3,120,962U
	HTH	2,139,843V	V"

SECTION 3. House Bill No. 2200, H.D. 1, S.D. 1, pages 27-28, is amended by amending the amounts for item number 17, HMS401, Health Care Payments, to add \$40,000,000 in general funds, increasing the amount from \$459,037,132 to \$499,037,132, and \$80,000,000 in federal funds, increasing the amount from \$701,911,653 to \$781,911,653 in fiscal year 2010 to address a funding shortfall in the medicaid program; and to reduce by \$40,000,000 the amount of general funds, reducing the amount from \$589,219,050 to \$549,219,050 for fiscal year 2010-2011. These amendments are in response to a March 18, 2010, request from the governor to transfer funds from fiscal year 2011 to fiscal year 2010.

"17. HMS401 - HEALTH CARE PAYMENTS			
OPERATING	HMS	[459,037,132A]	[ <del>525,219,050A</del>
		499,037,132A	549,219,050A
	HMS	[701,911,653N]	700,824,253N
		781,911,653N	
	HMS	44,409,563U	44,409,563U
	HMS	175,189,095V	93,162,323V"

Senator Kim moved that Floor Amendment No. 6 be adopted, seconded by Senator Tsutsui.

Senator Kim rose to speak in support of the amendment as follows:

"Madam President, the proposed Senate draft adjusts the executive budget—H.B. 2200, H.D. 1, S.D. 1—in three program areas: BED 151, Health 560, and HMS 401.

"First, with regards to BED 151, a staff oversight resulted in the inclusion of \$1.5 million approximately in special funds in the S.D. 1. It was not the intent of the Committee to allocate the funds in this matter, thus the amendment will conform to FY11 appropriation amount that is currently provided in Act 162 (2009).

"Second, with HTH 560, the S.D. 1 reduced \$1.6 million in interdepartmental transfer funds for Healthy Start. It was the understanding of the Committee that the administration was not utilizing these funds. However, it was recently confirmed that the department is indeed using the TANF for the current fiscal year; thus, this amendment will restore the \$1.6 million interdepartmental transfer fund ceiling to allow receipt of the TANF funds for the Healthy Start for FY11.

“And finally, on March 18, the Governor requested, in HMS 401, the movement of \$40 million in general funds from FY11 to FY10 and the addition of \$80 million in matching federal funds for FY10 to address the current funding shortfall in the Medicaid program. Since the Governor requested that the FY10 funds be provided as an emergency appropriation, the movement of the funds was not reflected in the S.D. 1. However, it would be prudent for us at this time to reflect the adjustment to ensure that the mechanism is in place to allow the payment of these funds to the providers in the current fiscal year. Thank you.”

The motion to adopt Floor Amendment No. 6 was put by the Chair and carried.

By unanimous consent, H.B. No. 2220, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

H.B. No. 2542, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2542, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Kim then offered the following amendment (Floor Amendment No. 7) to H.B. No. 2542, H.D. 1, S.D. 1:

“SECTION 1. House Bill No. 2542, H.D. 1, S.D.1, Section 33, is amended by amending the effective date from July 1, 2010, to July 1, 2050, and to read as follows:

“SECTION 33. This Act shall take effect on July 1, 2050.””

Senator Kim moved that Floor Amendment No. 7 be adopted, seconded by Senator Tsutsui.

Senator Kim rose to speak in support of the amendment as follows:

“Madam President, this floor amendment simply defects the date to July 1, 2050, as requested.”

The motion to adopt Floor Amendment No. 7 was put by the Chair and carried.

By unanimous consent, H.B. No. 2542, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

H.B. No. 2306, H.D. 2, S.D. 2:

Senator Kim moved that H.B. No. 2306, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Kim then offered the following amendment (Floor Amendment No. 8) to H.B. No. 2306, H.D. 2, S.D. 2:

“SECTION 1. House Bill No. 2306, H.D. 2, S.D. 2, is amended by deleting part II.

SECTION 2. House Bill No. 2306, H.D. 2, S.D. 2, is amended by renumbering part III to part II.

SECTION 3. House Bill No. 2306, H.D. 2, S.D. 2, is amended by renumbering Sections 5 and 6 to Sections 4 and 5.”

Senator Kim moved that Floor Amendment No. 8 be adopted, seconded by Senator Tsutsui.

Senator Kim rose to speak in support of the amendment as follows:

“Madam President, simply, this removes the portion that refers to principals and cafeteria workers going from 12 months to 10 months in the original bill as was proposed and passed out of Committee.”

The motion to adopt Floor Amendment No. 8 was put by the Chair and carried.

By unanimous consent, H.B. No. 2306, H.D. 2, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

H.B. No. 2450, H.D. 1, S.D. 1:

Senator Gabbard moved that H.B. No. 2450, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Hee.

Senator Gabbard then offered the following amendment (Floor Amendment No. 9) to H.B. No. 2450, H.D. 1, S.D. 1:

“SECTION 1. House Bill No. 2450, H.D. 1, S.D. 1, is amended by amending Section 3 of the bill to read as follows:

“SECTION 3. Any renewable energy project that obtains an exemption from subdivision requirements pursuant to Act 173, Session Laws of Hawaii 2009, or this Act shall apply for subdivision with the agency granting the original exemption within two years from the date of receiving that original exemption. If the renewable energy project fails to apply for subdivision within two years from the date of receiving the original exemption, the renewable energy project shall forfeit the original exemption.””

Senator Gabbard moved that Floor Amendment No. 9 be adopted, seconded by Senator Hee.

Senator Gabbard rose to speak in support of the amendment as follows:

“Colleagues, the purpose of this measure is to give biofuel and biomass renewable energy facilities a two year exemption from subdivision requirements to help them obtain their financing before going through the lengthy subdivision process. However, SMA pointed out in their legal check that there were no penalties for failure to abide by the requirement of applying for a subdivision within two years of obtaining the exemption. So, this floor amendment inserts a penalty clause that would result in the forfeiture of the exemption if the company didn’t apply for a subdivision within two years of receiving that exemption.”

The motion to adopt Floor Amendment No. 9 was put by the Chair and carried.

By unanimous consent, H.B. No. 2450, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

H.B. No. 2690, S.D. 1:

Senator Kim moved that H.B. No. 2690, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Kim then offered the following amendment (Floor Amendment No. 10) to H.B. No. 2690, S.D. 1:

“SECTION 1. House Bill No. 2690, S.D. 1, is amended by deleting Part III of the bill.

SECTION 2. House Bill No. 2690, S.D. 1, is amended by redesignating Parts IV, V, and VI as Parts III, IV, and V, respectively.

SECTION 3. House Bill No. 2690, S.D. 1, is amended by renumbering Sections 17, 18, 19, 20, 21, 22, and 23 as Sections 14, 15, 16, 17, 18, 19, and 20, respectively.

SECTION 4. House Bill No. 2690, S.D. 1, Section 24, is amended by renumbering it as Section 21 and to read as follows:

“SECTION 21. This Act shall take effect on July 1, 2050.””

Senator Kim moved that Floor Amendment No. 10 be adopted, seconded by Senator Tsutsui.

Senator Kim rose to speak in support of the amendment as follows:

“Madam President, like the other amendment, this one also removes the principals and cafeteria workers out of the measure; also defects the date.”

The motion to adopt Floor Amendment No. 10 was put by the Chair and carried.

By unanimous consent, H.B. No. 2690, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

H.B. No. 2003, H.D. 3, S.D. 1:

Senator Taniguchi moved that H.B. No. 2003, H.D. 3, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Taniguchi then offered the following amendment (Floor Amendment No. 11) to H.B. No. 2003, H.D. 3, S.D. 1:

“SECTION 1. House Bill No. 2003, H.D. 3, S.D. 1, is amended by adding a new Section 3 to Part II to read as follows:

“SECTION 3. Chapter 11, Hawaii Revised Statutes, is amended by adding a new section to the new part added by section 2 of this Act, to be appropriately designated and to read as follows:

“§11- Filing report by corporations. (a) A corporation shall file a report with the commission for contributions from its own treasury that aggregate more than \$1,000 per two year election period made directly to a candidate or candidate committee; provided that this section shall not authorize contributions to a candidate or candidate committee where otherwise prohibited by this part. The reporting shall be made pursuant to the time requirements contained in section 11-U and section 11-W.

(b) The filing shall include the name of the corporation, business address, a contact individual, and amounts contributed that are more than \$100 to each candidate or candidate committee.”

SECTION 2. House Bill No. 2003, H.D. 3, S.D. 1, is amended by renumbering Sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 to Sections 4, 5, 6, 7, 8, 9, 10, 11, and 12.

SECTION 3. House Bill No. 2003, H.D. 3, S.D. 1, is amended by renumbering Section 12 to Section 13 and amending it to read as follows:

“SECTION 13. This Act shall take effect upon approval; provided that section 3 shall take effect on January 1, 2011; and provided further that, on January 1, 2011, section 7 shall be repealed and section 8 shall take effect.””

Senator Taniguchi moved that Floor Amendment No. 11 be adopted, seconded by Senator Takamine.

Senator Taniguchi rose to speak in support of the amendment as follows:

“This floor amendment attempts to provide additional transparency in our campaign financing law. What it would do would be to require corporations to file a report if their aggregate contributions are more than \$1,000 for the two year election period.”

The motion to adopt Floor Amendment No. 11 was put by the Chair and carried.

By unanimous consent, H.B. No. 2003, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING,” was placed on the calendar for Third Reading on Thursday, April 8, 2010.

### THIRD READING

Stand. Com. Rep. No. 2949 (H.B. No. 134, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2949 was adopted and H.B. No. 134, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 9:54 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:55 a.m.

### RECOMMITTAL

Stand. Com. Rep. No. 2950 (H.B. No. 1944, S.D. 2):

Senator Espero moved that Stand. Com. Rep. No. 2950 be adopted and H.B. No. 1944, S.D. 2 be recommitted to the Committee on Judiciary and Government Operations, seconded by Senator Taniguchi.

Senator Espero rose in support of the recommitment as follows:

“The reason for the recommitment is because Senate Bill 2137 is moving in the House, and we are agreeing to the House amendments. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2950 was adopted and H.B. No. 1944, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH CLUBS,” was recommitted to the Committee on Judiciary and Government Operations.

### THIRD READING

H.B. No. 2724, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 2724, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senators Hooser, Baker, Tokuda, English, Ihara, and Tsutsui requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2724, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, English, Hooser, Ihara, Tokuda, Tsutsui). Noes, none.

H.B. No. 2016, S.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, H.B. No. 2016, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ihara).

H.B. No. 2283, H.D. 2, S.D. 1:

Senator Taniguchi moved that H.B. No. 2283, H.D. 2, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“This will be one of a series of bills that we’re going to be voting on today, all having to do with procurement, all of them opposed in public hearing by the chief procurement officer. This one has to do with ethics. I will be registering a ‘no’ vote. Thank you.”

The motion was put by the Chair and carried, H.B. No. 2283, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

H.B. No. 2676, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 2676, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“Likewise, this bill seeks special exemption for the Commission from the procurement code. During the testimony, the CPO made it clear that exemptions, when they’re asked for, are deliberated and, in fact, have been given. There were special problems with the Commission and its ability to supply materials and food products for its volunteers, but did not require an overall exemption from the procurement code. Thank you.”

The motion was put by the Chair and carried, H.B. No. 2676, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE KAHO‘OLAWA ISLAND RESERVE COMMISSION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

H.B. No. 1907, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 1907, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill will be another burden on taxpayers and takes out a very important provision for carryover loss provisions. Thank you.”

Senators Baker, Fukunaga, Ige, Green, and Ihara requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1907, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Baker, Fukunaga, Green, Ige, Ihara). Noes, 2 (Hemmings, Slom).

H.B. No. 1985, S.D. 1:

Senator Kim moved that H.B. No. 1985, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“And again, this will have deleterious effects to taxpayers, particularly those that relied upon certain exemptions currently in the law but which would expire during this taxable year. Thank you.”

Senators Espero, Baker, and Ihara requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1985, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Espero, Ihara). Noes, 3 (Hemmings, Ige, Slom).

H.B. No. 2594, H.D. 2, S.D. 1:

Senator Kim moved that H.B. No. 2594, H.D. 2, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure with reservations as follows:

“The President and my colleagues have heard me wax poetic about this bill every year because every year it seeks to conform Hawai‘i tax law with the federal IRS, but every year it exempts one major consideration, and that is the amount given to personal exemptions. And in Hawai‘i, where we talk about equality and fairness, the personal exemption is only one-third of what the amount is in the IRS. Thank you.”

The motion was put by the Chair and carried, H.B. No. 2594, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

H.B. No. 2866, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2866, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senators Baker, Ihara, Fukunaga, Ige, and Green requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2866, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Fukunaga, Green, Ige, Ihara). Noes, none.

H.B. No. 1948, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 1948, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“In effect, this takes away the refund or delays it to such an extent that it penalizes people that are dependent on that refund. Thank you.”

The motion was put by the Chair and carried, H.B. No. 1948, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

H.B. No. 2267, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2267, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Taniguchi requested that his vote be cast “aye, with reservations,” and the Chair so ordered

The motion was put by the Chair and carried, H.B. No. 2267, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Taniguchi). Noes, none.

Stand. Com. Rep. No. 2985 (H.B. No. 2085, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2985 was adopted and H.B. No. 2085, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2986 (H.B. No. 2061, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2986 be adopted and H.B. No. 2061, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"This bill is a very emotional bill, and it was an attempt to get the parties in agreement and an attempt to adopt Department of Defense amendments. However, those amendments were not adopted in the manner in which they were presented; and what this does, it penalizes those parents that are on active duty deployment. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2986 was adopted and H.B. No. 2061, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Gabbard, Hemmings, Slom).

Stand. Com. Rep. No. 2988 (H.B. No. 2441, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2988 be adopted and H.B. No. 2441, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"It again involves specific changes to the procurement code that the procurement officer opposes. Thank you."

Senator Ihara requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2988 was adopted and H.B. No. 2441, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ihara). Noes, 2 (Hemmings, Slom). Excused, 1 (Hee).

Stand. Com. Rep. No. 2989 (H.B. No. 2349, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2989 be adopted and H.B. No. 2349, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"We certainly are in opposition to any violence against anyone, including health care personnel, but just like the Senate bill that we had in an earlier crossover session, I expressed my opposition because it singles out specific classes of people. Formerly, the bill that I'm referring to talked about lifeguards and water security people. There should not be violence against anyone, and the laws that we have on the books should be enforced fully against everyone. And rather than carving out niches like this, I think we're best served to have equality of enforcement. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2989 was adopted and H.B. No. 2349, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2990 (H.B. No. 1190, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2990 was adopted and H.B. No. 1190, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2991 (H.B. No. 2132, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2991 was adopted and H.B. No. 2132, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2993 (H.B. No. 1808, H.D. 3, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 2993 was adopted and H.B. No. 1808, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2994 (H.B. No. 2133, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2994 be adopted and H.B. No. 2133, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"This bill again is opposed by the chief procurement officer, and it waters down the procurement process. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2994 was adopted and H.B. No. 2133, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2995 (H.B. No. 2897, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2995 be adopted and H.B. No. 2897, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"This bill seems to be aimed at contractors. We certainly oppose the use of illegal workers on any construction projects, but this is the duty of the federal government. The federal government has been enforcing this, and it doesn't really put any burdens on illegal workers, just on employers and contractors. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2995 was adopted and H.B. No. 2897, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2996 (H.B. No. 2505, H.D. 1, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2996 be adopted and H.B. No. 2505, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This is a bill that establishes yet another new special fund: the Access Hawaii Committee special fund. I cannot support creation of special funds. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2996 was adopted and H.B. No. 2505, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2997 (H.B. No. 2084, H.D. 1, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2997 was adopted and H.B. No. 2084, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2998 (H.B. No. 979, H.D. 1, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2998 be adopted and H.B. No. 979, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill seeks a temporary diversion of special funds for a specific purpose, but in doing so, it disrupts the core functions and core programs of DLNR. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2998 was adopted and H.B. No. 979, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 2999 (H.B. No. 2318, H.D. 2, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 2999 be adopted and H.B. No. 2318, H.D. 2, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill is another example of establishing a new Housing First Special Fund for the homeless; and as we’ve seen in the past, special funds are created, they’re hard to track, they’re not transparent, and later on, they’re raided for the general fund. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2999 was adopted and H.B. No. 2318, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HOMELESS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 3001 (H.B. No. 2290, H.D. 2, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3001 was adopted and H.B. No. 2290, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Espero, Gabbard).

Stand. Com. Rep. No. 3002 (H.B. No. 2409, H.D. 2, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 3002 be adopted and H.B. No. 2409, H.D. 2, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Ihara requested that his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3002 was adopted and H.B. No. 2409, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AQUACULTURE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Gabbard, Ihara). Noes, none.

Stand. Com. Rep. No. 3003 (H.B. No. 2266, H.D. 1, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3003 was adopted and H.B. No. 2266, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3004 (H.B. No. 2152, H.D. 1, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 3004 be adopted and H.B. No. 2152, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“You know, it’s difficult to be in opposition to a bill like this because there might be some people that’ll say, ‘Ah, then you’re opposed to people with disabilities.’ Not at all, and I think that people with disabilities should have an impact on the design process. However, this bill seems to be a real revenue producer because it creates a fee structure that would go to the disability board, and the fees go from a minimum of \$50 up to a total of \$10 million. This is totally out of whack, and it doesn’t serve the purposes or the needs of the disability community. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3004 was adopted and H.B. No. 2152, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3005 (H.B. No. 674, H.D. 1, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 3005 be adopted and H.B. No. 674, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senators Slom, Fukunaga, Baker, Ige, and Chun Oakland requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3005 was adopted and H.B. No. 674, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Chun Oakland, Fukunaga, Ige, Slom). Noes, none.

Stand. Com. Rep. No. 3006 (H.B. No. 2000, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3006 be adopted and H.B. No. 2000, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Slom, Baker, Ige, Chun Oakland, and Fukunaga requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3006 was adopted and H.B. No. 2000, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Chun Oakland, Fukunaga, Ige, Slom). Noes, none.

Stand. Com. Rep. No. 3008 (H.B. No. 2294, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3008 was adopted and H.B. No. 2294, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3009 (H.B. No. 2377, H.D. 3, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3009 be adopted and H.B. No. 2377, H.D. 3, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Espero, Kidani, and Chun Oakland requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3009 was adopted and H.B. No. 2377, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Chun Oakland, Espero, Kidani). Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3011 (H.B. No. 415, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3011 be adopted and H.B. No. 415, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in opposition to the measure as follows:

"Thank you, Madam President. This will cause an audit of the Corrections Corporation of America, who's doing the State of Hawai'i a great service by incarcerating prisoners at approximately one-half the cost to the State. Why are we auditing an organization that's saving our taxpayers money in times of beleaguered economy and suffering tax receipts, when we're really ignoring the gaping hole in the state budget—the black abyss like a quasar sucking in all the taxpayers' money—the DOE, which has not had a management audit since 1973, or some of the other problematic state institutions who spend more and do less. This is a misplaced audit and a misplaced effort. Public safety is served extremely well by incarcerating the especially violent criminals on the mainland at great savings to the State of Hawai'i. Our audit money could be better spent identifying problems here in Hawai'i where money is really going to expenditures that need not be done. Thank you, Madam President."

Senator Espero rose in support of the measure as follows:

"It is very nice that we are able to send prisoners to the mainland, and at the tune of over \$50 million a year, it does

help our corrections system. However, considering the amounts of money that we are sending to the mainland, CCA has never been audited, and I think it just makes common sense that we look at their operations. You must remember that this is the organization that was running the women's Kentucky facility, where we recently returned all of our women prisoners from Kentucky due to allegations of sexual assault; and recently there was a murder in the Arizona facility, and we have yet to hear the outcome of that. So, it is nice that we are savings some dollars by spending these dollars on the mainland, but it just seems like it's the right thing for us to do to see if we want to continue sending these dollars to the mainland, and if we do, that the checks and balances and security of our inmates are certainly in place.

"Also, this looks at the Kulani Correctional Facility. Colleagues, about a couple weeks ago, I sent a correspondence to the director of public safety because I had found out that at the end of the closing days of Kulani, it was like Hanoi at the end of the Vietnam War: chaos, confusion, people running around, who was in charge? And what I had found out is they got a large backhoe and dug a big hole, and they put in government public safety records, and in that hole they burned those government records, and then they buried those government records which they burned. So, I've asked the Department of Public Safety for a report and status of why they disposed of government records in that manner. I'm not aware of any government manuals that says we will dig holes and burn government records. And I've also asked the Director of DAGS, Russ Saito, if his agency or department gave any guidance or direction on the destruction of these government records because DAGS is responsible for the record maintenance of our State. So there are some questions that need to be asked regarding the closure of Kulani, as well.

"So, I ask you to support this measure. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3011 was adopted and H.B. No. 415, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3013 (H.B. No. 2461, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3013 be adopted and H.B. No. 2461, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"There are several troubling features to this bill which was the result of a gut-and-replace operation. First of all, there is a constitutional question about inserting the pilot program here. It may not meet the title requirements of a single element. Secondly, the moratorium on the drug purchases and so forth may do exactly what the opposite intention is, and that is it may cause drug prices and prescription prices to skyrocket during that moratorium. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3013 was adopted and H.B. No. 2461, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3015 (H.B. No. 2919, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3015 was adopted and H.B. No. 2919, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3016 (H.B. No. 2239, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3016 be adopted and H.B. No. 2239, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"Ah, this bill, this law, just keeps getting worse and worse and worse as we expand the reach of government and make this a revenue bill; has nothing to do with recycling. This time it's going after energy drinks and dietary supplements, but most importantly, it's going after the distilled beverage and wine industry. The distilled industry already is subject to hefty taxes, fees, and regulation in the State of Hawai'i, in addition to federal measures. So, anybody that talks about this in terms of recycling really is not being truthful to us; it is yet again another tax increase. Thank you."

Senator Kim rose on a point of information and said:

"The portion on wine and spirits were taken out of this draft, so it is no longer in here; it's just the energy drinks. Thank you."

Senator Slom rose in rebuttal and said:

"I do appreciate the Chair of Ways and Means, and since I don't imbibe any, you know, wine or spirits, I need all the energy I can get, so that's going to be more harmful for me. But thank you for the point of information."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3016 was adopted and H.B. No. 2239, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 3017 (H.B. No. 2503, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3017 was adopted and H.B. No. 2503, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3019 (H.B. No. 2583, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3019 was adopted and H.B. No. 2583, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3020 (H.B. No. 2741, H.D. 1, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3020 be adopted and H.B. No. 2741, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Fukunaga, Ihara, and Slom requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3020 was adopted and H.B. No. 2741, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL

BOAT HARBORS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Fukunaga, Ihara, Slom). Noes, none.

Stand. Com. Rep. No. 3021 (H.B. No. 2775, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3021 was adopted and H.B. No. 2775, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 3022 (H.B. No. 2598, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3022 was adopted and H.B. No. 2598, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14; Ayes with Reservations (Espero). Noes, 11 (Baker, Bunda, Chun Oakland, English, Fukunaga, Green, Hooser, Ige, Ihara, Takamine, Tsutsui).

Stand. Com. Rep. No. 3023 (H.B. No. 2984, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3023 be adopted and H.B. No. 2984, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Fukunaga, Baker, Green, Ige, Chun Oakland, Hooser, Bunda, and Espero requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3023 was adopted and H.B. No. 2984, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Bunda, Chun Oakland, Espero, Fukunaga, Green, Hooser, Ige). Noes, 1 (Ihara).

Stand. Com. Rep. No. 3024 (H.B. No. 2962, H.D. 1, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3024 be adopted and H.B. No. 2962, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Fukunaga rose to speak in support of the measure with reservations and stated:

"This bill has two purposes: The first is to amend Hawaii's general excise and use tax laws to permit the state's participation in the national Streamline Sales and Use Tax Agreement, and secondly, to temporarily disallow tax liabilities from being reduced by tax credits under the technology infrastructure renovation tax credit and high technology business investment tax credit.

"My remarks are focused on the temporary disallowance of the reduction of tax liabilities under the technology infrastructure renovation tax credit and the high technology business investment tax credit. I would like to point out that the Department of Taxation estimate of a revenue gain of \$93 million in fiscal year 2011—both in testimony and in letters dated March 8 and March 11 from the Department to the Economic Development and Technology Committee—are unrealistic. The Department states that the methodology used to calculate this estimate is based on historical data of the actual credit claimed, which consists of credit claims for Year 1; the

tails of the credit for Years 2, 3, 4, and 5; and the carryover credits and an estimated new investment of \$50 million per year for fiscal year 2010 and 2011. Even if new investments reached the level of \$50 million for calendar year 2010, 35 percent of \$50 million—which is what would be allowed under the use of the credit—is only \$17.5 million. The historical actual claim credit usage rate of 50 percent would yield only \$8.75 million. Only six months of fiscal year '10 can be used in calculations since the bill cannot restrict investments made prior to the July 10, 2009, change in this law without retroactive application problems. Therefore, even under the best conditions involving the Department's assumptions and its methodology, the revenue gain is far short of the projection of \$93 million in fiscal '11, and would likely be equally short in fiscal years '12 and '13.

"In addition, I believe the bill is probably unconstitutional because it suspends the use of Act 221 investment credits accrued prior to July 10, 2009, when the law was changed. I therefore urge that if the Senate is committed to suspending the usage of Act 221 investment credits, that the language at least be modified to remove its constitutionality problems. Thank you."

Senator Slom rose to in opposition to the measure and stated:

"Very interesting bill, the construction of which to try to get two different constituents each year—the tech community and those that want to increase our taxes further with the streamline tax attempt. Again, this is a backdoor tax on the internet. It is not just to make up our taxes that are due to us. It is a very complicated and convoluted attempt to get the states together to raise more taxes, and then to force the federal government—which is going to be some task—to pass federal legislation. The Department of Taxation did testify that even if this scheme worked, that the amount of additional general excise and use taxes that would be collected would be very small and very minimal, but the cost to Hawai'i consumers, to families, to individuals that like the choice of shopping on the internet would be curtailed, and therefore I am strongly, continuously opposed to this tax."

Senators, Ige, Baker, Chun Oakland, Bunda, Espero, Hooser, and Ihara requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3024 was adopted and H.B. No. 2962, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Baker, Bunda, Chun Oakland, Espero, Fukunaga, Hooser, Ige, Ihara). Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3027 (H.B. No. 2643, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3027 be adopted and H.B. No. 2643, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Gabbard rose in support of the measure as follows:

"Colleagues, the price of a barrel of oil today is \$87. It's expected on the mainland that gas is going to increase to \$4 a gallon by the summer, and as you know, we're about 40 to 60 cents more than on the mainland. It's quite frankly embarrassing that we're spending \$5 to \$7 billion a year to light up our houses and to gas our cars and sending it to countries who hate our guts. So this particular bill will help actually reduce the amount of oil that we're importing.

"It's a good bill because it sets up a property-assessed, clean energy program that's been implemented in 16 states. It allows homeowners and small businesses to borrow in order to

purchase renewable energy and energy efficiency systems, and to pay back the loan on their property tax bill. And, as you know, one of the impediments right now for people to put PV on their roofs or install improved insulation is the upfront costs. So, what's great about this concept is that it takes the whole discussion of renewable energy out of the abstract and it makes it real. Imagine the joy of not having to send a check to HECO every month, like the Lagon family from Kalihi who has zeroed out their electric bill.

"Additionally, the program will be a great way for the counties and the state to work hand-in-hand on a concept that the *Harvard Business Review* has named one of the top ten breakthrough ideas for 2010. It will also greatly reduce electricity bills, create jobs, and help stimulate our economy. So, I ask you to join me in supporting this important legislation. Mahalo."

Senator Slom rose in opposition to the measure as follows:

"I certainly concur with the previous speaker's remarks. I certainly don't want to send any more money to those countries that hate us. That's why I support drilling in the United States of America and to encourage, by incentive, alternatives.

"Unfortunately, this bill, which has been amended several times, now has an unspecified amount for the general obligation bond funds, and as the previous speaker said, it will be an increased amount to pay back the bills added to individuals' real property taxes. If the trend of this Legislature and the national government continues, we would see that all of these things would become mandatory and compulsory later on, and without the figures and without the numbers from the City and County, for example, it may be quite some time before we'd be able to kick HECO's butt. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3027 was adopted and H.B. No. 2643, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 3028 (H.B. No. 2644, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3028 was adopted and H.B. No. 2644, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3029 (H.B. No. 2688, H.D. 1, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3029 be adopted and H.B. No. 2688, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Gabbard rose in support of the measure as follows:

"Madam President, would you instruct the Clerk to enter my remarks into the Journal in support?"

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madam President, I rise in support of HB 2688 SD2.

"Colleagues, as you know much media attention has been brought to a recent outbreak of E coli which was linked to an Oahu restaurant.

"This is just the tip of the iceberg in potential health concerns, because in 2009 Department of Health sanitation

inspectors found over 3,000 major violations that could have contributed to food borne illnesses or harmful contamination.

“This is coupled with the fact that the US Food and Drug Administration recommends one full-time food inspector for every 150 restaurants.

“But right now, on Oahu we have just one inspector for every 651 restaurants.

“This situation has resulted in restaurants being inspected only once every 2 to 2 ½ years.

“This bill attempts to remedy the critical shortage of sanitation inspectors in our state by raising the cap on how much money can be retained in the Sanitation and Environmental Health Special Fund for these purposes.

“I urge you to join me voting in support of HB 2688 SD2.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3029 was adopted and H.B. No. 2688, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3032 (H.B. No. 2087, H.D. 1, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3032 was adopted and H.B. No. 2087, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3033 (H.B. No. 2774, H.D. 2, S.D. 2):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3033 was adopted and H.B. No. 2774, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HUMAN SERVICES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3034 (H.B. No. 1901, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3034 be adopted and H.B. No. 1901, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“Again, this is another bill to seek an exclusion, an exemption, from the procurement law, the argument being there are few voting machine companies. This is something that the Elections Commission should have done adequately before we know that there has been litigation. There have been problems. There have been screw-ups with voting machines. That is not the reason to exclude the process from procurement. Thank you.”

Senators Hooser, Kim, and Ihara requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3034 was adopted and H.B. No. 1901, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Hooser, Ihara, Kim). Noes, 1 (Slom).

Stand. Com. Rep. No. 3035 (H.B. No. 2692, H.D. 1, S.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3035 was adopted and H.B. No. 2692, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3036 (H.B. No. 2698, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3036 be adopted and H.B. No. 2698, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom requested that his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3036 was adopted and H.B. No. 2698, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Stand. Com. Rep. No. 3039 (H.B. No. 2083, H.D. 1, S.D. 2):

On motion by Senator Baker, seconded by Senator Ige and carried, Stand. Com. Rep. No. 3039 was adopted and H.B. No. 2083, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MILK LABELING,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Green). Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 3041 (H.B. No. 2376, H.D. 3, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 3041 be adopted and H.B. No. 2376, H.D. 3, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

“If we truly want one person or one entity to be responsible for education in the community, then what we do is really make them responsible, have full transparency, and let them make the choice of board members. We have, in the last several years, gone to this idea of having committees and selection process and all that, but again that gets away from the idea of pinning the tail on the either donkey or elephant, and letting the chief executive make those appointments, and then holding that person responsible. Thank you.”

Senators Espero, Baker, Fukunaga, Kidani, Nishihara, and Chun Oakland requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3041 was adopted and H.B. No. 2376, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Chun Oakland, Espero, Fukunaga, Kidani, Nishihara). Noes, 1 (Slom).

Stand. Com. Rep. No. 3042 (H.B. No. 347, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 3042 be adopted and H.B. No. 347, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"I think this is the final of the long list of bills seeking exemptions to the procurement code; and even though I support my alma mater, the University of Hawai'i, they are not entitled under their arguments to an exemption. Thank you."

Senator Tokuda rose in support of the measure as follows:

"While this measure has evolved significantly as it has made its way through both houses and will likely continue to change as it goes through conference, the end goal of this bill remains the same: to provide the University with the flexibility and authority it needs to complete CIP and deferred and ongoing repair and maintenance projects, with the added benefit of increasing indirect costs funds being paid to the University and pumping jobs into our economy, all the while ensuring that our students and faculty have a safe place to learn and work.

"As amended, this measure would not exempt the University from the state procurement code or exempt them from the protest processes in place. Companies and individuals who feel aggrieved will still be able to protest any solicitation or award. What it will do is institute a two year pilot project that would exempt the University from the stay portion of the protest process. Essentially, at their own risk, the University can continue to proceed on a contract if they feel the protest at hand is without merit. Coupled with the protest bond provisions we passed last session, this seeks to reduce the number of frivolous protests that are filed to delay a project or potentially lapse funding.

"With over \$250 million in important projects funded and ready to go, our university system is poised to play a major role not only in educating our students, but our economic recovery as well. While we have made a number of concessions on this measure, I do recognize that this is a work in progress and that concerns still exist. I would ask for your support on this measure as we seek to improve or refine this bill as it heads into conference. Thank you."

Senator Hooser requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3042 was adopted and H.B. No. 347, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Hooser). Noes, 2 (Ihara, Slom).

Stand. Com. Rep. No. 3043 (H.B. No. 921, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 3043 be adopted and H.B. No. 921, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

"This bill has gone a long way, a roundabout way. There's been a lot of changes. I'm sure it will be described as a work in progress as well, but it's a flawed bill at this moment, providing 999-year leases. It tries to address family disputes. It tries to address issues with ceded lands and non-ceded lands. It has a number of legal challenges within it, and I think we could do a better job without this bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3043 was adopted and H.B. No. 921, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 3044 (H.B. No. 1987, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Stand. Com. Rep. No. 3044 was adopted and H.B. No. 1987, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3045 (H.B. No. 2421, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3045 be adopted and H.B. No. 2421, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"The description says 'food and energy security.' What it is is a massive tax increase. It would put us farther away from energy self-sufficiency by raising the current tax on a barrel, which is approximately 42 gallons of petroleum, from 5 cents per barrel to \$1.55 in this version. There have been desires and estimates as high as \$5 per barrel. In any case, it would adversely affect all business, all families, all consumers, energy products, electricity, food—the delivery of which is based on energy cost. It is a bad bill. It doesn't get us to more sustainability. It is a carrot and a stick without the carrot, and it is a disincentivizing bill. Thank you."

Senator Hemmings rose in opposition to the measure as follows:

"Thank you, Madam President. Why once again are we penalizing the poor citizens of this state rather than incentivizing those measures we wish to proceed on? I hearken back to the opening of this session today when we talked about studying implementing geothermal energy. Why don't we tax the Legislature for failing to do, 20 years ago or 30 years ago, what could have been done to help preempt the need for fossil fuels in this case? It would have preempted the barrel tax entirely.

"This bill increases the cost of living in Hawai'i, and then we turn around and say we have to raise taxes to help compensate the poor and the needy for their ability to survive in Hawai'i. Don't you see the great paradox in that? The reason why people can't live affordably in Hawai'i is because of what we're doing to them with bills like this under the guise, 'We're going to take care of them.' This doesn't take care of the people of Hawai'i, and it also doesn't necessarily take care of the real environmental problems facing the state. Rather, what this does is just pour more money into the government coffers that will be spent in some other area, such as collective bargaining.

"Ladies and gentlemen, though this may be innocuous in some people's minds and may be a targeted tax to help alleviate our dependency on fossil fuels, it is going to hurt the consumer and most especially the little guy. This is contrary to the best interests of the people of Hawai'i, and I urge my colleagues to further look at this bill and what we're doing here. The real solution to our economic woes in Hawai'i is to bring parity to government cost with that of the private sector, not just continue to throw money at certain special interest groups that dominate the budget process. Thank you, Madam President."

Senators Espero, Baker, Fukunaga, Ige, Ihara, and Bunda requested that their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Green requested that his vote be cast "no," and the Chair so ordered.

Senator Hemmings rose and said:

"Madam President, just parenthetically, after the fact: I've had the great pleasure of serving this Legislature for ten years.

It has been an honor, and I, except for one exception, voted 'with reservations' once. In hearing the apprehensions about this bill, I would plead with my colleagues here to take their reservations and turn them into reality by voting 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3045 was adopted and H.B. No. 2421, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Bunda, Espero, Fukunaga, Ige, Ihara). Noes, 3 (Green, Hemmings, Slom).

Stand. Com. Rep. No. 3046 (H.B. No. 2595, H.D. 1, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3046 be adopted and H.B. No. 2595, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Ihara, Baker, Ige, and Bunda requested that their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Fukunaga requested that her vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3046 was adopted and H.B. No. 2595, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Bunda, Ige, Ihara). Noes, 1 (Fukunaga).

Stand. Com. Rep. No. 3047 (H.B. No. 2381, H.D. 2, S.D. 2):

Senator Kim moved that Stand. Com. Rep. No. 3047 be adopted and H.B. No. 2381, H.D. 2, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3047 was adopted and H.B. No. 2381, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Stand. Com. Rep. No. 3048 (H.B. No. 2667, H.D. 2, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 3048 be adopted and H.B. No. 2667, H.D. 2, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"We just concluded Easter and Passover, and in Passover one of the great words is 'chutzpah,' and this bill is certainly an example of chutzpah. After destroying the private ferry system in the State of Hawai'i, we now have an attempt to establish a state-run, state-financed, statewide government ferry system. What could be more ludicrous? What could be more outrageous? I think the public will see through this and will nominate this for one of the worst bills of this session.

"At this time, Madam President, I also reiterate my call for correcting the erroneous record in the Senate Transportation Committee. As has been acknowledged previously, I voted 'no' on the Senate bill in Committee. It was recorded incorrectly, but somehow there still seems to be a problem in correcting a mistake. I know we hardly ever make a mistake in this body, but a mistake was made, a correction is needed, the Chairman has gone along with this, accepted this. I think that it is

important that that record be corrected and put online so that anybody who wants an accurate perusal of the votes will get that accuracy. Thank you, Madam President."

Senator Tsutsui rose in opposition to the measure as follows:

"I'm not quite sure how this crazy bill got this far, but would like to urge my colleagues to vote 'no' on this measure. Thank you."

Senator Hooser requested that his vote be cast "no," and the Chair so ordered. Senator Hooser also requested that comments in opposition to the measure be entered into the Journal and the Chair so ordered.<sup>1</sup>

Senator Espero rose in support of the measure as follows:

"I'm a bit perplexed and baffled that we don't want to look at the idea or notion of utilizing our oceans for transportation. Maybe not next year, maybe not two years, but certainly five years down the road, ten years down the road. The taste of the Superferry is a bad taste—that we all agree with—but I believe that that failed due more to legal issues and the process. I believe if you were to check with your constituents and those residents that utilized the Superferry, you will find that many people see the value of using our oceans to travel, especially in light of possibilities where our airlines may one day be seriously impacted by the cost of fuel or other events beyond their control. But we shouldn't shut the door on ocean transportation. We shouldn't say, 'Just because the Superferry failed, we never want to open that door again.' We should use the Superferry and look at the good that came from that and the bad, and determine what would be the best way to progress. But I feel that the majority of Hawai'i residents feel that an ocean transportation system is in the best interests of this state. Farmers utilized it. Small businesses utilized it. Tourists utilized it. Many individuals benefitted from that ferry system, and for us to shut the door on this measure, I think is very short-sighted and tunnel vision. Thank you."

Senator Slom rose in rebuttal and said:

"First of all, there's good taste in my mouth about the Superferry. My constituents and other constituents in other areas were overwhelmingly in support of the Superferry; and as my colleague said, it absolutely brought people together: businesspeople, families, sporting groups, religious groups, others. That's all been taken away now.

"The issue is not ocean transportation. We all want ocean transportation. The question is: Who's going to run it? The state government that can't run a public school system? With furloughs? A situation where we're increasing the tax on fuel which would apply to surface vessels, as well as to airborne vessels? The issue is whether or not we could attract private investment; let the private investors take the risk which they did. No, Senator, the Superferry did not fail. The government failed the people. Thank you."

Senator Hee rose in opposition to the measure as follows:

"I agree with the Senate Superferry. I vote 'no.'"

Senator Espero rose in rebuttal and said:

"Just to comment after the good senator from Hawai'i Kai: We don't necessarily have to say we want a statewide ferry run by the State of Hawai'i. That doesn't have to be the outcome of this feasibility study. The outcome could be we looked at whether a statewide, government-run ferry system is the best, and looking at the history of the Superferry, we find that the private sector would do a better job. But let's not shut the door on at least looking at the possibility of a government-run—and I agree, I wouldn't want to have it government-run—but if this is one of the avenues to keep this idea alive, we should keep it

<sup>1</sup> Request withdrawn at later date

alive because we know that something like this is not going to happen for many years, but let's at least keep the dream alive. Thank you."

The motion was put by the Chair and failed to carry, Stand. Com. Rep. No. 3048 failed to be adopted and H.B. No. 2667, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERRIES," failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 8. Noes, 17 (Baker, Bunda, Chun Oakland, English, Fukunaga, Galuteria, Hee, Hemmings, Hooser, Ige, Ihara, Kidani, Kokubun, Nishihara, Slom, Tokuda, Tsutsui).

Stand. Com. Rep. No. 3050 (H.B. No. 2631, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kim and carried, Stand. Com. Rep. No. 3050 was adopted and H.B. No. 2631, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3051 (H.B. No. 40, H.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3051 was adopted and H.B. No. 40, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3052 (H.B. No. 2497, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 3052 be adopted and H.B. No. 2497, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"It's very interesting; the bill that we just passed revoking the special purpose revenue bonds for Carbon Diversion, Inc.--you may recall that I spoke and voted against. Then the Legislature and the Senate overwhelmingly approved it, and now we're revoking. One of the reasons that it was revoked--not as the proponents of the company said, because of a hostile takeover--it was because we couldn't figure out what they were going to do and why should we risk a special purpose revenue bond.

"Now, what we're going to do is issue special purpose revenue bonds for Carbon Bio-Engineers, Inc. To me, it seems that that is a successor company to the former company. And I note that the agent's name is one Dante Carpenter, former mayor of the Big Island, head of the Democrat Party in the State of Hawai'i, but there is no purpose given in the state-filed documents as to what this company's actually going to do.

"So again, I would caution us. We have gotten far afield of what the original purpose was for special purpose revenue bonds--for education, health, and welfare, and so forth--and I think that we're giving cover to a number of private entities that really have not proven themselves and have not become transparent. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3052 was adopted and H.B. No. 2497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

At this time, the Chair made the following announcement:

"Re-referrals are made in accordance with the re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

#### **RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.: Re-referred to:

S.C.R. No. 39 Committee on Ways and Means

Senator Gabbard rose on a point of personal privilege and said:

"I'd just like to ask you to direct the Clerk to note my reservations on H.B. 2409, H.D. 2, S.D. 1."

Senator Sakamoto rose to request that the Senate adjourn on a rising vote and observe a moment of silence in memory of Eric Maehara, who served in the State House of Representatives as a staff member, and Lance Corporal Curtis M. Swenson, a Hawai'i-based soldier. The Chair so ordered.

#### **ADJOURNMENT**

At 11:03 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 7, 2010, on a rising vote, observing a moment of silence in memory of Eric Maehara and Lance Corporal Curtis M. Swenson.

## FORTY-FOURTH DAY

## Wednesday, April 7, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:47 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ed Ganigan, New Hope Kapolei, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Forty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Baker, on behalf of the Maui Senators, introduced participants from 53<sup>rd</sup> Annual Hawai'i State Science & Engineering, including students from Maui High School, Baldwin High School, Moloka'i High School, and 'Iao Intermediate School who were accompanied by their teachers Terry Hamasaki and Sharon Seki. Senator Baker also recognized Michael Flynn, a student from Maui High who would be attending the Intel International Science and Engineering Fair held in San Jose, California in May.

Senator Hooser introduced a group of students, teachers, parents, and community members from Kaua'i who participated in the 53<sup>rd</sup> Annual Hawai'i State Science & Engineering Fair, including students from Kapa'a Middle School, Waimea Canyon Middle School, Kapa'a High School, Waimea High School, and Kaua'i High School. Senator Hooser also recognized several students who would be attending the Intel International Science and Engineering Fair held in San Jose, California in May.

Senator Kim introduced Linda Wong, former special assistant to Mayor Frank Fasi.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 323 to 455) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 323, informing the Senate that on April 6, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 2056, H.D. 1 (S.D. 1);  
H.B. No. 2197, H.D. 1 (S.D. 1); and  
H.B. No. 2568 (S.D. 1),

were placed on file.

Hse. Com. No. 327, returning S.B. No. 633, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 633, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 330, returning S.B. No. 1062, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1062, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 331, returning S.B. No. 1230, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1230, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 335, returning S.B. No. 2068, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2068, S.D.2, and requested a conference on the subject matter thereof.

Hse. Com. No. 337, returning S.B. No. 2116, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2116, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 341, returning S.B. No. 2159, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2159 and requested a conference on the subject matter thereof.

Hse. Com. No. 342, returning S.B. No. 2165, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2165, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 348, returning S.B. No. 2220, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2220, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 349, returning S.B. No. 2257, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2257, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 353, returning S.B. No. 2378, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2378, S.D. 2, and requested a conference on the subject matter thereof.



Hse. Com. No. 412, returning S.B. No. 2863, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2863, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 415, returning S.B. No. 2903, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2903, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 420, returning S.B. No. 1315, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1315, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 424, returning S.B. No. 2169, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2169, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 425, returning S.B. No. 2231, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2231, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 426, returning S.B. No. 2256, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2256, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 436, returning S.B. No. 2951, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2951, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 437, returning S.B. No. 2001, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2001, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 439, returning S.B. No. 2400, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2400, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 440, returning S.B. No. 2401, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2401, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 441, returning S.B. No. 2402, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2402, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 442, returning S.B. No. 2405, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2405, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 443, returning S.B. No. 2408, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2408, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 445, returning S.B. No. 2578, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2578, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 347, returning S.B. No. 2201, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator English moved that the Senate agree to the amendments made by the House to S.B. No. 2201, S.D. 1, seconded by Senator Gabbard.

Senator English noted:

“Members of the Senate, the House perfected the dates on these bills.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2201, S.D. 1, and S.B. No. 2201, S.D. 1, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 361, returning S.B. No. 2440, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator English moved that the Senate agree to the amendments made by the House to S.B. No. 2440, seconded by Senator Gabbard.

Senator English noted:

"Members of the Senate, the House perfected the dates on these bills."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2440 and S.B. No. 2440, H.D. 2, entitled "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 351, returning S.B. No. 2325, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2325, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"S.B. 2325 relates to contractors licensing for electricians and plumbers. The purpose of this measure is to make sure that when electricians and plumbers are on a construction site that they visibly display their DCCA-issued badges. The Senate had included elevator mechanics and discovered that doing so was problematic since they are under collective bargaining in a different licensing scheme than the electricians and plumbers. And so, at the request of the various unions involved, the House took those out and that deletion is fine with the Senate. We were trying to accommodate a request but later discovered that the accommodation was not feasible."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2325, S.D. 1, and S.B. No. 2325, S.D. 1, H.D. 2, entitled "A BILL FOR AN ACT RELATING TO CONTRACTORS," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 369, returning S.B. No. 2501, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2501, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"On S.B. 2501, this is peer review for CPAs. We were able to reach consensus with the various groups on this matter, and the House just made some clarifying and perfecting amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2501, S.D. 1, and S.B. No. 2501, S.D. 1, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 357, returning S.B. No. 2394, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Takamine moved that the Senate agree to the amendments made by the House to S.B. No. 2394, seconded by Senator Taniguchi.

Senator Takamine noted:

"Madam President, the House amendments really allow the Senate position to be implemented better, in this case."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2394 and S.B. No. 2394, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 374, returning S.B. No. 2544, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Gabbard moved that the Senate agree to the amendments made by the House to S.B. No. 2544, S.D. 2, seconded by Senator Kim.

Senator Gabbard noted:

"Members, we're basically just agreeing to the House amendments which simply change the effective date to June 29, 2010."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2544, S.D. 2, and S.B. No. 2544, S.D. 2, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 324, returning S.B. No. 107, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 107 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 325, returning S.B. No. 358, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 358, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 326, returning S.B. No. 506, S.D. 1, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 506, S.D. 1, (H.D. 3), entitled "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 328, returning S.B. No. 910, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 910, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 329, returning S.B. No. 930, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 930 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 332, returning S.B. No. 2019, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2019, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 333, returning S.B. No. 2020, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2020, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 334, returning S.B. No. 2054, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2054, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 336, returning S.B. No. 2115, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2115, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 338, returning S.B. No. 2139, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2139, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VETERANS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 339, returning S.B. No. 2150, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2150 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 340, returning S.B. No. 2154, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2154, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 343, returning S.B. No. 2172, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2172, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 344, returning S.B. No. 2174, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2174 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 345, returning S.B. No. 2175, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2175, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 346, returning S.B. No. 2187, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2187, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 350, returning S.B. No. 2323, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2323 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 352, returning S.B. No. 2371, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2371, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 356, returning S.B. No. 2390, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2390, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 358, returning S.B. No. 2399, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2399, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 363, returning S.B. No. 2454, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2454, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 364, returning S.B. No. 2469, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2469, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 365, returning S.B. No. 2472, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2472, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 366, returning S.B. No. 2473, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2473, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 367, returning S.B. No. 2491, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2491, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 368, returning S.B. No. 2494, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2494, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 370, returning S.B. No. 2502, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2502, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 373, returning S.B. No. 2532, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2532 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 377, returning S.B. No. 2548, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2548, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 379, returning S.B. No. 2565, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2565, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 380, returning S.B. No. 2570, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2570, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 381, returning S.B. No. 2571, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2571, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 384, returning S.B. No. 2597, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2597 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 385, returning S.B. No. 2599, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2599, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 386, returning S.B. No. 2600, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2600, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 387, returning S.B. No. 2601, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2601, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 388, returning S.B. No. 2603, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2603, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 390, returning S.B. No. 2611, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2611, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 391, returning S.B. No. 2646, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2646, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 392, returning S.B. No. 2650, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2650, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 393, returning S.B. No. 2661, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2661, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 394, returning S.B. No. 2691, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, placed on file.

By unanimous consent, action on S.B. No. 2691, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 396, returning S.B. No. 2701, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2701, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 397, returning S.B. No. 2702, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2702, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 399, returning S.B. No. 2716, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2716, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 400, returning S.B. No. 2726, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2726, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 401, returning S.B. No. 2807, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2807, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 402, returning S.B. No. 2729, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2729, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 403, returning S.B. No. 2770, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2770, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 404, returning S.B. No. 2775, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2775, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 405, returning S.B. No. 2809, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2809, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 406, returning S.B. No. 2811, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2811, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PHARMACIES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 409, returning S.B. No. 2831, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2831, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 410, returning S.B. No. 2840, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2840, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 411, returning S.B. No. 2842, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2842, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 413, returning S.B. No. 2883, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2883, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO

EMPLOYMENT PRACTICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 414, returning S.B. No. 2885, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2885, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 416, returning S.B. No. 2919, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2919, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 417, returning S.B. No. 2942, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2942, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 418, returning S.B. No. 950, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 950, S.D. 2, (H.D. 3), entitled "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 419, returning S.B. No. 1178, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1178, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 421, returning S.B. No. 2105, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2105, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 422, returning S.B. No. 2124, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2124, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 423, returning S.B. No. 2144, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2144, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 427, returning S.B. No. 2324, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2324, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 428, returning S.B. No. 2461, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2461, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 429, returning S.B. No. 2533, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2533, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 430, returning S.B. No. 2534, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2534, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO BAIL," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 431, returning S.B. No. 2566, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2566 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 432, returning S.B. No. 2610, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2610 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 433, returning S.B. No. 2849, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2849, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 434, returning S.B. No. 2884, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2884, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 435, returning S.B. No. 2897, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2897, S.D. 2, (H.D. 3), entitled "A BILL FOR AN ACT RELATING TO

HIGHWAY SAFETY,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 438, returning S.B. No. 2395, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2395, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO THE BUDGET,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 444, returning S.B. No. 2493, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2493, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 446, returning S.B. No. 2643, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2643, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 447, returning S.B. No. 2937, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2937, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 448, returning S.B. No. 2050, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 449, returning S.B. No. 2117, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 450, returning S.B. No. 2120, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 451, returning S.B. No. 2122, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 452, returning S.B. No. 2389, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 453, returning S.B. No. 2649, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 454, returning S.B. No. 2758, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 455, returning S.B. No. 2834, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

#### SENATE COMMUNICATION

Sen. Com. No. 2, notice to Governor dated April 6, 2010, transmitting H.B. No. 2376, H.D. 3, S.D. 2, which proposes an amendment to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

“April 6, 2010

The Honorable Linda Lingle  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. No. 2376, H.D. 3, S.D. 2  
“PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.”

Respectfully,

/s/Carol Taniguchi  
CAROL T. TANIGUCHI  
Clerk of the Senate”

#### STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3067) recommending that S.C.R. No. 192, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3067 and S.C.R. No. 192, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3068) recommending that S.R. No. 91, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3068 and S.R. No. 91, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3069) recommending that S.C.R. No. 190, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3069 and S.C.R. No. 190, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3070) recommending that S.R. No. 89, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3070 and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," was deferred until Thursday, April 8, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3071) recommending that S.C.R. No. 193, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3071 and S.C.R. No. 193, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was deferred until Thursday, April 8, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3072) recommending that S.R. No. 92, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3072 and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was deferred until Thursday, April 8, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3073) recommending that the Senate advise and consent to the nomination of CATHERINE A. ADAMS, RN to the Center for Nursing Advisory Board, in accordance with Gov. Msg. No. 314.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3073 and Gov. Msg. No. 314 was deferred until Thursday, April 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3074) recommending that the Senate advise and consent to the nomination of JERRY L. ORNELLAS to the Board of Agriculture, in accordance with Gov. Msg. No. 374.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3074 and Gov. Msg. No. 374 was deferred until Thursday, April 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3075) recommending that the Senate advise and consent to the nomination of DAVID C. GOODE to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 375.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3075 and Gov. Msg. No. 375 was deferred until Thursday, April 8, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM TUESDAY, APRIL 6, 2010

S.B. No. 2109, S.D.2 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed

by the House to S.B. No. 2109, S.D.2, and requested a conference on the subject matter thereof.

S.B. No. 2173, S.D.1 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2173, S.D.1, and requested a conference on the subject matter thereof.

S.B. No. 2825, S.D.1 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2825, S.D.1, and requested a conference on the subject matter thereof.

At this time, the Chair said:

"Conferees for said bills will be named at a later date."

S.B. No. 2137, S.D. 1 (H.D. 1):

Senator Espero moved that the Senate agree to the amendments made by the House to S.B. No. 2137, S.D. 1, seconded by Senator Baker.

Senator Espero noted:

"The House made changes that would limit the documentation that would be used to prove a deployment of a military member, and allows health clubs to retain the portion of the total contract representing services that had been used; and these are very reasonable and we should agree. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2137, S.D. 1, and S.B. No. 2137, S.D. 1, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

S.B. No. 1105, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 1105, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred until Thursday, April 8, 2010.

S.B. No. 2045, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2045, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Thursday, April 8, 2010.

S.B. No. 2163, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2163, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred until Thursday, April 8, 2010.

S.B. No. 2898, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2898, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES," was deferred until Thursday, April 8, 2010.

S.B. No. 2685, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2685, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Thursday, April 8, 2010.

S.B. No. 2803, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2803, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," was deferred until Thursday, April 8, 2010.

S.B. No. 2806, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2806, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Thursday, April 8, 2010.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3053 (Gov. Msg. No. 256):

Senator Gabbard moved that Stand. Com. Rep. No. 3053 be received and placed on file, seconded by Senator English and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of LOIS FUJISHIGE to the Kaua'i Aquatic Life and Wildlife Advisory Committee, term to expire June 30, 2014, seconded by Senator English.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3054 (Gov. Msg. No. 203):

Senator Tokuda moved that Stand. Com. Rep. No. 3054 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of FLORDELIN B. VILA to the Hawai'i Commission for National and Community Service, term to expire June 30, 2013, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3055 (Gov. Msg. Nos. 268 and 298):

Senator Takamine moved that Stand. Com. Rep. No. 3055 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

CARL W. HINSON, term to expire June 30, 2013 (Gov. Msg. No. 268); and

JEFFREY W. PIONTEK, term to expire June 30, 2014 (Gov. Msg. No. 298),

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3056 (Gov. Msg. No. 267):

Senator Takamine moved that Stand. Com. Rep. No. 3056 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nomination of ROLAND QUOK FONG THOM to the Labor and Industrial Relations Appeals Board, term to expire June 30, 2020, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3057 (Gov. Msg. No. 354):

Senator Hee moved that Stand. Com. Rep. No. 3057 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of MARISSA SANDBLOM to the Board of Directors of the Agribusiness Development Corporation, term to expire June 30, 2013, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3058 (Gov. Msg. No. 372 and 373):

Senator Hee moved that Stand. Com. Rep. No. 3058 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

DUANE C.K. LAU, term to expire June 30, 2014 (Gov. Msg. No. 372); and

DAVID G. RIETOW, term to expire June 30, 2014 (Gov. Msg. No. 373),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the following late introductions were made to members of the Senate:

Senator Takamine recognized and congratulated Roland Thom, who had just received confirmation for another 10-year term as the Chair of the Labor and Industrial Relations Appeals Board. Also recognized were Mr. Thom's wife Susan, and staff members David Pendleton and Rock Lehu (sp?).

Senator English introduced Danny Kaleikini, who would be donating his time to emcee the Food Bank putting challenge.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 7, 2010

Stand. Com. Rep. No. 3059 (S.C.R. No. 75, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Stand. Com. Rep. No. 3060 (S.R. No. 31, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A

COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Stand. Com. Rep. No. 3061 (S.C.R. No. 202, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 202, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted.

Stand. Com. Rep. No. 3062 (S.R. No. 101, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 101, S.D. 1, entitled: "SENATE RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted.

Stand. Com. Rep. No. 3063 (S.C.R. No. 124, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 124, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR WEIGHT MANAGEMENT AND OBESITY TREATMENT FOR CHILDREN," was adopted.

Stand. Com. Rep. No. 3064 (S.C.R. No. 228, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 228, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was adopted.

Stand. Com. Rep. No. 3065 (S.C.R. No. 37, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3065 and S.C.R. No. 37, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose in opposition to the measure as follows:

"I've spoken on this before. It seems innocuous enough to urge the Governor to use and consider gender equity when appointing judges and jurists. Number one, I think all governors have done this before; and more importantly, there has been some concern of recent appointments because most of those appointments were men. But as I reported from the Judiciary Committee hearings, the women that were present and that testified all said yes, they would like to have more women on the bench, but their first and major consideration was to have the most qualified; and those women that attended those hearings all testified in favor of the Governor's judicial nominees. So, I think that this is unnecessary. I would love to see sometime we have a resolution that says, 'Let's get the best person for the job, period'. Thank you."

Senator Hemmings requested that his vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was adopted with Senators Hemmings and Slom voting "No".

Stand. Com. Rep. No. 3066 (S.R. No. 26, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3066 and S. R. No. 26, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose in opposition to the measure as follows:

"I've spoken on this before. It seems innocuous enough to urge the Governor to use and consider gender equity when appointing judges and jurists. Number one, I think all governors have done this before; and more importantly, there has been some concern of recent appointments because most of those appointments were men. But as I reported from the Judiciary Committee hearings, the women that were present and that testified all said yes, they would like to have more women on the bench, but their first and major consideration was to have the most qualified; and those women that attended those hearings all testified in favor of the Governor's judicial nominees. So, I think that this is unnecessary. I would love to see sometime we have a resolution that says, 'Let's get the best person for the job, period'. Thank you."

Senator Hemmings requested that his vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was adopted with Senators Hemmings and Slom voting "No".

#### FINAL READING

S.B. No. 2357, S.D. 2, H.D. 1:

On motion by Senator Gabbard, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2357, S.D. 2, and S.B. No. 2357, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2837, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2837, S.D. 1, and S.B. No. 2837, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2921, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2921, S.D. 1, and S.B. No. 2921, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MISCELLANEOUS BUSINESS

Senator Kim, Chair of the Committee on Ways and Means, requested that the referral of the following Senate concurrent resolutions and Senate resolutions to the Committee on Ways and Means be waived pursuant to Senate Rule 46(4):

S.C.R. No. 50, S.D. 1;  
S.C.R. No. 51, S.D. 1;

S.C.R. No. 52, S.D. 1;  
 S.C.R. No. 53, S.D. 1;  
 S.C.R. No. 54, S.D. 1;  
 S.C.R. No. 55, S.D. 1;  
 S.C.R. No. 56, S.D. 1;  
 S.C.R. No. 57, S.D. 1;  
 S.C.R. No. 58, S.D. 1;  
 S.C.R. No. 59, S.D. 1;  
 S.C.R. No. 69;  
 S.C.R. No. 70, S.D. 1;  
 S.C.R. No. 71;  
 S.C.R. No. 73;  
 S.C.R. No. 100;  
 S.C.R. No. 180, S.D. 1;  
 S.R. No. 81, S.D. 1;  
 S.C.R. No. 183, S.D. 1;  
 S.R. No. 84, S.D. 1;  
 S.C.R. No. 191, S.D. 1;  
 S.R. No. 90, S.D. 1;  
 S.C.R. No. 194;  
 S.R. No. 93;  
 S.C.R. No. 227, S.D. 1;  
 S.R. No. 118, S.D. 1;  
 S.C.R. No. 239, S.D. 1; and  
 S.R. No. 119, S.D. 1.

Senator Kim noted:

“Madam President, I am requesting a waiver of the referral of these measures. All were heard and reported favorably by their respective subject matter committees, and by waiving the referral to your Committee on Ways and Means, these Senate concurrent resolutions can be brought to the floor for a final vote by Friday, the first crossover deadline, and the companion Senate resolutions can be adopted at the same time.”

The Chair granted the waiver.

By unanimous consent, the aforementioned Senate concurrent resolutions and Senate resolutions were placed on the calendar for adoption on Thursday, April 8, 2010.

Senator Taniguchi, Chair of the Committee on Judiciary and Government Operations, requested that the referral of the following Senate concurrent resolutions to the Committee on Judiciary and Government Operations be waived pursuant to Senate Rule 46(4):

S.C.R. No. 155, S.D. 1; and  
 S.C.R. No. 157, S.D. 1.

Senator Taniguchi noted:

“I am requesting a waiver of the referral as these measures were heard and reported favorably by their respective subject matter committees. By waiving the referral to your Committee on Judiciary and Government Operations, these Senate concurrent resolutions can be brought to the floor for a final vote by Friday’s first crossover deadline.”

The Chair granted the waiver.

By unanimous consent, the aforementioned Senate concurrent resolutions were placed on the calendar for adoption on Thursday, April 8, 2010.

Senator Hee rose on a point of personal privilege and said:

“In this morning’s *Advertiser*, the ‘Canoe races OK for busy channels’ is an article where DLNR is dinging the canoe clubs \$1,500 for the use of public waters; and it’s a scurrilous attempt, in my own opinion, by DLNR to raise revenues inasmuch as the failed Rec Renaissance Program got nowhere.

“It’s a sad day in Hawai‘i when the Hawaiian sport of canoe racing—which embraces everyone, *everyone*, for generations—

is dinged for the use of public waters. In high school canoe racing, the canoe clubs provide officials for safety. All canoe clubs provide their own liability insurance. DLNR does not require the surfers to have DOCARE officers and ding them \$1,500 to have surf meets. DLNR does not require the ‘yachties’ to have DOCARE nannies accompany the ‘yachties’ when they do their yachting events. This is a scurrilous effort by the director of DLNR at a time when the State is contemplating raising the live-aboard fees at Ala Wai and at Ke‘ehi.

“One of our staff attorneys has worked all session with the canoe racing associations in a genuine and bona fide effort to try to reach a compromise between the Coast Guard, DLNR, and the canoe clubs. Because of the swift action taken by DLNR in this effort, the Committee on Water, Land, Ag, and Hawaiian Affairs will be conducting a hearing and is inviting all of the canoe clubs, all of the canoe paddlers—of every race, of every gender, of every age—to join us, and we look forward to Ed Underwood and Laura Thielen, as well. Thank you.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.

“Chairs, completed agree/disagree forms should be submitted to my office no later than 8:00 a.m. tomorrow morning. A failure to do so will result in an automatic disagree tomorrow.”

Senator Hemmings rose on a point of personal privilege and said:

“I’d like to bring to the floor of this Legislature what I think would be evidence of a growing concern in the State of Hawai‘i in our ability to manage the destiny of this state by the Senate. It’s been my concern over the last several years that we have lost control of our destiny to collective bargaining.

“I am in receipt of a copy of a letter sent to the Chairman of the Ways and Means Committee concerning House Bill 2690. In it, it emphasizes the Supreme Court ruling that the Legislature cannot unilaterally affect public employees’ wages, hours, or other terms or conditions of employment without going through the collective bargaining process. I don’t know the specifics of the ruling, but I do know in concept, the ruling preempts our ability to ratify and also control the destiny of these contracts. Even in the United States government, when a treaty or contract is entered into by the executive branch of government, it is ratified by the legislative branch of government, especially in foreign affairs treaties. This letter says that, ‘We are confident that the courts will reject any effort by the Legislature to circumvent the constitutionally-protected collective bargaining process, and urge you to abandon efforts to have a bill passed into law.’ I looked at the constitution and it’s pretty clear as to what it allows in Article XIII concerning public employees. It says, ‘Persons in public employment shall have the right to organize for the purpose of collective bargaining as provided by law.’ Well, you’d think this letter signed by executives of the government employees’ union that we no longer have the right to apply collective bargaining by law, that they just simply bargain with the executive branch of government and whatever deal they come up with, we have to live by.

“And this year, more than any other year, as far as I know, in the history, not only of the state but maybe of the territory and kingdom, we’re in dire straits as far as being able to pay our bills. We can give political opinions as to what’s causing this, but I would recommend we follow the money and look at the

reports of *Wall Street Journal* and other honorable tabloids on what the cost of employment is and how public employees they themselves on the average make more than the private sector counterparts, how they have way more day offs and benefits, but that's a decision for us to make politically and through law, and we have made those decisions. But what the labor is telling us goes against everything that we stand for as a legislative body. We make the laws. We make the agreements. The executive branch of government can negotiate all they want, but unless we ratify and agree to it, it should not happen.

“So I would suggest that the Majority party take a long and serious look at this situation, and as the Constitution says, ‘protect—protect—organized labor’s right to bargain.’ That, I believe, is a just and fair right. But those rules and terms of engagement and what benefits should be controlled by the legislative branch of government, not by unelected, collective bargaining negotiators in the executive branch of government. I hope that the Majority party takes a long and serious look at this; otherwise, since 70 percent of the budget goes to collective bargaining and salaries and wages and benefits, why not just acquiesce the whole process to collective bargainers? I hope I’m not being facetious because it really is a concern that addresses the very fundamentals of the problems we are facing in this state. Thank you, Madam President.”

#### APPOINTMENT OF CONFEREES

S.B. No. 466, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 466, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Taniguchi, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 633, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 633, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 898, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 898, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Bunda, Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1059, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1059, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Kidani, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 1062, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1062, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1315, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1315, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Hee, chair; Espero, Tsutsui, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2068, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2068, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Chun Oakland, Kidani, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2109, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2109, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2116, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2116, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; English, Taniguchi, co-chairs; Kidani, Slom as managers on the part of the Senate at such conference.

S.B. No. 2159 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2159, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Takamine as manager on the part of the Senate at such conference.

S.B. No. 2165, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2165, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2169, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2169, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Bunda, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2173, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2173, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Tsutsui, co-chair; Galuteria, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2220, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2220, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Sakamoto, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2231, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2231, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; English, Kim, co-chairs; Green, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2256, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2256, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2257, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2257, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tokuda, Tsutsui, co-chairs; Kidani, Slom as managers on the part of the Senate at such conference.

S.B. No. 2378, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2378, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Bunda, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2385, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2385, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2386 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2386, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2400, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2400, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Galuteria, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2408, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2408, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Sakamoto, co-chair; Fukunaga, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2409 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2409, and the request for a conference on the subject matter thereof, the

President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2434, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2434, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Kidani as manager on the part of the Senate at such conference.

S.B. No. 2441, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2441, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Hee, Taniguchi, co-chairs; Hooser, Slom as managers on the part of the Senate at such conference.

S.B. No. 2449 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2449, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2452, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2452, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2488, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2488, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2523, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2523, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2527, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2527, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2545, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2545, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2547, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2547, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2563, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2563, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2578, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2578, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Galuteria as manager on the part of the Senate at such conference.

S.B. No. 2589, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2589, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Chun Oakland, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2593, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2593, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Chun Oakland, Galuteria, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2607, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2607, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nishihara, chair; Baker, co-chair; Galuteria, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 2695, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2695, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kidani, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 2697, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2697, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2709, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2709, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Gabbard, Tsutsui, co-chairs; Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2745, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2745, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2817, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2817, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker, co-chair; Green as manager on the part of the Senate at such conference.

S.B. No. 2825, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2825, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Galuteria, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2828, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2828, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2859, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2859, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2863, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2863, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2903, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2903, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tokuda, Sakamoto, Tsutsui, co-chairs; Slom as manager on the part of the Senate at such conference.

S.B. No. 2951, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2951, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Takamine, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 840, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 840, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1019, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1019, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1853 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1853, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Galuteria, Kidani as managers on the part of the Senate at such conference.

H.B. No. 1862, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1862, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1863, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1863, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1900 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1900, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1907, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1907, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun as manager on the part of the Senate at such conference.

H.B. No. 1927, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1927, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; English, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2077, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2077, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kidani, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2197, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2197, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker,

co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2289, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2289, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2351 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2351, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; English, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2397, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2397, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 2546 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2546, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2784, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2784, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 2845, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2845, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Sakamoto, co-chair; Bunda, Galuteria, Hemmings as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:20 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 10:00 a.m., Thursday, April 8, 2010.

## FORTY-FIFTH DAY

## Thursday, April 8, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 10:15 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Jo Ann Fukao, Office of the Honorable Donna Mercado Kim, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Forty-Fourth Day.

## MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 465) was read by the Clerk and was placed on file:

Gov. Msg. No. 465, informing the Senate that on April 7, 2010, the Governor withdrew the nomination of CAROL H. IGARASHI to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, under Gov. Msg. No. 386, dated March 30, 2010.

In compliance with Gov. Msg. No. 465, the nomination listed under Gov. Msg. No. 386 was returned.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 79) was read by the Clerk and was placed on file:

Dept. Com. No. 79, from the State Auditor dated April 7, 2010, transmitting a report, "Management Audit of the Aloha Tower Development Corporation," (Report No. 10-04).

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 456 to 462) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 456, returning S.C.R. No. 38, S.D. 1, which was adopted by the House of Representatives on April 7, 2010, was placed on file.

Hse. Com. No. 457, transmitting H.C.R. No. 68, which was adopted by the House of Representatives on April 7, 2010, was placed on file.

By unanimous consent, H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FIRST DAY OF DECEMBER OF EVERY YEAR AS WORLD'S AIDS DAY IN THE STATE OF HAWAII," was deferred.

Hse. Com. No. 458, transmitting H.C.R. No. 76, H.D. 1, which was adopted by the House of Representatives on April 7, 2010, was placed on file.

By unanimous consent, H.C.R. No. 76, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE RATIFICATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES," was deferred.

Hse. Com. No. 459, transmitting H.C.R. No. 89, which was adopted by the House of Representatives on April 7, 2010, was placed on file.

By unanimous consent, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING FEBRUARY AS 'HAWAII-GROWN CACAO MONTH,'" was deferred.

Hse. Com. No. 460, informing the Senate that on April 7, 2010, the House reconsidered its action taken on March 23, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2027, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 461, informing the Senate that on April 7, 2010, the House reconsidered its action taken on March 16, 2010, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 2028 (S.D. 1); and  
H.B. No. 2136 (S.D. 1),

was placed on file.

Hse. Com. No. 462, informing the Senate that on April 7, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 134, H.D. 2 (S.D. 2);  
H.B. No. 347, H.D. 2 (S.D. 2);  
H.B. No. 415, H.D. 2 (S.D. 2);  
H.B. No. 674, H.D. 1 (S.D. 1);  
H.B. No. 865, H.D. 1 (S.D. 1);  
H.B. No. 921, H.D. 1 (S.D. 2);  
H.B. No. 979, H.D. 1 (S.D. 1);  
H.B. No. 1190, H.D. 1 (S.D. 2);  
H.B. No. 1439, H.D. 1 (S.D. 1);  
H.B. No. 1554 (S.D. 1);  
H.B. No. 1684, H.D. 2 (S.D. 2);  
H.B. No. 1808, H.D. 3 (S.D. 1);  
H.B. No. 1818, H.D. 2 (S.D. 2);  
H.B. No. 1854 (S.D. 2);  
H.B. No. 1901, H.D. 2 (S.D. 2);  
H.B. No. 1907, H.D. 1 (S.D. 1);  
H.B. No. 1948, H.D. 1 (S.D. 1);  
H.B. No. 1978, H.D. 2 (S.D. 2);  
H.B. No. 1985 (S.D. 1);  
H.B. No. 1987, H.D. 2 (S.D. 2);  
H.B. No. 2000, H.D. 2 (S.D. 2);  
H.B. No. 2016 (S.D. 1);  
H.B. No. 2020, H.D. 2 (S.D. 2);  
H.B. No. 2058, H.D. 1 (S.D. 1);  
H.B. No. 2061, H.D. 1 (S.D. 2);  
H.B. No. 2083, H.D. 1 (S.D. 2);  
H.B. No. 2084, H.D. 1 (S.D. 1);  
H.B. No. 2085, H.D. 1 (S.D. 2);  
H.B. No. 2086, H.D. 2 (S.D. 2);  
H.B. No. 2087, H.D. 1 (S.D. 2);  
H.B. No. 2129, H.D. 1 (S.D. 1);  
H.B. No. 2132, H.D. 1 (S.D. 2);  
H.B. No. 2133, H.D. 1 (S.D. 1);  
H.B. No. 2152, H.D. 1 (S.D. 1);  
H.B. No. 2239 (S.D. 2);  
H.B. No. 2266, H.D. 1 (S.D. 1);  
H.B. No. 2267, H.D. 1 (S.D. 1);  
H.B. No. 2283, H.D. 2 (S.D. 1);  
H.B. No. 2288, H.D. 1 (S.D. 2);  
H.B. No. 2290, H.D. 2 (S.D. 1);  
H.B. No. 2294, H.D. 2 (S.D. 2);  
H.B. No. 2297, H.D. 2 (S.D. 2);  
H.B. No. 2318, H.D. 2 (S.D. 1);  
H.B. No. 2349, H.D. 1 (S.D. 2);  
H.B. No. 2376, H.D. 3 (S.D. 2);  
H.B. No. 2377, H.D. 3 (S.D. 2);  
H.B. No. 2381, H.D. 2 (S.D. 2);  
H.B. No. 2383, H.D. 1 (S.D. 2);  
H.B. No. 2409, H.D. 2 (S.D. 1);  
H.B. No. 2421, H.D. 2 (S.D. 2);  
H.B. No. 2441, H.D. 2 (S.D. 2);

H.B. No. 2461, H.D. 2 (S.D. 2);  
 H.B. No. 2486, H.D. 2 (S.D. 2);  
 H.B. No. 2497 (S.D. 1);  
 H.B. No. 2503, H.D. 1 (S.D. 2);  
 H.B. No. 2505, H.D. 1 (S.D. 1);  
 H.B. No. 2533, H.D. 1 (S.D. 2);  
 H.B. No. 2548, H.D. 1 (S.D. 1);  
 H.B. No. 2561 (S.D. 1);  
 H.B. No. 2575, H.D. 2 (S.D. 2);  
 H.B. No. 2582 (S.D. 2);  
 H.B. No. 2583 (S.D. 2);  
 H.B. No. 2594, H.D. 2 (S.D. 1);  
 H.B. No. 2595, H.D. 1 (S.D. 2);  
 H.B. No. 2598, H.D. 1 (S.D. 2);  
 H.B. No. 2604, H.D. 2 (S.D. 2);  
 H.B. No. 2631, H.D. 2 (S.D. 2);  
 H.B. No. 2643, H.D. 2 (S.D. 2);  
 H.B. No. 2644, H.D. 2 (S.D. 2);  
 H.B. No. 2661, H.D. 2 (S.D. 2);  
 H.B. No. 2670, H.D. 1 (S.D. 1);  
 H.B. No. 2676, H.D. 1 (S.D. 1);  
 H.B. No. 2688, H.D. 1 (S.D. 2);  
 H.B. No. 2692, H.D. 1 (S.D. 1);  
 H.B. No. 2698, H.D. 2 (S.D. 2);  
 H.B. No. 2724, H.D. 1 (S.D. 1);  
 H.B. No. 2725, H.D. 1 (S.D. 1);  
 H.B. No. 2741, H.D. 1 (S.D. 2);  
 H.B. No. 2774, H.D. 2 (S.D. 2);  
 H.B. No. 2775, H.D. 2 (S.D. 2);  
 H.B. No. 2783, H.D. 2 (S.D. 2);  
 H.B. No. 2831, H.D. 2 (S.D. 2);  
 H.B. No. 2832, H.D. 1 (S.D. 2);  
 H.B. No. 2866, H.D. 1 (S.D. 1);  
 H.B. No. 2897, H.D. 1 (S.D. 1);  
 H.B. No. 2919, H.D. 1 (S.D. 2);  
 H.B. No. 2923, H.D. 2 (S.D. 2);  
 H.B. No. 2962, H.D. 1 (S.D. 2); and  
 H.B. No. 2984, H.D. 2 (S.D. 2),

was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3076) recommending that the Senate advise and consent to the nomination of KAULANA PARK to the office of Chairman of the Department of Hawaiian Home Lands, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3076 and Gov. Msg. No. 242 was deferred until Friday, April 9, 2010.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 3077) recommending that S.C.R. No. 237, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3077 and S.C.R. No. 237, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO CONSIDER LEASING OR RENTING PUBLIC SCHOOL CAFETERIAS TO VALUE-ADDED FOOD PROCESSORS TO PROMOTE THE USE OF LOCALLY-GROWN FRESH PRODUCE IN SCHOOL MEALS," was deferred until Friday, April 9, 2010.

Senators Sakamoto, Fukunaga, and Tokuda, for the Committee on Education and Housing and the Committee on Economic Development and Technology and the Committee on

Higher Education, presented a joint report (Stand. Com. Rep. No. 3078) recommending that S.C.R. No. 186, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3078 and S.C.R. No. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was deferred until Friday, April 9, 2010.

Senators Sakamoto, Fukunaga, and Tokuda, for the Committee on Education and Housing and the Committee on Economic Development and Technology and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 3079) recommending that S.R. No. 86, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3079 and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was deferred until Friday, April 9, 2010.

Senators Ige and Fukunaga, for the Committee on Health and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3080) recommending that S.C.R. No. 150 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3080 and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 26, 2010, AS MESOTHELIOMA AWARENESS DAY," was deferred until Friday, April 9, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3081) recommending that S.C.R. No. 223, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3081 and S.C.R. No. 223, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO REVISE AND UPDATE THE HAWAII LEGISLATIVE DRAFTING MANUAL," was deferred until Friday, April 9, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3082) recommending that S.R. No. 114, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3082 and S.R. No. 114, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO REVISE AND UPDATE THE HAWAII LEGISLATIVE DRAFTING MANUAL," was deferred until Friday, April 9, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3083) recommending that S.C.R. No. 151 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3083 and S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND AIRING OF PUBLIC SERVICE ANNOUNCEMENTS ON COMMERCIAL PASSENGER AIR FLIGHTS TO THE STATE ON THE IMPORTANCE OF CARING FOR THE STATE'S UNIQUE AND FRAGILE ECOSYSTEM," was deferred until Friday, April 9, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3084) recommending that S.C.R. No. 20, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3084 and S.C.R. No. 20, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST PUBLIC SCHOOLS STATEWIDE IN ADOPTING AND IMPLEMENTING COMPREHENSIVE CAMPUS RECYCLING POLICIES," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3085) recommending that S.C.R. No. 210, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3085 and S.C.R. No. 210, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE CREATION OF A HAWAII ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3086) recommending that S.C.R. No. 179, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3086 and S.C.R. No. 179, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3087) recommending that S.C.R. No. 205, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3087 and S.C.R. No. 205, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3088) recommending that S.R. No. 104, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3088 and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3089) recommending that S.C.R. No. 42, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3089 and S.C.R. No. 42, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT

FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was deferred until Friday, April 9, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3090) recommending that S.R. No. 27, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3090 and S.R. No. 27, S.D. 2, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was deferred until Friday, April 9, 2010.

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3091) recommending that S.C.R. No. 123, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3091 and S.C.R. No. 123, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was deferred until Friday, April 9, 2010.

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3092) recommending that S.R. No. 53, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3092 and S.R. No. 53, S.D. 2, entitled: "SENATE RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was deferred until Friday, April 9, 2010.

## ORDER OF THE DAY

### AGREE/DISAGREE

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 7, 2010

S.B. No. 2163, S.D. 2 (H.D. 1):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 2163, S.D. 2, seconded by Senator Baker.

Senator Ige noted:

"Madam President, the only amendment made by the House was to delete a provision that would allow advanced practice nurses to procure and distribute controlled substances, and we clearly agree that this is not something that we would want them to be able to do."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2163, S.D. 2, and S.B. No. 2163, S.D. 2, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2898, S.D. 1 (H.D. 1):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 2898, S.D. 1, seconded by Senator Baker.

Senator Ige noted:

“Madam President, the amendment was to correct the effective date; other housekeeping amendments, as well.”

At 10:20 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:21 a.m.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2898, S.D. 1, and S.B. No. 2898, S.D. 1, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2803, S.D. 1 (H.D. 1):

Senator Tokuda moved that the Senate agree to the amendments made by the House to S.B. No. 2803, S.D. 1, seconded by Senator Kokubun.

Senator Tokuda noted:

“The House simply made clarifying amendments that strengthened the purpose of the bill by defining the membership of the student advisory group, and the date is not defective, so your Committee on Higher Education is in agreement with the changes made.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2803, S.D. 1, and S.B. No. 2803, S.D. 1, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

At 10:22 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 a.m.

S.B. No. 2139, S.D. 2 (H.D. 2):

Senator Espero moved that the Senate agree to the amendments made by the House to S.B. No. 2139, S.D. 2, seconded by Senator Kim.

Senator Espero noted:

“This measure provides burial benefits for indigent veterans and veterans with no next of kin. The changes made were non-substantive and just a matter of changing certain words that doesn’t change any meaning. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2139, S.D. 2, and S.B. No. 2139, S.D. 2, H.D. 2, entitled “A BILL FOR AN ACT RELATING TO VETERANS,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2390, S.D. 2 (H.D. 2):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 2390, S.D. 2, seconded by Senator Baker.

Senator Ige noted:

“Madam President, the amendments made by the House were mostly technical and non-substantive. They did find and correct an error regarding the effective dates, and some prior provisions that were set to sunset were extended. So, we agree with those changes.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2390, S.D. 2, and S.B. No. 2390, S.D. 2, H.D. 2, entitled “A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2597 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2597, seconded by Senator Takamine.

Senator Baker noted:

“Madam President, the House made some minor perfecting amendments that both chairs have agreed to.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2597 and S.B. No. 2597, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS’ MUTUAL INSURANCE COMPANY,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2611, S.D. 2 (H.D. 2):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 2611, S.D. 2, seconded by Senator English.

Senator Ige noted:

“Madam President, the House draft contains language that finally the state and the counties agreed to. It also includes a provision that would allow the Vital Records Section to become more self-sufficient and would actually end up saving us some general funds.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2611, S.D. 2, and S.B. No. 2611, S.D. 2, H.D. 2, entitled “A BILL FOR AN ACT RELATING TO VITAL STATISTICS,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2701, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2701, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

“Madam President, this is an administration bill which would ensure that the consumer is protected when purchasing prepaid legal service plans currently on the market. The testimony provided to your Commerce and Consumer Protection committee indicated that there was not sufficient language in the statute to provide sufficient protection for consumers. The House Committee, at the request of RICO and the insurance commissioner, amended the bill to include some penalties to compel compliance. We find those amendments appropriate and acceptable. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2701, S.D. 1, and S.B. No. 2701, S.D. 1, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2770, S.D. 1 (H.D. 2):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 2770, S.D. 1, seconded by Senator Baker.

Senator Ige noted:

“Madam President, again, the amendments made were mostly technical. There were some corrections to the effective date language, and all of these are agreeable to the Senate.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2770, S.D. 1, and S.B. No. 2770, S.D. 1, H.D. 2, entitled “A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 2840, S.D. 2 (H.D. 1):

Senator Takamine moved that the Senate agree to the amendments made by the House to S.B. No. 2840, S.D. 2, seconded by Senator Taniguchi.

Senator Takamine noted:

“Thank you, Madam President. Essentially, the House amendments reflect minor changes which allow the essential Senate position to move forward.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2840, S.D. 2, and S.B. No. 2840, S.D. 2, H.D. 1, entitled “A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 1178, S.D. 2 (H.D. 2):

Senator Ige moved that the Senate agree to the amendments made by the House to S.B. No. 1178, S.D. 2, seconded by Senator Baker.

Senator Ige noted:

“Madam President, in this case, this was a gut-and-replace. Senate Bill 1178 was identified by the Governor for the emergency appropriation to appropriate funds in this fiscal year to meet the Medicaid shortfall. Clearly, we have an interest in expediting this measure so that we can ensure that our providers can continue to provide services to this much needed population.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1178, S.D. 2, and S.B. No. 1178, S.D. 2, H.D. 2, entitled “A BILL FOR AN ACT RELATING TO HEALTH,” was placed on the calendar for Final Reading on Friday, April 9, 2010.

S.B. No. 1105, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1105, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2045, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2045, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2685, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2685, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2806, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2806, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 107 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 107, and requested a conference on the subject matter thereof.

S.B. No. 358, S.D. 1 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 358, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 506, S.D. 1 (H.D. 3):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 506, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 910, S.D. 1 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 910, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 930 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 930, and requested a conference on the subject matter thereof.

S.B. No. 2019, S.D. 1 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2019, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2020 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2020, and requested a conference on the subject matter thereof.

S.B. No. 2054, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2054, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2115, S.D. 1 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2115, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2150 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2150, and requested a conference on the subject matter thereof.





On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2144, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2324, S.D. 2 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2324, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2461, S.D. 2 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2461, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2533, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2533, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2534, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2534, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2566 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2566, and requested a conference on the subject matter thereof.

S.B. No. 2610 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2610, and requested a conference on the subject matter thereof.

S.B. No. 2849, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2849, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2884, S.D. 2 (H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2884, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2897, S.D. 2 (H.D. 3):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2897, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2395, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2395, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2493, S.D. 2 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed

by the House to S.B. No. 2493, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 2643, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2643, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2937, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2937, S.D. 1, and requested a conference on the subject matter thereof.

At this time, the Chair said:

“Conferees for said bills will be named in accordance with the Action Sheets to be distributed to your offices later today.”

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3073 (Gov. Msg. No. 314):

Senator Tokuda moved that Stand. Com. Rep. No. 3073 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of CATHERINE A. ADAMS, RN to the Center for Nursing Advisory Board, term to expire June 30, 2014, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 3074 (Gov. Msg. No. 374):

Senator Hee moved that Stand. Com. Rep. No. 3074 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of JERRY L. ORNELLAS to the Board of Agriculture, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 3075 (Gov. Msg. No. 375):

Senator Hee moved that Stand. Com. Rep. No. 3075 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of DAVID C. GOODE to the Board of Land and Natural Resources, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 7, 2010

Stand. Com. Rep. No. 3067 (S.C.R. No. 192, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 192, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES," was adopted.

Stand. Com. Rep. No. 3068 (S.R. No. 91, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 91, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES," was adopted.

Stand. Com. Rep. No. 3069 (S.C.R. No. 190, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 190, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," was adopted.

Stand. Com. Rep. No. 3070 (S.R. No. 89, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," was adopted.

Stand. Com. Rep. No. 3071 (S.C.R. No. 193, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3071 and S.C.R. No. 193, S.D. 1, be adopted, seconded by Senator Slom.

Senator Slom rose and said as follows:

"On reports 3071 and 3072, S.C.R. 193 and S.R. 92, Relating to the *Honolulu Star Bulletin*, I wish to recuse myself since I am an official bidder for the purchase of that newspaper. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 193, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted with Senator Slom being recused from voting.

Stand. Com. Rep. No. 3072 (S.R. No. 92, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3072 and S.R. No. 92, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose and said as follows:

"On reports 3071 and 3072, S.C.R. 193 and S.R. 92, relating to the *Honolulu Star Bulletin*, I wish to recuse myself since I am an official bidder for the purchase of that newspaper. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT

TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted with Senator Slom being recused from voting.

S.C.R. No. 50, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAHAHA LOOP, KAPOLEI, HAWAII," was adopted.

S.C.R. No. 51, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was adopted.

S.C.R. No. 52, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

S.C.R. No. 53, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was adopted.

S.C.R. No. 54, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

S.C.R. No. 55, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

S.C.R. No. 56, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was adopted.

S.C.R. No. 57, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was adopted.

S.C.R. No. 58, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

S.C.R. No. 59, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

S.C.R. No. 69:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 69 entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was adopted.

S.C.R. No. 70, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 70, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," was adopted.

S.C.R. No. 71:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 71 entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," was adopted.

S.C.R. No. 73:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 73 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF GENERAL AVIATION LOTS AT THE KONA INTERNATIONAL AIRPORT AT KEAHOE, ISLAND OF HAWAII," was adopted.

S.C.R. No. 100:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 100 entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was adopted.

S.C.R. No. 180, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," was adopted.

S.R. No. 81, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 81, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT OF THE WIRELESS ENHANCED 911 FUND," was adopted.

S.C.R. No. 183, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 183, S.D. 1, entitled: "SENATE

CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was adopted.

S.R. No. 84, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was adopted.

S.C.R. No. 191, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 191, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was adopted.

S.R. No. 90, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 90, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was adopted.

S.C.R. No. 194:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 194 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was adopted.

S.R. No. 93:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 93 entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was adopted.

S.C.R. No. 227, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 227, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA," was adopted.

S.R. No. 118, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING, FOR REVIEW BY THE LEGISLATURE, AN ACCOUNTING AND REPORT CONCERNING ITEMS OF VALUE, INCLUDING VIEWING TIME ON MAUNA KEA TELESCOPES, PROVIDED TO THE UNIVERSITY OF HAWAII FOR THE LEASE OR USE OF FACILITIES ON PUBLIC TRUST LANDS ON THE SUMMIT OF MAUNA KEA," was adopted.

S.C.R. No. 239, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 239, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM AND THE PREPAID HEALTH CARE ACT," was adopted.

S.R. No. 119, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION REQUESTS THE OFFICE OF THE AUDITOR TO REVIEW AND COMPARE THE HEALTH CARE BENEFITS AVAILABLE UNDER THE MEDICAID PROGRAM AND THE PREPAID HEALTH CARE ACT," was adopted.

S.C.R. No. 155, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE GUARDIANSHIP PROCESS WITH RESPECT TO THE ISSUE OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR POST-ACUTE CARE," was adopted.

S.C.R. No. 157, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 157, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ESTABLISH LONG-RANGE MASTER PLANS FOR EACH SCHOOL THAT DETERMINE A CONSISTENT APPROACH TO ADDRESSING LONG-STANDING FACILITIES MAINTENANCE, MANAGEMENT, AND CAPITAL IMPROVEMENT ISSUES," was adopted.

#### FINAL READING

Conf. Com. Rep. No. 1-10 (H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 1-10 was adopted and H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 2137, S.D. 1, H.D. 1:

On motion by Senator Espero, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2137, S.D. 1, and S.B. No. 2137, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 2201, S.D. 1, H.D. 1:

On motion by Senator English, seconded by Senator Gabbard and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2201, S.D. 1, and S.B. No. 2201, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 2325, S.D. 1, H.D. 2:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2325, S.D. 1, and S.B. No. 2325, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 2394, H.D. 1:

Senator Takamine moved that S.B. No. 2394, H.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

"This bill would change the focus between employer and employee, and would dilute the board, and would also take away decision making from the employer. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2394, and S.B. No. 2394, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Ihara).

S.B. No. 2440, H.D. 2:

On motion by Senator English, seconded by Senator Kim and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2440, and S.B. No. 2440, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 2501, S.D. 1, H.D. 1:

Senator Baker moved that S.B. No. 2501, S.D. 1, H.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in support of the measure with reservations as follows:

"You know, we've discussed this bill before. It has to do with CPAs, and it was positioned in prior years as protecting local small business CPAs against large national firms. And this bill specifically requires peer review of all offices of all accounting firms.

"There was a lot of testimony on this bill, a lot of interest on this bill, but I'm concerned about the bill because to me it's kind of like some of those small businesses that were trying to keep out big boxes. The large, accounting firms who do have a presence in our state do also have a requirement for peer review nationally, but this would require that all offices of the other firms would have a peer review, as well. I think it's duplication. I think it's more of a question of trying to protect against competition, and another example of Hawaii's business provincialism. Thank you."

Senator Baker rose in support of the measure as follows:

"Madam President, colleagues, this is the first time I can remember—and I've served on Consumer Protection for a number of years—that we've dealt with the issue of peer review for Certified Public Accountancy firms. One of the reasons that we were unable to address this matter before now was there were no rules establishing a firm's permit or license to operate firm. The Board of Public Accountancy, after twenty years,

finally got around to adopting those rules, and so now we can move forward to assure that CPA firms in our state that do attest work are operating in accordance with the highest of national standards. Your Committee and the House Committee felt that it was important to have all of the offices that practice in our state be subject to peer review is this: they're subject to our public accounting laws, and we want to make sure that the playing field is level. If the peer-reviewed office is in another state, it doesn't assure us that practitioners operating in the Hawai'i branch office adhering to those high standards. So we just think it's a way to make sure that there is a level playing field, and all CPA firms doing attest work in Hawai'i are practicing to the highest national standards. That will help to ensure consumer protection in our state. Thank you, Madam President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2501, S.D. 1, and S.B. No. 2501, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Ihara).

S.B. No. 2544, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2544, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," was deferred until Wednesday, April 28, 2010.

### THIRD READING

H.B. No. 2200, H.D. 1, S.D. 2:

Senator Kim moved that H.B. No. 2200, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator Kim rose in support of the measure as follows:

"Madam President and colleagues, in all my years as a lawmaker, I don't think I have faced a challenge as difficult and as demanding as shepherding this year's budget. I relied upon many people, and collaboration was the key. My Vice Chair, here to my right, was instrumental in the decision making. So if any of you have any problems or any objections, you've got to see him.

"Also, I want to acknowledge all of the WAM Committee members for their diligence and their input throughout the process. I especially want to thank our Vice President from the Big Island for his constant help; and I have to commend our two freshmen for their dedication and participation and their insightful questions. I don't think they know what a surplus budget looks like, Madam President, because ever since they've been here, it's always been a deficit. And finally, I have to acknowledge our Minority member from the Windward side for challenging the Committee to view matters in another perspective. Madam President, I also want to thank you and your staff for the support, confidence, and assistance through it all.

"But colleagues, as you all are well-aware, making the tough decisions is one thing; translating it into proper language, meeting with the various departments, crunching the numbers, subtracting and subtracting (and in one case there was an addition), comparing the BJ tables, inputting all of the data, checking and re-checking the billions of dollars in this budget are done by some very special people. Every one of us here cannot do a good job without our staff; and so they are the unsung heroes of the process. And when many of us have left

the building and our staff have left the building for the evening or on weekends, you can find the WAM staff still working away in the building. So colleagues, if you will help me to acknowledge the Ways and Means budget staff, and I will be introducing them individually. If you would hold your applause to the very end, I would appreciate that. First, budget analyst Kyle Kagihara, Brenda Kumabe, Sabrina Nasir, Keith Shimada, Kira Tamashiro, Daniel Truong, Amy Soho. And I have to say this, Madam President: If you see the shirts that they're wearing, it's 'WAM Am I,' and Amy helped design this shirt. So thank you very much, Amy. And leading all of the budget analysts is our budget chief, Rod Becker. The bills staff: analyst Anthony Valdez, Daniel Holt, Robert Scott Tassie, and Jennifer Taylor. And our bills chief, none other than Ross Tsukenjo. Our CIP is Keira Kamiya; she's not here. My WAM support staff: JoAnn Fukao, who you heard giving the invocation this morning, and Travis Tokuyama. The WAM coordinator, the person that pulls everybody together: Brian Hallett. And my personal staff: office manager Gina Williams, my committee clerk Debbie Hiramoto, and my session staffer and long-time staffer Frances Nakamura. Colleagues, if you will help me to thank them for all their hard work and dedication, this is the 'WAM-I-Am' staff. Thank you.

"Madam President, as I started my remarks saying, 'shepherding this budget,' it was grueling. And it was not a pleasant task for me to have to say 'no' all the time, or explain to callers and e-mailers about the cuts, but it was necessary and it needed to be approached in a very responsible manner. I had to keep reminding myself to stay focused on core services. As you know, Madam President, your Ways and Means Committee was not able to accommodate many requests, including those from our own members. Chances are great that this budget cuts one of your favorite state programs. Heck, even I'm not happy about every adjustment in this budget, but the gradual expansion of programs and funding of pet projects during surplus years contributed to our current situation. And don't get me wrong because we have seen many, many good programs, and we've supported them. But government cannot continue to be all things to all people; and over the years, these programs slowly diverted funds from our core services and left us vulnerable to the kind of economic slowdown we're experiencing today.

"And so today we have no choice but to face some very tough questions; unpopular, hot potato questions like: Should the Board of Education or school superintendent be appointed by the Governor? Should our schools be subsidizing A<sup>+</sup> afterschool programs for families who can't afford to pay? Is it a core function for the Department of Education to continue to fully fund boarders from a single public school? Shouldn't students who are referred to alternative learning centers carry with them moneys allocated to them under the weighted student formula? Many DOE categorical programs can and probably should continue, but as Act 51 intended, schools must prioritize their weighted student formula funds and make that determination. Let me quote from a March 31 news article entitled, 'Changes are needed within our island schools.' The quote goes like this: 'Most of the money at issue should have been in the W[eighted] S[tudent] F[ormula] in the first place. The per-pupil funding mechanism, implemented as part of 2004's Act 51, is effective only when there's enough cash in the pot for principals to have real spending power.' The article goes on to say, 'The effort cannot focus on just one thing. It is not just about ending furloughs. It is not just about restructuring government at the top. It is about systemic change in the Legislature, in the Governor's office, the Board of Education, and the Department of Education, from inside out, from top down.' Having said this, Madam President, the Senate budget includes moneys to end furloughs, and it restores

\$2 million that the Governor cut from the weighted student formula.

“As in the case with our Hawai‘i families, this budget reflects priorities based on the amount of money we have. While it incorporates much of the savings resulting from furloughs, staff reductions, and elimination of vacant positions, we did work diligently to ensure that critical programs are still viable. We deviated in areas where most concerns were raised, such as the restoration of positions in the Department of Agriculture that are at the forefront of protecting our islands from invasive species, as well as positions for tax collection and positions in the Department of Public Safety that help secure our Hawai‘i State Hospital.

“Some have argued strongly that the way to fill the budget hole is with an increase in the GET tax. With all due respect to my colleagues, and with a keen awareness of the exchange of ideas that drive our legislative process, I considered the size of the challenge before us. I did meet with my community and with many businesses, and concluded that we could not support a broad-based tax increase at this time. The threat to our economy is too great. With other options at our disposal, we cannot enact a policy today that would threaten businesses, especially small businesses that would lay off the very people we are trying to help.

“Colleagues, this is not about having the courage to increase the tax, because if state revenues do not show improvement by next session, we may find ourselves with no alternative left but to once again consider increasing the GET. This is about having the courage to make the tough decisions to live within our means, just as the families we represent are having to do during this economic downturn: live within their means. They know that you cannot spend what you don’t have, and what you do have, you must spend it wisely. The public have demanded that we do everything possible like make the cuts, downsize government, cut upper management first before burdening them with a broad-based tax increase. And Madam President, I believe we have done this. This is a lean budget, Madam President, and I urge all of you to support it. Thank you.”

Senator Hemmings rose in support of the measure as follows:

“I, too, am most pleased in these austere times to stand and speak in favor of this budget. I must disclose that I don’t necessarily agree with some of the outcomes and some of the results. For instance, I still believe there is a gaping hole in the Hawai‘i Health Care Systems that we continue to have to subsidize in the tune of tens of millions of dollars when there is a viable alternative with privatizing with non-profit organizations, the management of the bigger ones that are losing most of the money, or even having the private sector start a hospital as was tried several years ago on Maui.

“I still have major concerns with the Department of Education. We don’t know exactly where the holes are in that budget, but we do know that per student we have one of the highest costs in the nation, and the results continue to, in some areas, be quite challenging at best.

“Nevertheless this budget does do something that’s very difficult to do in these austere times, and that is it balances without a major tax increase. I do laud those legislators who serve with me in the Ways and Means Committee for seeing that a 1 percent excise tax increase would take close to \$600 million out of the working peoples of Hawaii’s pockets, and this would not do well to help our economy recover. That’s a basic political principle that sometimes is lost in the halls of big government.

“I want to add to my support of this bill my great personal pleasure in serving in the Ways and Means Committee under the current leader. The transparency in decision making and

talks in the Committee have been open and honest; and though sometimes some of us, especially myself, will bitterly disagree with what is being done, it always was done in a respectful and open and honest manner, and we made decisions accordingly. I do want to also add my gratitude to my fellow Committee members for taking on this task in probably not only the most difficult year in my tenure in the Senate, but probably in the recent history of the State of Hawai‘i.

“The Chairman of the Ways and Means Committee did bring something up that is problematic. The problem is not going to end with the passing of this budget and the funding of our state for the next year. I believe, because of problems larger than the State of Hawai‘i, but a lot of them induced here, that this problem is going to continue into next session. I will not be here, but I will tell you that we’ll face difficult choices again and there are alternatives to raising taxes. Those alternatives are making some real hard decisions on what we pay and the number of people we employ in the state workforce. As far as I can see in my tenure here, the sacred cow of the political process has been public workers, and trust me, I know for a fact that the vast majority of them do an absolutely excellent job in their work. Nevertheless, they are compensated at a greater rate with fringe benefits than their counterparts in the private sector; and in many instances, their jobs are either obsolete or could be better done for less revenue—or no revenue, in the case of Maui Memorial Hospital—by the private sector. We can reduce the state workforce through attrition. We can protect those jobs. But in speaking to this budget, I must look long-term and once again ask my colleagues to regain control of this state and not yield it to collective bargaining. And let’s bring fairness to the process where the private sector workers who are toiling day in and day out—where 46,000 of them do not have jobs because of the recession—have parity with the public workers who seem to be immune from layoffs and losing their job, and continue to receive compensation oftentimes much better than their taxpaying counterparts in the private sector.

“In all, this budget, as difficult as it is, does an excellent job, and I laud my Committee members and most especially the leadership of a strong woman who’s had the confidence not to sustain the status quo as it always has been done, but to look at alternatives and objectively make decisions accordingly. So, I am most pleased to be voting in favor of this budget.”

Senator Hooser rose in support of the measure with reservations as follows:

“Madam President, colleagues, the very difficult decisions we’re faced with this year were more difficult than last year, and I want to applaud the Chair of the Ways and Means Committee and the staff and the members for facing those tough decisions and working through those hard choices, evaluating the pluses and minuses, and coming up with a balanced budget to take to conference. I support the process. I do not support the direction, but I am voting ‘with reservations’ to get it to conference and look forward to being part of that process, and hopefully the budget can be approved so it will get not just my full support, but the support of the community in general.

“Again, I thank the Chair. The Chair’s been very open with me personally, open door to talk to me and to work out differences on specific items. But for me personally, Madam President, colleagues, the budget is based on some fundamental premises which I do not support—the fundamental premise that a broad-based, temporary, small increase in the general excise tax and revenue is a worse alternative than the cuts and other raids and whatnot reductions that are contained in this budget. It’s based on the premise that the House will not support a broad-based increase in revenue. It’s based on a premise that the votes to override a broad-based revenue increase are not there. I prefer a premise based on the bill that we passed last year. Essentially, it’s a tax reform measure which raises

revenue, dedicates it towards education, takes it off of food, low-income rents. It's a tax reform measure that dramatically decreases the regressivity of that measure. Unfortunately, we have to have a balanced budget to go to conference, and I understand that there's only two ways to balance a budget—through cuts or through revenue increases—and because the revenue increases, in large part, the broadest-based revenue increase was taken off the table, we're forced with cuts and money transfers and raids, with some revenue increases. I would have preferred a premise, rather than the broad-based revenue increases off the table, I would prefer a premise that the Senate could not agree to further reduction in vital services. We've undergone significant reductions over the past year or more. I would prefer a premise that a budget based on the Senate not agree to further cuts or reductions in any programs in our public schools, not agree to any reductions in the economic engine of our future—the University of Hawai'i. And while I understand many are standing firm in the House and otherwise in opposition to the broad-based revenue, and I understand we have to balance the budget, I understand we have to get to conference, but at the end of the day, Madam President and colleagues, I will find it very difficult, if not impossible, to support a budget that continues to reduce educational opportunities for our children; continues to degrade the quality of the University of Hawai'i; risks causing, through neglect, further harm to parks and our natural environment; and continues to reduce vital, important services, under the guise of fiscal responsibility, to our most vulnerable: the mentally ill, the very poor, and those most in need of a safety net.

"I understand a 'reservations' vote is a 'yes' vote, and I fully understand and respect the Chair and the Committee's need to get us to conference with a balanced budget, but I feel compelled to cast this vote with deep reservations and a clear message of a willingness to vote 'no' on final reading unless the direction is changed significantly. Unless we are absolutely clear in our resolve to restore and make whole our public schools, to end furlough Fridays, and unless we are firmly committed to end the downward spiral of cuts and takeaways from those who are most vulnerable—unless these things happen, I would be unwilling, on final reading, to support the budget. Thank you, Madam Chair."

Senator Baker rose in support of the measure with reservations as follows:

"I share some of the sentiments—matter of fact, many of the sentiments—of our Majority Leader; and I would ask that remarks that I have in support of the budget outlining my reservations, be included in the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of HB 2200, HD1, SD1, but with reservations.

"I appreciate difficult task of balancing our State budget especially in these difficult times when revenues are down and needs are up. I know, too, that many tough decisions must be made in order to balance the State's budget. It is understandable that all 'line' items and requests for funding be reviewed critically.

"I support those portions of HB 2200, HD1, SD1 that restore important positions in various departments that were adversely effected by layoffs such as inspector positions in the Department of Agriculture. Restoring those positions will ensure our agricultural produce can continue to be exported and incoming shipments will not bring in invasive species to threaten our agriculture and environment. Positions and policies that support our economic recovery must be restored,

not marginalized or eliminated. Unfortunately, the assumptions that underlie this budget do not meet that goal.

"I appreciate that Ways and Means sought to restore some of the budget cuts to lower education. However, their methodology does not take into account important categorical programs, like the Lahainaluna Boarding program, that cannot be sustained through increases to the weighted student formula. The boarding program is unique in our public school system. It provides students with a valuable work study opportunity, learning life skills like personal time management and self-discipline that has turned lives around. Such benefits cannot be measured in terms of budget dollars.

"The Lahainaluna boarding program is on the verge of being 175 years old, but it is more than just a proud tradition to the Lahainaluna 'ohana. The boarders are an integral part of the learning experience at Lahainaluna. They maintain the campus; they learn the value of hard work, teamwork and independent study. Over the years thousands of boarders have gone on to distinguish themselves in careers because of the work ethic and values gained from being a boarder. It is an effective, beneficial program that should not be jeopardized because times are hard. Its long term value and school benefit are far greater than its annual operating cost of approximately \$460,000. The elimination of this program will result in other costs to the Lahainaluna and the DOE. I respectfully request my colleagues on Ways and Means to reconsider their position on this aspect of the education budget in conference.

"I am also concerned about adopting many of the governor's budget assumptions and priorities. Our community has already been harmed by the shortsighted fiscal decisions of the current administration. We don't need more of the same. We must look to the future, encouraging economic growth through authorization of appropriate capital improvement projects and progressive legislation. We must take care not to shred our health and social service safety net; instead we must ensure that our most vulnerable citizens are protected. We cannot turn our backs on those that have entrusted us with their future. Instead of deeper cuts to services and programs and more lay-offs, the Legislature can build a foundation for future prosperity by maintaining and restoring necessary public services. We can do that by enacting a temporary 1% increase in the state's general excise tax combined with certain credits and deductions to help working families especially. Consider this: almost 40% of the tax increase will be paid by visitors to the state. No other fee or increase being considered by this body to raise revenues can make that claim. A temporary, broad-based, modest increase in the GET combined with other tax relief will not impede our recovery. Our preliminary analysis indicates that for 85% of tax payers, this proposal will actually mean a reduction in taxes paid.

"As this bill and others necessary to implement it move into conference, I truly hope that the underlying policy will be thoroughly scrutinized so we don't end up harming the very people government is supposed to help and protect. And that we don't jeopardize our economic recovery with policies that will damage business expansion, investment in Hawaii and Hawaii's infrastructure, innovation or job creation. Mahalo."

Senator Taniguchi rose in support of the measure with reservations as follows:

"Madam President, while I am very cognizant of our fiscal situation and sincerely appreciate the hard work of our Ways and Means Committee Chair, her staff, and committee members, it is difficult for me to support the magnitude of cuts being made to our public schools and to our social services safety net. I am hopeful that in conference, by raising taxes, we will be able to restore a good portion of the massive,

short-sighted cuts that I believe have been forced upon us by the Governor. Thank you.”

Senator Slom rose in opposition to the measure as follows:

“It’s been a very good and enlightening debate. And first of all, I would like to say that I have the utmost respect for the Chairman of the Committee, the Committee members and their hard work—having been a former member of Ways and Means, I know how hard they work—and to the staff. And I like their shirts because I am ‘Sam I am, green eggs and ham.’ And I think if we could do the budget every month, year round, it would be a full-employment type of operation, so that would be positive.

“I also like what the Chairman said because I’m aware of her going out into her community, talking to people, being very open; and also talking to the Minority and other people, seeking input. I know it was and it is extremely difficult to craft a budget in these times, but hey, that’s what we’re here for: to do the work in the tough times and to make the tough decisions. And I think the Chair put her finger right on it, as I think I’ve said on a couple of occasions in the past: One of the problems that has caused the situation that we have now locally is that when we had surpluses and when we had a great deal of revenue, we created new programs, new demands for spending. We extended spending at a time when there were voices saying, ‘You shouldn’t be doing that. If you really are concerned about fiscal responsibility, it means having the patience and having the restraint, even in the best of times, not to spend more than you are entitled to.’ The statement that our constituents want us to live within our means is true to a point because we don’t live within ‘our’ means; we live within their means. The only money that this Legislature has comes from the hard work of those individuals, families, and businesses that create the moneys that are taxed, that are surcharged, that have fees attached to them. We don’t generate money of our own; and so when we say live within ‘our’ means, we’re talking about living within ‘their’ means. And as the Minority Leader has pointed out—and we can actually update those figures to over 50,000 local people who have lost their jobs in the private sector—every one of those individuals, every one of those families, and every one of those small businesses has had to cut back, do without, reduce, and they don’t have the ability to raise taxes, or raise fees, or print money, or do anything like that. It’s real simple: If they don’t have the funds, they have to cut back, and they have. And all of us in this room know because our constituents, our friends, and even our family members have told us that.

“And I find it ludicrous when we talk about all the tax increases we passed last year as being ‘tax reform.’ All of those taxes and additional burden on the people in our community has just added to the national and local problems that we find ourselves in now. And I agree with the Minority Leader that this budget, no matter how carefully crafted, no matter how courageous in its direction, is not going to solve our problems and put us in better shape next year automatically. And one of those reasons is because, as the Minority Leader mentioned, those in collective bargaining—the heads of the unions who have done everything to protect themselves, to keep their status quo—are barely touched in this budget; and so they will continue to demand more of all of us and all of the citizens while retaining what they have. I don’t think that’s fair. I don’t think that’s right; and I think to too large an extent, the operating budget reflects that.

“Now I would say further that despite all of the things that have been swirling around us, the Chair and the Committee has, in fact, stayed focused on the important issue of the budget. That was the number one issue that we were here for. And some that denigrate the idea of having a balanced budget—thank goodness they’re not in charge because they would run

amok with even more taxes, more expenditures, and more debt. The fact that the budget must be balanced is a small limitation on us, and yet it’s a struggle to do so. And this budget that we’re taking into conference is a budget that is predicated on and dependent upon other tax increases. If they don’t pass, or if the majority of them don’t pass, that throws these numbers into further discussion and debate. It is true that this budget fended off an attack by those that would raise our general excise tax, not by 1 percent, but by 25 percent more. Last week, this state was rated at the bottom of the list by yet another national organization in terms of business vitality, of a place worthy of investing outside private funds, of a place where people are willing to take the risk of creating more jobs. This general excise tax increase, which many of my colleagues in this house and the other house still would love to see happen, would be the absolute death knell for this community. The reason we didn’t race to the top and were not considered is because our educational system systemically is bad, not for lack of money, not for lack of taxes, not for lack of more union domination; because it is systemically bad. And my colleague and others and I have not just been saying this by ourselves in a vacuum for years. You had the three former, most recent Democrat governors of the state saying the same thing: If you want to fix the educational system, don’t throw more money at it, don’t give the unions more power, and don’t sleep in the Governor’s office if you have to use the bathroom. (They didn’t say that; I said that.) The point is we are so used to looking at things in terms of money that we don’t know how to come up with solutions other than money, and throwing money at various programs, including education, has not worked. It has not increased our educational attainment.

“I think that this is a good budget under the circumstances, but it’s not good enough. It still is higher than the budget that the Governor presented to us. It still is too high overall. It still depends on additional tax increases. It still is dependent on raids of other special funds. It still is dependent on accounting manipulation—taking some funds and some expenditures that are due for fiscal year 2011 and plopping them into fiscal year 2010, which ends in just a few months on June 30—and likewise, extending certain payments that are due in 2010 and pushing them off until July 1 or later in 2011.

“So while this was a hard fought attempt at resolving a difficult issue and is a better attempt than in many years and is very creative in a number of ways, it still does not have this State living within its means, or more importantly, living within the means of the people that are struggling in this community. There are a lot of good features. This bill has a long way to go. I respect the reservations that were already expressed but for different reasons; and so, Madam President, today I will vote ‘no’ on the budget. Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“Part of our problem as a state, Madam President, is there are so many discordant remarks that some of our national businesses hear the discord and just in hearing them determine, ‘A’ole! This is not a good place.’ But why is it, why is it, that when you look at the list of companies in Hawai’i, many of the national companies have their top franchise here in Hawai’i? Why is it that many of the top companies choose to come to Hawai’i? They look beyond the discord and look at the people; at the results, not at the rhetoric.

“And this budget: Yes, I agree with many of the comments and concerns, and I believe and I hope that we can improve some of the measures, but we can only improve them if we work together. By working in harmony, we can have a concert. By working independently, we would just have a cacophony of discord. So let’s hope in the remaining few weeks we can improve the measure and some of the parts that are truly amputations that our state cannot handle. Let us keep the parts

that we really need. And certainly, this administration has an opportunity today to do good in terms of getting our kids back in school. It's not only about this budget, Madam President. This administration and the forces out there have opportunities to work together. Let's do that. Mahalo."

Senator Hemmings rose in response and said:

"A rhetorical question was just asked regarding why businesses come to Hawai'i. I'd like to tell you that we basically have one business in Hawai'i, and that's tourism. The other businesses come to Hawai'i, such as Costco and Sears and companies that are selling basic goods and commodities, because there's a market here and they can mark their product up to cover the cost of doing business here. People still have to eat in Hawai'i, people still have to have roof over their heads, and they still have to wear clothes. But the answer to that question is: We do not have a diversity of business. We have tourism, tourism, tourism; and, of course, our biggest revenue generator is United States Senator Dan Inouye, who does an excellent job of bringing federal money, taxpayers' money, back to Hawai'i, mostly through military spending, everything from Barking Sands on Kaua'i to Pearl Harbor, which houses our Pacific fleet. Do we remember what happened in the wake of 9/11 when the tourists stopped coming? Can any of you fathom what will happen when Israel takes out Iranian nuclear facilities, as may happen, and people won't come to Hawai'i because oil will \$200 a barrel?"

"Previous speakers talked about the way to balance the budget is to raise taxes, which completely ignores an economic axiom that was best articulated by Adam Smith in 1776: Oftentimes raising taxes diminishes returns (as we've seen here in Hawai'i). We have empirical evidence of experience for those of you who want to raise taxes that tax cuts increase revenue to government. And you say, 'Well, that's a bold statement. How can tax cuts increase revenue?' As Adam Smith simply said, 'Because it increases business.' The economic pie becomes larger. People come here to do business, and they pay more taxes. It is an absolute truth that the Kennedy, the Reagan, and the George W. Bush tax cuts grew the economy, and tax receipts increased to the federal government. Now you might say, 'Oh, no, we remember the terrible Reagan deficits and the Bush deficits.' Those deficits were created by increasing spending, not because money increased to government.

"But we've got better proof of it here, and it shows the hypocrisy sometimes of some of the previous speakers. We know that tax cuts grow the economy because we've implemented tax credits for favored businesses. There are people on this floor who speak highly of increasing taxes on the working people by an excise tax increase, which is extremely regressive, but were willing to give huge tax credits to the high tech industry because that was going to grow that industry. You can't have it both ways. Tax cuts grow the economy, and in the case of some taxes, help the poor the most. Now I know there may be a pop-up on the other side of the aisle that says, 'Well, if we increase the excise tax, we're going to give tax credits for food and necessities to the poor.' We also know via experience that those tax credits don't get collected because many of the poor do not have the means to have itemized tax returns or take advantage of them.

"So, looking to the future and looking at this budget, let me reiterate once again that Hawaii's beleaguered economy is a product of excess taxation and regulation. If you want to increase economic opportunity, have a Hawai'i that our children and grandchildren can afford to live in, cut taxes and make Hawai'i a place where honest profit is the fuel of a healthy economy. I hope that we can put aside our biases, politically, and just look at the numbers, look at the facts. Hawaii's economy is in the doldrums and will remain so as long as we

continue to penalize those producers and workers who go out every day, who aren't protected by collective bargaining laws, who are 46,000 of them right now out of work. Those are the people who so desperately need our help. Thank you, Madam President."

Senator Chun Oakland rose in support of the measure with reservations as follows:

"Hawai'i has been recognized as the national leader in many areas, including progressive health and human service public policies. I share the sentiments of many of my colleagues and appreciate the work that has been done by everyone, including our community. I am looking forward to the Legislature making wise decisions as we go into conference on this and many other bills that will have long-term, positive impact on the people of Hawai'i. Thank you."

Senators Fukunaga, Ige, and Bunda requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2200, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Bunda, Chun Oakland, Fukunaga, Hooser, Ige, Taniguchi). Noes, 1 (Slom). Excused, 2 (Ihara, Tokuda).

At this time, the following late introduction was made to the members of the Senate:

Senator Chun Oakland, on behalf of Senators Taniguchi and Ige, introduced Mitchell Ganeku, a 3<sup>rd</sup> grade student at Mānoa Elementary School diagnosed with aplastic anemia who is an advocate for bone marrow registry and would be participating in the Hawaii Bone Marrow Donor Registry drive being held at the State Capitol. Also recognized were his mom Norma, his father Nelson, and his sister Deborah, along with Roy Yonashiro and other supporters who were seated in the gallery.

### THIRD READING

H.B. No. 2542, H.D. 1, S.D. 2:

Senator Kim moved that H.B. No. 2542, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senators Ige, Gabbard, Fukunaga, Baker, Bunda, Chun Oakland, and Hooser requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2542, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Baker, Bunda, Chun Oakland, Fukunaga, Gabbard, Hooser, Ige). Noes, 2 (Hemmings, Slom). Excused, 2 (Ihara, Tokuda).

At this time, the Chair made the following announcement:

"Members, before moving on to the Third Reading vote on H.B. No. 2306, we need to dispose of the Standing Committee Report on the Senate Draft 2 from the Committee on Ways and Means."

H.B. No. 2306, H.D. 2, S.D. 3:

Senator Kim moved that Stand. Com. Rep. No. 3037 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that H.B. No. 2306, H.D. 2, S.D. 3 pass Third Reading, seconded by Senator Tsutsui.

The motion was put by the Chair and carried, H.B. No. 2306, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hemmings, Slom). Excused, 3 (Hee, Ihara, Tokuda).

H.B. No. 2450, H.D. 1, S.D. 2:

On motion by Senator Gabbard, seconded by Senator English and carried, H.B. No. 2450, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hee, Ihara, Tokuda).

H.B. No. 2690, S.D. 2:

Senator Kim moved that H.B. No. 2690, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

At 11:27 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:28 a.m.

Senator Takamine rose to speak in support of the measure with reservations as follows:

"I rise in support of this measure but with reservations, and would request permission to insert written comments into the Journal."

The Chair having so ordered, Senator Takamine's remarks read as follows:

"Madam President,

"While I support most of the contents in this measure, I have grave reservations on Part III. Part III would allow the State to renege on a contractual commitment that has been in place for decades.

"Currently, the State provides retirees with a life insurance benefit that has been part of the 'social contract'. This 'social contract' acknowledged that in most cases, those who retired a while back, received pay levels well below their private sector counterparts. Therefore, as an incentive to retain well qualified workers, assurance of a good 'benefits package' upon retirement, was given to these workers.

"The group life insurance option, would be effectively eliminated by Part III of this bill. Integrity **has to be** at the 'heart' of government operations. If people cannot trust government to fulfill its promises, then things begin to fundamentally break down. Madam President, I see Part III of this measure as a tragic 'breaking of a promise' that was made to many, many retirees.

"In addition, there is a serious legal infirmity with what is attempted by Part III of this measure. The group life insurance option that would be undone by this bill, is already incorporated in several collective bargaining agreements. To attempt to (in effect) cancel this contractual benefit by statute, would raise a grave question concerning the contracts clause of our state and federal Constitutions.

"Given these points, I cannot in good conscience support such a provision that would hurt so many deserving retirees. However, in light of the other parts of the measure that I do support, I will be voting with reservations. Thank you Madam President."

Senators Fukunaga, Baker, Ige, Chun Oakland, and Bunda requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20; Ayes with Reservations (Baker, Bunda, Chun Oakland, Fukunaga, Ige, Takamine). Noes, 2 (Hemmings, Slom). Excused, 3 (Hee, Ihara, Tokuda).

H.B. No. 2003, H.D. 3, S.D. 2:

At 11:29 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:30 a.m.

Senator Taniguchi moved that H.B. No. 2003, H.D. 3, S.D. 2 pass Third Reading, seconded by Senator Takamine.

Senator Taniguchi rose to speak in support of the measure and requested that comments in support of the measure be entered into the Journal and the Chair so ordered.<sup>1</sup>

Senator Hooser requested that his vote be cast "no," and also requested that comments in opposition to the measure be entered into the Journal and the Chair so ordered.<sup>2</sup>

Senator Tsutsui requested that his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose in opposition to the measure as follows:

"I have always supported campaign spending reform, and I know that there are many things that we can do, but as I've asked in Committee and I've asked on this floor when we had the Senate bill: Why are we talking only about corporations in this bill and corporation transparency, and not union transparency? Union transparency in talking about funds, in-kind services, special treatment that is received related to the election period. I think we certainly need to reform our campaign financing and campaign spending, but those people that don't like the U.S. Supreme Court ruling about free speech better get used to it because free speech is important; and if we're talking about contributions, again, the most important thing in my mind is that it's transparent. If people know where the funds are coming from, if they know where the funds are going to, that should be sufficient rather than trying to stop funds from one group of people, one group of citizens, while allowing special treatment for another. Thank you."

Senator Hemmings rose in opposition to the measure as follows:

"I'd like to echo the remarks of the previous speaker; we do need a level playing field so that all interests are treated equally when it comes to campaign financing. But what I'd also like to do is offer an alternative to this Legislature for future consideration, and that is to regulate campaign financing not by money, but by time. The Supreme Court rules against allocation of money as a violation of freedom of speech or expression of support, but there's nothing in the constitution about time. And if you simply made a campaign spending law that would only allow a potential candidate to collect and expend money once they are a registered candidate in the year of the election, you would drastically reduce the year-in and year-out collecting of money and stockpiling it for political purposes in the carry-forward balances. In short, you could only collect money in the year of the election once you're a registered candidate and within a certain period of time; and at the finish of the election your fund, through law, would have to be dissolved. This would go a long way in reducing the undue influence money has on political campaigns, but in the

<sup>1</sup> Request withdrawn at later date

<sup>2</sup> Request withdrawn at later date

meantime, I'll vote 'no' against this bill because it seems to be targeting one particular group to the advantage of others. Thank you, Madam President."

Senator Baker rose in support of the measure as follows:

"Madam President, unlike the previous speakers, it seems to me that this measure goes a long way to providing that kind of transparency that the speakers were decrying was absent in our campaign spending law. And I appreciate the work of the Judiciary Chair in trying to address the concerns of some members of our caucus who wanted to make sure that those transparency provisions were there, even if some of them may ultimately decide that they don't go quite far enough. But I think this is an improvement over our current situation, and I thank the Chair for his work in this effort. Thank you."

At 11:35 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:37 a.m.

Senator Ihara rose in opposition to the measure as follows:

"Madam President, I'd first like to thank the Judiciary Chair for responding positively to concerns that the previous draft did not have transparency requirements for corporate donations to candidates. The reporting requirement now in the bill will give the public access to information on corporate contributions made to candidates; the previous version did not have that. This information is critical for public understanding of the degree of influence corporations have with successful candidates, in particular, those who make policy decisions for our state. This is good; in fact, very good. But it also creates a loophole by avoiding the \$1,000 aggregate limit of corporate contributions to its own political action committee. Instead of using the existing corporate pac reporting requirement, the new requirement is designed to remove the \$1,000 corporate aggregate limit and allow corporations to donate directly to candidates to the same extent as people like you and me. This raises the corporate personhood issue where some policy leaders believe corporations should have virtually the same rights as people like you and me. They believe that corporations should have the same right to participate in political campaigns as natural persons. I respectfully disagree because corporations already have too much power in determining public policy. I believe that people, not corporations, should be the primary sponsors of candidates running for public office. I must oppose this bill because it adds to the bill a significant public policy choice: to allow corporations to have the same campaign contribution limits as people. I must strongly disagree with this position.

"While I appreciate the Chair's efforts to ensure transparency for corporate campaign contributions, it was done in a way that inserts a new policy decision which is abhorrent, in my opinion, to democracy: that of providing for full political participation rights for corporations. The corporate political rights provision was inserted in an important bill to recodify the state's jumbled and cumbersome campaign finance statutes. This recodification is very, very much needed. It failed last year for the same reason. The corporate rights provision adds, in my opinion, deadly poison to this worthy recodification bill, and unfortunately, I must therefore oppose the entire bill.

"For these reasons I must state that a public policy decision to give corporations full political participation rights should have been made in a separate bill rather than piggy-backing on an otherwise good bill. Public officials sometimes wonder why the public is turned off by politics in the Legislature. Unfortunately, this bill could be entered as 'Exhibit No. 1.' Inside a good bill is inserted a policy decision that forever alters the political landscape of Hawai'i in favor of corporations.

"Madam President, I have several other concerns about this bill which are the same as those I noted in my floor speech on Senate Bill 2251. They include section one's misrepresentation of the bill as only updating, organizing, and clarifying current campaign financing laws, instead of mentioning the significant changes made in the bill; in particular, the one that I've been talking about. My other concern is that the bill deletes the purpose statement, and in particular, the sentence that says, 'Integrity is essential to promote the public's confidence in government.' Another concern is that it doubles—not triples, but doubles—the amount of campaign funds that can be donated to charitable causes, including public schools and libraries. Also, allowing \$500 in anonymous donations made by ten people at a political event; and also allowing political party participation by campaign spending commissioners.

"I close by noting that this bill is much better than the previous version, so I thank the Chair for that consideration. What was added was a new transparency provision for corporate campaign contributions, and that makes the bill much better than the previous one. But the bill now also gives full political participation rights to corporations, and it is for this reason that I must oppose the bill. It is my hope that the House will consider my objections to this bill and address them in conference committee deliberations if they disagree with the amendments that we've made; and if the House does pass the bill in its current form, I will hope that the Governor will veto this bill for the reasons I've stated. Thank you, Madam President."

The motion was put by the Chair and carried, H.B. No. 2003, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Tsutsui). Noes, 4 (Hemmings, Hooser, Ihara, Slom). Excused, 2 (Hee, Tokuda).

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals and re-referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

#### REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The President made the following committee assignment of a House concurrent resolution that was received on Thursday, April 1, 2010:

H.C.R. No.: Referred to:

H.C.R. No. 92, H.D. 1 Committee on Transportation,  
International and Intergovernmental  
Affairs

#### MISCELLANEOUS BUSINESS

At 11:44 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 a.m.

Senator Kim, Chair of the Committee on Ways and Means, requested that the referral of the following Senate concurrent resolutions to the Committee on Ways and Means be waived pursuant to Senate Rule 46(4):

S.C.R. No. 91, S.D. 1;  
S.C.R. No. 122, S.D. 1; and  
S.C.R. No. 146, S.D. 1.

Senator Kim noted:

"I am requesting the waiver of the referral as these measures were heard and reported favorably by their respective subject matter committees, and by waiving the referral to your Committee on Ways and Means, these Senate concurrent resolutions can be brought to the floor for a final vote by tomorrow's crossover deadline."

The Chair granted the waiver.

By unanimous consent, the aforementioned Senate concurrent resolutions were placed on the calendar for adoption on Friday, April 9, 2010.

At this time, the Chair made the following announcement:

"The filing deadline for the Senate concurrent resolutions that need to meet the First Crossover deadline tomorrow is 6:00 p.m. tonight. Members, we will be distributing a list of all resolutions which will be up for adoption tomorrow this evening."

#### APPOINTMENT OF CONFEREES

S.B. No. 107 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 107 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 358, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 358, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 506, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 506, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 910, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 910, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Sakamoto, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 930 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 930, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Green, Slom as managers on the part of the Senate at such conference.

S.B. No. 950, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 950, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Hee, Taniguchi, co-chairs; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 1105, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1105, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 1230, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1230, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Kim, co-chairs; Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2001, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2001, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Fukunaga, co-chair; Kidani, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2019, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2019, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Hee, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2020 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2020 and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2045, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2045, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2054, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2054, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2105, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2105, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; English, Tsutsui, co-chairs; Espero, Slom as managers on the part of the Senate at such conference.

S.B. No. 2115, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2115, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tokuda, Kim, co-chairs; Galuteria, Slom as managers on the part of the Senate at such conference.

S.B. No. 2124, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2124, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Baker, Kim, co-chairs; Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2144, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2144, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Ige, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2150 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2150 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2154, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2154, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2174 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2174 and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Takamine, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2175, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2175, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Takamine, co-chair; Nishihara as manager on the part of the Senate at such conference.

S.B. No. 2187, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2187, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nishihara, chair; Taniguchi, co-chair; Galuteria, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2323 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2323 and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 2324, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2324, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Kim, co-chair; Taniguchi as manager on the part of the Senate at such conference.

S.B. No. 2371, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2371, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Baker, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2395, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2395, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, Sakamoto, co-chairs; Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2399, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2399, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2401, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2401, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Fukunaga, co-chair; Kidani, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2402, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2402, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Fukunaga, co-chair; Kidani, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2405, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2405, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Baker, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2454, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2454, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, co-chair on the part of the Senate at such conference.

S.B. No. 2461, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2461, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Tsutsui,

co-chair; Nishihara as manager on the part of the Senate at such conference.

S.B. No. 2469, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2469, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, Taniguchi, Kim, co-chairs; Ihara as manager on the part of the Senate at such conference.

S.B. No. 2472, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2472, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2473, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2473, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Sakamoto, co-chair; Galuteria, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2491, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2491, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Baker, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2493, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2493, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Tokuda, Kim, co-chairs; Baker, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2494, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2494, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Baker, co-chair; Espero, Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2502, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2502, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2532 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2532, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2533, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2533, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Tsutsui, co-chair; Bunda as manager on the part of the Senate at such conference.

S.B. No. 2534, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2534, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2548, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2548, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Ige as manager on the part of the Senate at such conference.

S.B. No. 2565, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2565, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2566 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2566 and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Ige, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2570, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2570, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Galuteria, Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2571, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2571, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Galuteria, Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2599, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2599, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Tsutsui, co-chairs; Green, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2600, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2600, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Baker, Kim, co-chairs on the part of the Senate at such conference.

S.B. No. 2601, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2601, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2603, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2603, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2610 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2610 and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; English, Kim, co-chairs on the part of the Senate at such conference.

S.B. No. 2643, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2643, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Nishihara, Kim, co-chairs; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2646, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2646, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Hee, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2650, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2650, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2661, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2661, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2685, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2685, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2691, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2691, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Kim,

co-chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 2702, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2702, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2716, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2716, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2726, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2726, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2729, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2729, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Tsutsui, co-chair; Baker, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2775, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2775, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2806, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2806, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, Tsutsui, co-chairs on the part of the Senate at such conference.

S.B. No. 2807, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2807, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Takamine, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2809, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2809, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2811, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2811, S.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Baker, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2831, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2831, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2842, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2842, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Espero, Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2849, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2849, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Taniguchi, Kim, co-chairs on the part of the Senate at such conference.

S.B. No. 2883, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2883, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Taniguchi, co-chair; Nishihara as manager on the part of the Senate at such conference.

S.B. No. 2884, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2884, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Kim, co-chair; Taniguchi as manager on the part of the Senate at such conference.

S.B. No. 2885, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2885, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Takamine, Tsutsui, co-chairs; Green, Slom as managers on the part of the Senate at such conference.

S.B. No. 2897, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2897, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2919, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2919, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Espero, Tsutsui, co-chairs; Tokuda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2937, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2937, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2942, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2942, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, English, co-chairs on the part of the Senate at such conference.

H.B. No. 134, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 134, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 415, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 415, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Kim, co-chair; Kidani as manager on the part of the Senate at such conference.

H.B. No. 674, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 674, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 865, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 865, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; English, co-chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 921, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 921, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, Kim, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 979, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 979, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Gabbard, Tsutsui, co-chairs on the part of the Senate at such conference.

H.B. No. 1190, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1190, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 1439, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1439, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1554 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1554, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; English, Sakamoto, co-chairs; Fukunaga, Slom as managers on the part of the Senate at such conference.

H.B. No. 1684, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1684, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 1808, H.D. 3 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1808, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; English, Taniguchi, co-chairs; Slom as manager on the part of the Senate at such conference.

H.B. No. 1818, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1818, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Hee, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 1854 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1854, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1901, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1901, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 1948, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1948, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1978, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1978, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker,

co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 1985 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1985, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun as manager on the part of the Senate at such conference.

H.B. No. 1987, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1987, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 1992, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1992, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 2000, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2000, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2016 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2016, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Espero, Slom as managers on the part of the Senate at such conference.

H.B. No. 2020, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2020, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2056, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2056, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Tokuda, Baker, co-chairs; Slom as manager on the part of the Senate at such conference.

H.B. No. 2058, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2058, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Baker, Slom as managers on the part of the Senate at such conference.

H.B. No. 2061, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2061, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Chun Oakland,

Taniguchi, co-chairs on the part of the Senate at such conference.

H.B. No. 2083, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2083, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Baker, co-chair; Bunda as manager on the part of the Senate at such conference.

H.B. No. 2085, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2085, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, Taniguchi, co-chairs on the part of the Senate at such conference.

H.B. No. 2087, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2087, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Kim, co-chairs; Tsutsui as manager on the part of the Senate at such conference.

H.B. No. 2129, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2129, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 2132, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2132, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2133, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2133, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; Ige, Takamine as managers on the part of the Senate at such conference.

H.B. No. 2157, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2157, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Chun Oakland, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2239 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2239, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2266, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2266, H.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Tsutsui, co-chair; Galuteria as manager on the part of the Senate at such conference.

H.B. No. 2267, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2267, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Sakamoto, co-chair; Kidani, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2283, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2283, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Takamine as managers on the part of the Senate at such conference.

H.B. No. 2288, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2288, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2290, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2290, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, Baker, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2294, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2294, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2297, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2297, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2318, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2318, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Chun Oakland, Fukunaga, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2376, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2376, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Galuteria, Nishihara, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2377, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2377, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Galuteria as manager on the part of the Senate at such conference.

H.B. No. 2381, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2381, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Chun Oakland, Galuteria, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2383, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2383, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2409, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2409, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2421, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2421, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Gabbard, Fukunaga, Kim, co-chairs; Kokubun as manager on the part of the Senate at such conference.

H.B. No. 2441, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2441, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Hee, Taniguchi, co-chairs on the part of the Senate at such conference.

H.B. No. 2486, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2486, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Takamine, Tsutsui, co-chairs; Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 2497 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2497, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Tsutsui, co-chair; Green as manager on the part of the Senate at such conference.

H.B. No. 2503, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2503, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair;

Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2505, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2505, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2533, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2533, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2542, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2542, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kidani, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 2561 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2561, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, Kim, co-chairs; Slom as manager on the part of the Senate at such conference.

H.B. No. 2568 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2568, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Chun Oakland, Taniguchi, co-chairs; Galuteria, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2582 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2582, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2583 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2583, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2594, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2594, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2595, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2595, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2598, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2598, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nishihara, chair; Gabbard, Kim, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2604, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2604, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2631, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2631, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Gabbard, Taniguchi, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2643, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2643, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Tsutsui, co-chair; English, Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2644, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2644, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; English, Tsutsui, co-chairs on the part of the Senate at such conference.

H.B. No. 2670, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2670, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2676, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2676, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Nishihara as managers on the part of the Senate at such conference.

H.B. No. 2690, (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2690, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Fukunaga, co-chair;

Kidani, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 2692, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2692, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Tsutsui, co-chair; Gabbard as manager on the part of the Senate at such conference.

H.B. No. 2698, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2698, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 2708, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2708, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Gabbard, Slom as managers on the part of the Senate at such conference.

H.B. No. 2721, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2721, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 2724, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2724, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 2725, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2725, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 2741, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2741, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2775, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2775, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2783, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2783, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Nishihara, Kim,

co-chairs; Slom as manager on the part of the Senate at such conference.

H.B. No. 2831, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2831, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2832, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2832, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2866, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2866, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2897, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2897, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Baker, Taniguchi, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2919, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2919, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2923, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2923, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2962, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2962, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Ige, Kidani, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 2984, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2984, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, co-chair; Ige, Kidani, Kokubun, Slom as managers on the part of the Senate at such conference.

## ADJOURNMENT

At 11:47 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, April 9, 2010.

## FORTY-SIXTH DAY

## Friday, April 9, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. Lou Ann Ha'aoheo Guanson, Pacific Justice & Reconciliation Center, after which the Roll was called showing all Senators present with the exception of Senators Takamine and Tsutsui who were excused.

The President announced that she had read and approved the Journal of the Forty-Fifth Day.

At this time, the following introductions were made to members of the Senate:

Senator Chun Oakland introduced members of the American Massage Therapy Association (AMTA) Hawaii Chapter and Massage Therapists Association of Hawaii (MATAH) who were here to celebrate the 15<sup>th</sup> Legislative Massage Awareness Day at the Capitol. Representing AMTA Hawaii were Pualani Gillespie, President; and Raymond Herradure, board member and Chair of the Legislative Massage Awareness Day. Representing MATAH were Mahana Byington, board member, past President, and supporter of the Legislative Massage Awareness Day; and Dustin Ebesu, President and Chair of the Legislative Awareness Day.

Senator Espero introduced a group of 8 to 12 year old students from TeenPact Hawaii, a national organization that teaches students about government, who were here to learn about the legislature and see how bills are passed. Accompanying the TeenPact students were Hawai'i Coordinator Robin Metcalf and several parents.

Senator Espero also introduced members of the United Public Workers including State Director Dayton Nakanelua; correctional officers from O'ahu Community Correctional Center, Halawa Correctional facility, the Women's Correctional Facility, and Waiawa Correctional facility; workers from Unit 1 representing the Department of Accounting and General Services, Department of Land and Natural Resources, Department of Education, and the University of Hawai'i; and workers from the City & County of Honolulu Parks and Recreation Facilities Management.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 466 to 467) were read by the Clerk and were placed on file:

Gov. Msg. No. 466, informing the Senate that on April 8, 2010, the Governor signed into law House Bill No. 2427, H.D. 1, S.D. 1 as Act 12, entitled: "RELATING TO SOLID WASTE MANAGEMENT."

Gov. Msg. No. 467, letter dated April 8, 2010, transmitting proposed changes to the Appropriations Act (HB2200) for the Department of Accounting and General Services, the Department of Commerce and Consumer Affairs, and the Department of Health.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 463 to 471) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 463, returning S.B. No. 2346, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2346, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Monday, April 12, 2010.

Hse. Com. No. 465, informing the Senate that on April 8, 2010, the House reconsidered its action taken on March 23, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 1853 (S.D. 1), was placed on file.

Hse. Com. No. 466, informing the Senate that the House agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 8, 2010:

H.B. No. 2027, H.D. 1, S.D. 1;  
H.B. No. 2028, S.D. 1; and  
H.B. No. 2136, S.D. 1,

was placed on file.

Hse. Com. No. 467, informing the Senate that on April 8, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 1907, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee.

H.B. No. 1985 (S.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Ward.

H.B. No. 2421, H.D. 2 (S.D. 2):

Representatives Morita, Tsuji, M. Oshiro, Co-Chairs; Coffman, Wooley, Thielen.

H.B. No. 2542, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Ward.

H.B. No. 2594, H.D. 2 (S.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Ward.

H.B. No. 2595, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Finnegan.

H.B. No. 2866, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee.

H.B. No. 2962, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Finnegan.

H.B. No. 2984, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, McKelvey, Ward,

was placed on file.

Hse. Com. No. 468, informing the Senate that on April 8, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 1230, S.D. 2 (H.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Marumoto.

S.B. No. 2001, S.D. 1 (H.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Ward.

S.B. No. 2401, S.D. 1 (H.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Marumoto.

S.B. No. 2405, S.D. 2 (H.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee.

S.B. No. 2695, S.D. 1 (H.D. 1):

Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Ward,

was placed on file.

Hse. Com. No. 469, informing the Senate that on April 8, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 2159 (H.D. 1):

Representatives Karamatsu, M. Oshiro, Co-Chairs; Ito, Ward, was placed on file.

Hse. Com. No. 470, informing the Senate that on April 8, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 2650, S.D. 2 (H.D. 2):

Representatives Mizuno, Yamane, Brower, Co-Chairs; Ward, was placed on file.

Hse. Com. No. 471, informing the Senate that on April 8, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 2003, H.D. 3 (S.D. 2);  
H.B. No. 2200, H.D. 1 (S.D. 2);  
H.B. No. 2306, H.D. 2 (S.D. 3);  
H.B. No. 2450, H.D. 1 (S.D. 2);  
H.B. No. 2542, H.D. 1 (S.D. 2); and  
H.B. No. 2690 (S.D. 2),

was placed on file.

**STANDING COMMITTEE REPORTS  
AND  
ADOPTION OF RESOLUTIONS**

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3093) recommending that S.C.R. No. 6, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE CANCELLATION OF THE LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055; SEAWARD OF TAX MAP KEY: (2) 4-5-001:006; AND URGING THE DEPARTMENT OF

EDUCATION TO CONTINUE THE LAHAINALUNA HIGH SCHOOL BOARDING PROGRAM," was adopted.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3094) recommending that S.C.R. No. 18, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE'S HANDLING OF THE STATE'S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES," was adopted.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3095) recommending that S.C.R. No. 77, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3096) recommending that S.R. No. 33, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 33, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Senator Kim, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3097) recommending that S.C.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF DEPARTMENT OF TAXATION CONTRACTS," was adopted.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3098) recommending that S.C.R. No. 108, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 108, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ESTABLISH A CONSISTENT FUNDING FORMULA, PROCESS, OR BOTH, BY WHICH EQUITABLE FUNDING TO CHARTER SCHOOLS IS DETERMINED," was adopted.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3099) recommending that S.C.R. No. 110, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was adopted.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3100) recommending that S.C.R. No. 120, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 120, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO IMPROVE THE SAFETY OF THE RESIDENTS OF ITS HOUSING PROJECTS AND EXPRESSING SUPPORT FOR THE AUTHORITY'S PLAN TO IMPLEMENT THE TENANT MONITOR PROGRAM," was adopted.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3101) recommending that S.C.R. No. 233, as amended in S.D. 1, be adopted.

Senator Sakamoto moved that Stand. Com. Rep. No. 3101 and S.C.R. No. 233, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose to request that his vote be cast "no."

At 11:51 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 a.m.

Senator Slom requested that his vote be cast "no" on Stand. Com. Rep. No. 3101/S.C.R. No. 233, S.D. 1, as well as on Stand. Com. Rep. No. 3086/S.C.R. No. 179, S.D. 2, and the Chair so ordered.

Senator Hemmings rose in support of the motion to adopt Stand. Com. Rep. No. 3101/S.C.R. No. 233, S.D. 1, as well as Stand. Com. Rep. No. 3086/S.C.R. No. 179, S.D. 2, and said as follows:

"I rise to speak in favor of the motion to approve these resolutions.

"Thank you, Madam President and colleagues. I do so with apprehension and for the only reason that I do not vote 'with reservations' on initiatives though I have grave reservations about some of these resolutions that commission studies, audits, and working groups. I believe, if you recall on the 3<sup>rd</sup> day at the beginning of this session, a very astute senator stood up and actually counted the number of studies and audits we commissioned, and noted the over 200 reports we received as a response of those audits, and fathomed what amount of time and money was spent on completing the work. And to add insult to the possible waste of energy and time and money of public employees who work on these things, many of the recommendations made by the audit—including, for instance, the very expensive audit we did on Hawai'i Health Care Systems—go totally unheard and unresponded to, and end up on the ash heap, I think were the terms, of the legislative process. I believe we're doing the same thing, and I don't think we can afford, in this year, the amount of money it will take to do all of these studies, working groups, and audits. It's a luxury we could well afford when we're awash in surplus budgets, but

that is no longer the case. We are in dire straits, and this represents a tremendous amount of time and money being spent by our public employees. Just the other day in Ways and Means when we were going over legislation, it was said, as a matter of testimony from the Deputy Director, that a great amount of employee time was spent on just this—responding to audits and studies and working groups. I'd like to say 'humorously'—but it may be paradoxical to you—but I think we really need to do an audit and a study of the economic impact of studies and audits because I think it's very expensive and very unproductive; and oftentimes what they do is they replace us doing our job and making hard decisions based on facts we've known for years, such as geothermal and all the other things they've turned down in years gone by, and now they want to reopen it up by doing further studies or working groups to convene to get it done. We even, as you recall, had a resolution to study a superferry coming to Hawai'i. So, I hope that we consider the impact of these audits and studies as time goes on because I don't think, especially this year, we can afford them. Thank you, Madam President."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 233, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO INVESTIGATE ACTIVITIES SURROUNDING THE STATE'S PURCHASE OF AUCTION RATE SECURITIES AND TO TAKE LEGAL ACTION AS APPROPRIATE," was adopted with Senator Slom voting "No".

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3102) recommending that S.C.R. No. 234, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 234, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL TO INVESTIGATE WHETHER TRANSIENT ACCOMMODATIONS AND GENERAL EXCISE TAXES ON THE INTERNET SALE OF TRANSIENT ACCOMMODATIONS ARE BEING ASSESSED, COLLECTED, AND REMITTED TO THE STATE AND TO TAKE APPROPRIATE LEGAL ACTION, AS NECESSARY," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3103) recommending that S.C.R. No. 138, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAII CAPITAL CULTURAL COALITION," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3104) recommending that S.R. No. 56, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 56, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAII CAPITAL CULTURAL COALITION," was adopted.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 3105) recommending that S.C.R. No. 141, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SYSTEMS OR PLANS THAT MAY ACCOMMODATE THE DEPARTMENT OF EDUCATION'S NEED TO RETAIN, PROMOTE, AND COMPETITIVELY COMPENSATE PROFESSIONAL EMPLOYEES IN CERTAIN AREAS, WITHOUT REQUIRING THOSE EMPLOYEES TO ASSUME SUPERVISORY RESPONSIBILITIES, AND A STUDY OF THE ADVANTAGES AND DISADVANTAGES OF THE DEPARTMENT OF EDUCATION'S ADOPTION OF A SYSTEM SIMILAR TO THE UNIVERSITY OF HAWAII'S EXECUTIVE/MANAGEMENT SYSTEM," was adopted.

Senators Ige and Taniguchi, for the Committee on Health and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 3106) recommending that S.C.R. No. 211, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 211, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO EXAMINE OVERLAP AND CONFLICTS AMONG STATUTES RELATING TO PATIENT CARE DIRECTIVES RECOGNIZED IN HAWAII, INCLUDING PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT, "DO-NOT-RESUSCITATE" ORDERS, AND ADVANCE HEALTH CARE DIRECTIVES," was adopted.

Senators Espero and Fukunaga, for the Committee on Public Safety and Military Affairs and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3107) recommending that S.C.R. No. 174, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 174, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE PACIFIC AVIATION MUSEUM-PEARL HARBOR AT FORD ISLAND AS THE STATE MUSEUM OF AEROSPACE HISTORY," was adopted.

Senators Espero and Fukunaga, for the Committee on Public Safety and Military Affairs and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3108) recommending that S.R. No. 77, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 77, S.D. 1, entitled: "SENATE RESOLUTION DESIGNATING THE PACIFIC AVIATION MUSEUM-PEARL HARBOR AT FORD ISLAND AS THE STATE MUSEUM OF AEROSPACE HISTORY," was adopted.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3109) recommending that S.C.R. No. 172, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 172, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE HAWAII PAROLING AUTHORITY TO IDENTIFY UP TO FIVE HUNDRED

NON-VIOLENT INMATES WHO COULD BE INVOLVED IN A DAY REPORTING CENTER, BE MONITORED VIA TWENTY-FOUR HOUR/SEVEN DAYS A WEEK GPS ELECTRONIC MONITORING, BE INCLUDED IN AN EXTENDED WORK FURLOUGH PROGRAM, AND/OR BE ELIGIBLE FOR AN EARLY RELEASE PROGRAM," was adopted.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3110) recommending that S.R. No. 75, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 75, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE HAWAII PAROLING AUTHORITY TO IDENTIFY UP TO FIVE HUNDRED NON-VIOLENT INMATES WHO COULD BE INVOLVED IN A DAY REPORTING CENTER, BE MONITORED VIA TWENTY-FOUR HOUR/SEVEN DAYS A WEEK GPS ELECTRONIC MONITORING, BE INCLUDED IN AN EXTENDED WORK FURLOUGH PROGRAM, AND/OR BE ELIGIBLE FOR AN EARLY RELEASE PROGRAM," was adopted.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3111) recommending that S.C.R. No. 167, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 167, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO EVALUATE THE NEED FOR AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES," was adopted.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3112) recommending that S.C.R. No. 212, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 212, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD," was adopted.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3113) recommending that S.R. No. 108, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 108, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF LOWERING THE AGE OF PHARMACY-ADMINISTERED VACCINATION RECIPIENTS TO NINE YEARS OLD," was adopted.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 3114), recommending that S.R. No. 80, as amended in S.D. 1, be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was adopted.

Senators Fukunaga and Hee, for the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 3115) recommending that S.C.R. No. 224, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 224, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL," was adopted.

Senators Fukunaga and Hee, for the Committee on Economic Development and Technology and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 3116) recommending that S.R. No. 115, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL," was adopted.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3117) recommending that S.C.R. No. 144, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH AND CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A CONSTRUCTION SAFETY AND HEALTH PROGRAM IN THE STATE," was adopted.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3118) recommending that S.R. No. 65, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 65, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH AND CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A CONSTRUCTION SAFETY AND HEALTH PROGRAM IN THE STATE," was adopted.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3119) recommending that S.C.R. No. 128 be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 128, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL PUBLIC AND PRIVATE EMPLOYERS IN THIS STATE TO USE E-VERIFY TO CONFIRM EMPLOYEE WORKPLACE ELIGIBILITY," was adopted.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3120) recommending that S.C.R. No. 201 be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ADOPT RULES TO PROHIBIT ABUSIVE WORK ENVIRONMENTS," was adopted.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3121) recommending that S.R. No. 100 be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 100, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ADOPT RULES TO PROHIBIT ABUSIVE WORK ENVIRONMENTS," was adopted.

At this time, the Chair made the following announcement:

"Members, we skipped one item, so we are returning to House Communications."

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. Nos. 464) was read by the Clerk and was placed on file:

Hse. Com. No. 464, informing the Senate that H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1 passed Final Reading in the House of Representatives on April 8, 2010.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3122) recommending that the Senate advise and consent to the nomination of TIN MYAING THEIN to the Language Access Advisory Council, in accordance with Gov. Msg. No. 219.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3122 and Gov. Msg. No. 219 was deferred until Monday, April 12, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3123) recommending that the Senate advise and consent to the nomination of AARON FUJIOKA to the office of State Procurement Administrator, in accordance with Gov. Msg. No. 243.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3123 and Gov. Msg. No. 243 was deferred until Monday, April 12, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3124) recommending that the Senate advise and consent to the nomination of SAMUEL MOKU to the Civil Rights Commission, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3124 and Gov. Msg. No. 293 was deferred until Monday, April 12, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3125) recommending that the Senate advise and consent to the nominations to the Hawaii State Council for Interstate Juvenile Supervision of the following:

DENNIS M. DUNN, in accordance with Gov. Msg. No. 294; and

DENNIS M. DUNN, in accordance with Gov. Msg. No. 295.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3125 and Gov. Msg. Nos. 294 and 295 was deferred until Monday, April 12, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3126) recommending that the Senate advise and consent to the nominations to the Interstate Compact for Juveniles of the following:

WENDELL K. KIKUCHI, in accordance with Gov. Msg. No. 296; and

WENDELL K. KIKUCHI, in accordance with Gov. Msg. No. 297.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3126 and Gov. Msg. Nos. 296 and 297 was deferred until Monday, April 12, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3127) recommending that the Senate advise and consent to the nomination of EUGENE A.H. MAGNIER MD to the Medical Advisory Board, in accordance with Gov. Msg. No. 389.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3127 and Gov. Msg. No. 389 was deferred until Monday, April 12, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3128) recommending that the Senate advise and consent to the nomination of LEO MAHER MD, MHA, FAAN to the Medical Advisory Board, in accordance with Gov. Msg. No. 390.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3128 and Gov. Msg. No. 390 was deferred until Monday, April 12, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3129) recommending that the Senate advise and consent to the nomination of ALAN SERIKAWA to the Medical Advisory Board, in accordance with Gov. Msg. No. 391.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3129 and Gov. Msg. No. 391 was deferred until Monday, April 12, 2010.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3076 (Gov. Msg. No. 242):

Senator Hee moved that Stand. Com. Rep. No. 3076 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of KAULANA PARK to the office of Chairman of the Department of Hawaiian Home Lands, term to expire December 31, 2010, seconded by Senator Tokuda.

Senator Hee rose in support of the nominee as follows:

“Members, this particular Governor’s Message is to appoint Kaulana Park as Chairperson of the Hawaiian Homes Commission and Director of the Department of Hawaiian Home Lands. Your Committee heard extensive testimony, despite my efforts to encourage them to be brief; that’s not part of who we are. Nonetheless, there was an effort to be brief, so we were privileged with the testimony offered by any number of individuals, homesteaders, and community leaders, as well as cabinet members of the present administration. I can say this about the nominee, having known him when I was chairman of the Office of Hawaiian Affairs: He is a young man whose future as a leader is very bright, and he has the opportunity and privilege to be a mentor to the next generation of young people, Hawaiian and others alike. He has the opportunity to lead this department knowing that his term will come to an end with the present governor’s administration; and therefore, as I have shared with him, he has a modicum of immunity to do decision making with a fair amount of impunity, as well, because he has the privilege of knowing his stint as a nominee, at least for this administration, is short.

“This, however, as has been pointed out to me and as I agree, is just the beginning of this young man’s career as he moves forward in service to the public. He is a young man who has demonstrated his accomplishments as an athlete at my alma mater, as well as at Stanford University, and has experience in the business sector as well with the banking industry.

“It isn’t often that someone as accomplished as this young man is comes before this assembly for consideration as the Director of the Department of Hawaiian Home Lands. He does not come without his challenges, which was made clear many times before your Committee, and also I believe before some of you before whom others have visited. On the other hand, it is my understanding these issues have been flushed out, he has availed himself to be cognizant of the concerns of others; and it is with that confidence, Madam President and members, that I stand before you in support of the nominee and urge you to support Kaulana Park as Chairman of the Department of Hawaiian Home Lands. Thank you, Madam President.”

Senator Hemmings rose in support of the nominee as follows:

“It’s very difficult to follow the articulate endorsement of the previous speaker, but I’ll attempt to do so. The nominee is just what has been said about him: young, bold, intelligent, knowledgeable. I would note that possibly could be held against him that he graduated from the previous speaker’s alma mater and not Punahou, but other than that, we think he’s eminently qualified to serve the people of Hawai’i and to serve the Hawaiian community in a capacity of head of this department. Thank you, Madam President.”

Senator Galuteria rose in support of the nominee as follows:

“Members, Kaulana Park is a true son of Hawai’i. It’s not going to be easy for me to follow the two previous speakers, but I’ll try my best to be brief as the Chair had recommended.

“His diligence, hard work, and determination generally result in success, the same success that resulted as a running back at Stanford University, as Chair had mentioned. Effective leadership on the football field, though, comes in many different forms. There are the fiery leaders exhorting teammates throughout the games and the emotional firebrands in the locker room belting out impassioned speeches (like this

one right now). Then there are the more quiet type of leaders like Kaulana Park, a polite, mild-mannered man who simply works hard, exudes toughness, and, when he needs to, he lowers his head and plays smash ball, which is what we want. For those of us who've played the game or appreciate the game, that is the metaphor that I'm speaking through; and if you do know football, you'll know that the fullback position—and I recall Kaulana being a fullback at Stanford—is frequently underappreciated. It's all get-down-and-dirty physical play. You're almost an offensive lineman, except you get to touch the ball every now and then. You're certainly the lead through the hole, and you're required to take the first hit and get up after every play to do it all again. Maybe even giving the credit or admiration to others behind him, but returning to the huddle with the common purpose to move the ball forward, knowing that with patience and determination you'll reach that goal line. And in our case, colleagues, our common goal is maintaining and improving the quality of life for Hawaii's residents, especially in times of great economic challenge that we face today. Kaulana's charge will be to fulfill the Department of Hawaiian Home Lands' commitment to native Hawaiians, while working with all of us together in our combined efforts to uplift the entire community.

"Up to this moment, his public history has been exceptional, working with state agencies, the private sector, faith-based community, advocates, non-profit organizations, counties, and so on, but going forward—and I wanted to mention this, Madam President because one of Kaulana's enduring legacies will be his leadership and the plans by the DHHL and Kamehameha Schools to develop a 300-acre learning community in Makaha Valley, which is your district, Madam President. Both parties have now agreed to clear the way for more detailed planning, integrating educational housing, traditional practices, and affordable energy-efficient housing, creating a modern-day ahupua'a, as our nominee likes to refer to it as. And pending legislation also allows for DDHL to seek partnerships to offer affordable housing solutions in the urban corridor, so young professionals who choose to work and raise their families in metropolitan Honolulu will have choices. And I look forward to working with the nominee in this area if he is indeed confirmed.

"In closing Madam President, three things struck me about Kaulana Park. First, a higher purpose, as I listened to his testimony at the Committee that submitted him to the floor: His purpose in life is to be a father first, a husband, serving the community, and make our Hawai'i better. The second thing that struck me about him is his caring about his superiors, and subordinates as well. And finally his faith; and whatever your faith is, is it helping you lead? And I believe it does for Kaulana Park.

"So, in conclusion, these traits: humility, grace, quiet strength, and purposeful innovation lead me to believe Kaulana Park is the right man to lead the Department of Hawaiian Home Lands at this time in our history, and I ask members to support his appointment as Chair. Mahalo, Madam President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Takamine, Tsutsui).

At this time, Senator Hee introduced Kaulana Park, who was accompanied by his wife Dianne Park; his youngest child Kawaimaluhia Park; sisters Puamana Kimmie Park, Soo Whan Pumehana Cullen, and Soo Nie Park Ledbetter; brother-in-law Joe Ledbetter; nephews Thomas and Louis Santos; close family friend Lani Kaaa; uncle James Pai, Sr.; aunt Alice Greenwood; Bo Kahui, Executive Director of Laiopua 2020; and Executive Secretary Lani Hoomana, Executive Assistant Bobby Hall, and

Deputy Director Anita Wong from the Department of Hawaiian Home Lands.

At 12:09 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 p.m.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY, APRIL 8, 2010

Stand. Com. Rep. No. 3077 (S.C.R. No. 237, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 237, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO CONSIDER LEASING OR RENTING PUBLIC SCHOOL CAFETERIAS TO VALUE-ADDED FOOD PROCESSORS TO PROMOTE THE USE OF LOCALLY-GROWN FRESH PRODUCE IN SCHOOL MEALS," was adopted.

Stand. Com. Rep. No. 3078 (S.C.R. No. 186, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was adopted.

Stand. Com. Rep. No. 3079 (S.R. No. 86, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was adopted.

Stand. Com. Rep. No. 3080 (S.C.R. No. 150):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 26, 2010, AS MESOTHELIOMA AWARENESS DAY," was adopted.

Stand. Com. Rep. No. 3081 (S.C.R. No. 223, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 223, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO REVISE AND UPDATE THE HAWAII LEGISLATIVE DRAFTING MANUAL," was adopted.

Stand. Com. Rep. No. 3082 (S.R. No. 114, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 114, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO REVISE AND UPDATE THE HAWAII LEGISLATIVE DRAFTING MANUAL," was adopted.

Stand. Com. Rep. No. 3083 (S.C.R. No. 151):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEVELOPMENT AND AIRING OF PUBLIC SERVICE ANNOUNCEMENTS ON COMMERCIAL PASSENGER AIR FLIGHTS TO THE STATE ON THE IMPORTANCE OF CARING FOR THE STATE'S UNIQUE AND FRAGILE ECOSYSTEM," was adopted.

Stand. Com. Rep. No. 3084 (S.C.R. No. 20, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 20, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST PUBLIC SCHOOLS STATEWIDE IN ADOPTING AND IMPLEMENTING COMPREHENSIVE CAMPUS RECYCLING POLICIES," was adopted.

Stand. Com. Rep. No. 3085 (S.C.R. No. 210, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE CREATION OF A HAWAII ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION," was adopted.

Stand. Com. Rep. No. 3086 (S.C.R. No. 179, S.D. 2):

Senator Sakamoto moved that Stand. Com. Rep. No. 3086 and S.C.R. No. 179, S.D. 2 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no," and the Chair so ordered.

Having previously risen in support of the measure, Senator Hemmings' remarks read as follows:

"I rise to speak in favor of the motion to approve these resolutions.

"Thank you, Madam President and colleagues. I do so with apprehension and for the only reason that I do not vote 'with reservations' on initiatives though I have grave reservations about some of these resolutions that commission studies, audits, and working groups. I believe, if you recall on the 3<sup>rd</sup> day at the beginning of this session, a very astute senator stood up and actually counted the number of studies and audits we commissioned, and noted the over 200 reports we received as a response of those audits, and fathomed what amount of time and money was spent on completing the work. And to add insult to the possible waste of energy and time and money of public employees who work on these things, many of the recommendations made by the audit—including, for instance, the very expensive audit we did on Hawai'i Health Care Systems—go totally unheard and unresponded to, and end up on the ash heap, I think were the terms, of the legislative process. I believe we're doing the same thing, and I don't think we can afford, in this year, the amount of money it will take to do all of these studies, working groups, and audits. It's a luxury we could well afford when we're awash in surplus budgets, but that is no longer the case. We are in dire straits, and this represents a tremendous amount of time and money being spent by our public employees. Just the other day in Ways and Means when we were going over legislation, it was said, as a matter of testimony from the Deputy Director, that a great amount of employee time was spent on just this—responding to audits and studies and working groups. I'd like to say 'humorously'—but it may be paradoxical to you—but I think we really need do an audit and a study of the economic impact

of studies and audits because I think it's very expensive and very unproductive; and oftentimes what they do is they replace us doing our job and making hard decisions based on facts we've known for years, such as geothermal and all the other things they've turned down in years gone by, and now they want to reopen it up by doing further studies or working groups to convene to get it done. We even, as you recall, had a resolution to study a superferry coming to Hawai'i. So, I hope that we consider the impact of these audits and studies as time goes on because I don't think, especially this year, we can afford them. Thank you, Madam President."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 179, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was adopted with Senator Slom voting "No".

Stand. Com. Rep. No. 3087 (S.C.R. No. 205, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 205, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS," was adopted.

Stand. Com. Rep. No. 3088 (S.R. No. 104, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO MAKE RECOMMENDATIONS REGARDING SIMPLIFICATION OF SPECIALTY LICENSE CLASSIFICATIONS FOR CONTRACTORS," was adopted.

Stand. Com. Rep. No. 3089 (S.C.R. No. 42, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 42, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was adopted.

Stand. Com. Rep. No. 3090 (S.R. No. 27, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 2, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR LOCAL ACCOUNTABILITY OF DRUG FORMULARIES AND DRUG PRIOR AUTHORIZATION POLICIES," was adopted.

Stand. Com. Rep. No. 3091 (S.C.R. No. 123, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 123, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was adopted.

Stand. Com. Rep. No. 3092 (S.R. No. 53, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 53, S.D. 2, entitled: "SENATE RESOLUTION URGING THE BOARD OF

NATUROPATHIC MEDICINE TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM PARENTERAL THERAPY," was adopted.

S.C.R. No. 91, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING AN INVESTIGATING COMMITTEE TO INVESTIGATE CONTESTED CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, AND TO ASSESS THE USE AND APPLICATION OF SECTION 571-46, HAWAII REVISED STATUTES," was adopted.

S.C.R. No. 122, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII," was adopted.

S.C.R. No. 146, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.C.R. No. 146, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A HEALTH CARE REFORM TASK FORCE TO EVALUATE METHODS TO IMPROVE THE QUALITY, SAFETY, EFFICIENCY, AND COST OF HAWAII'S HEALTH CARE SYSTEM, TO REDUCE MEDICAL ERRORS AND INCREASE PATIENT SAFETY, TO SEEK SOLUTIONS TO ELIMINATE DOCTOR SHORTAGES, AND TO ADDRESS THE ROLE AND IMPACT OF THE LEGAL SYSTEM IN COMPENSATING VICTIMS INJURED BECAUSE OF MEDICAL ERRORS," was adopted.

### FINAL READING

S.B. No. 1178, S.D. 2, H.D. 2:

Senator Ige moved that S.B. No. 1178, S.D. 2, H.D. 2 pass Final Reading, seconded by Senator Baker.

Senator Hemmings rose in support of the measure as follows:

"I speak in favor of it out of necessity. We have to make this emergency appropriation in order to receive federal funds to continue a \$1.2 billion health insurance program for those who cannot afford to pay their own.

"I have to remark that it was just last week that Federal Reserve Chairman Ben Bernanke commented on the future. He specifically said that Medicaid, Medicare, and Social Security are going to bankrupt our nation; \$1.2 billion—\$100 million a month—to insure 251,000 people approximately in Hawai'i. Twenty percent of the population cannot care for their own health care for a number of reasons, many of them through no fault of their own.

"We're doing nothing to address the long-term liability of this which will bankrupt the nation and Hawai'i, and we're doing nothing to really, despite recent legislation passed in Washington, D.C., to address some underlying problems with the cost of medical insurance such as medical malpractice insurance; lawsuits, what I call tort extortion; lawyers who sue on frivolous cases, knowing full well that the defendant cannot afford to spend two years and \$300,000 to defend themselves and settle for \$200,000. We've done nothing to create more

interstate competition with insurance companies, nothing to give tax credits to those hardworking people who pay for their own medical insurance through medical savings plans, increasing their benefits. Madam President, if we continue once again on the path we're on with just underwriting these programs as they spin out of control, it will do what is happening in California and possibly would—I would never have thought I'd see the day—may happen to the nation: We'll run out of money. So I would caution that, though this is a necessary expenditure, that we'd better take a serious look at what is happening and what the costs are because there may come a day when no one will have health insurance because our nation cannot afford it. Thank you, Madam President."

Senator Slom rose in opposition to the measure as follows:

"Every year, we have a request for an emergency appropriation. Every year, we grant it. Every year, we don't go in the right direction to make adjustments, corrections, or changes.

"I echo the words of the Minority Leader in terms of the frustration with this and with the numbers of people who do not have coverage. He alluded to the people that, through no fault of their own don't have coverage, but there are also people that do not, like auto insurance, choose to have the coverage or choose to do the necessary things possible.

"I certainly want the department and the agencies to make timely payments, and I don't want anybody cut off, but I ask, 'When are we going to get serious about this and when are we going to make systemic changes in the Medicaid program?' Just as we asked the same situation, 'When are we going to make the systemic changes in education?' Because every year is an emergency. We're in difficult times right now, but even in the best of times we've had the same situation because we've not applied our best and most workable solutions. So that's why, at this time, I'm going to register my 'no' vote. Thank you."

Senator Chun Oakland rose in support of the measure as follows:

"To my knowledge, we have not had an emergency appropriation bill for Medicaid in, I think, six or seven years; and I do support the need to look at better ways to reduce the cost of Medicaid. I know we formed an informal Medicaid shortfall task force, looking at more long-term ways to improve the overall effectiveness, the reduction in high utilization of certain services that have been cost-drivers in the past. So, I really do look forward to that effort, and hopefully we can do things a lot smarter but at the same time be able to cover the health care services for folks that do need it. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1178, S.D. 2, and S.B. No. 1178, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2139, S.D. 2, H.D. 2:

On motion by Senator Espero, seconded by Senator Kim and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2139, S.D. 2, and S.B. No. 2139, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2163, S.D. 2, H.D. 1:

On motion by Senator Ige, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2163, S.D. 2, and S.B. No. 2163, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2390, S.D. 2, H.D. 2:

On motion by Senator Ige, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2390, S.D. 2, and S.B. No. 2390, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2597, H.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2597, and S.B. No. 2597, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2611, S.D. 2, H.D. 2:

On motion by Senator Ige, seconded by Senator Kim and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2611, S.D. 2, and S.B. No. 2611, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2701, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2701, S.D. 1, and S.B. No. 2701, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2770, S.D. 1, H.D. 2:

On motion by Senator Ige, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2770, S.D. 1, and S.B. No. 2770, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2803, S.D. 1, H.D. 1:

On motion by Senator Tokuda, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2803, S.D. 1, and S.B.

No. 2803, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Takamine, Tsutsui).

S.B. No. 2840, S.D. 2, H.D. 1:

Senator Takamine moved that S.B. No. 2840, S.D. 2, H.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Bunda rose in support of the measure as follows:

"Colleagues, I believe we are about to make history with this bill. It requires that at least 80 percent of the workers in public works contracts and construction procurements be Hawai'i residents.

"According to a 2010 report regarding the cost of out-of-state construction workers by Dr. Peter Philips from the University of Utah and Dr. Kevin Duncan from Colorado State University, the benefits of having local workers on local state construction projects does more than just benefit the construction industry. For example, local construction workers get jobs, their local spending stimulates local businesses, and local businesses generate more tax revenue. That stimulus creates even more jobs for locals in other sectors of the economy, and the public infrastructure built with taxpayer money lays the foundation for a more efficient and competitive economy. Non-resident employees working on construction procurement contracts inject very little into the local economy, sending most of their wages to their home states to support their families there instead.

"The \$11 million Aloha Stadium project could have hired 50 construction workers. The project was awarded to a mainland company instead who hired all non-residents, and the local economic activity associated with the project decreased by approximately by \$1 million, and \$72,000 in state and local taxes. If the 80 percent resident requirement had been applied to this project, the economic activity would have pumped roughly \$800,000 into the local economy.

"If a project that hires 50 out-of-state workers has \$1 million impact, imagine the ramifications the upcoming rail project will have if non-resident workers are used. Building the rail system will create hundreds of construction jobs, but if most of the jobs aren't given to local residents, it could greatly impact our economy. With Hawaii's construction wages being 5 to 60 percent higher than their mainland counterparts, it will entice workers from other states where the unemployment rates are even worse. 'Local jobs for local people' means that that money made in Hawai'i stays in Hawai'i. I urge all of you to support this measure. Thank you, Madam President."

Senator Slom rose in opposition to the measure as follows:

"While I listened to all the words of my good friend and colleague from the North Shore, I respectfully disagree. It may be historic, if in fact the Legislature passes this bill, but it will again put a negative face on doing business in Hawai'i and on our business climate.

"I feel very troubled that over the last few years we have become more and more provincial in our outlook, and more and more trying to build fences that say us versus them. Last time I checked, we were a part of the United States of America. We did celebrate our 50<sup>th</sup> anniversary of statehood, and yet we've got a lot of things that have been brewing locally to try to deny anyone from outside of Hawai'i doing anything. Yet the facts of the matter are, particularly if you're looking at the Aloha Stadium contract, we didn't have locally qualified and certified employees that could do that job; otherwise, they would have

done that job. And I certainly agree that when the rail project, if it goes any further—and I don't think it will go much further than the fields of Kapolei—but if it goes further, and after they're done taking away residence and businesses as they keep changing routes, they will find that not 80 percent of local employees in the construction industry can do the jobs that are required in this particular project, and that's the pure and simple truth.

"Now we have all kinds of educational and training programs, and maybe we should start training local employees to do these jobs because even if the rail transit on O'ahu continues at this pace, it'll be another 15 or 20 years before we really need the construction, so we'll have time educate them.

"But the simple truth is this: When we talk about doing jobs, we also have another consideration, and that is the entire cost and the cost to local people, local families, local small businesses. The fact is that in many cases, by not allowing bids from outside our state or not finding the most qualified and the most productive and the best cost, we wind up charging an additional tax to local families and local residents. I'm all for using local people, local products—that's why I'm involved right now in a process to try to buy and keep local a local newspaper—but if it can't be done, if these things can't be done, or there are great changes in cost, or if we don't qualify, then we should embrace the idea that we want to improve our business climate, and we want to get the best cost and the best projects for everyone. If we increase our business climate and make it more hospitable, then instead of dividing up the same pie, we'll be able to bake additional pies. There'll be additional jobs, additional revenue, and additional opportunities. Thank you, Madam President."

Senator Hemmings rose in opposition to the measure as follows:

"I, too, would like to echo the previous speaker's respect for the endorser of this bill, who spoke first, but I think over the long haul, if you look at it, it's just another straw in the demise on the back of the economy.

"You have to ask why mainland companies—and this does only affect large projects such as the Stadium, but even gets down to local contracting—why mainland companies can fly crews into Hawai'i, do the work, collect the money, and fly back to the mainland, and make a profit when our own companies can fail to compete with the additional overhead the mainland companies encompass by travel. And the answer is because of the rules and regulations and 'strangle-ization' of the business here in Hawai'i. The amount of time it takes to get permits, all the mandates on employers, all the taxes, all the hidden taxes—all of those things add up to Hawai'i being a place where local people can't afford to compete in their own state for their own state's business; and we're responsible for that. And this bill is not going to help. It's just going to drive up costs more, and eventually the local people that are working on the projects probably won't be able to afford to consume some of the goods and commodities that the projects they're working on are bringing to the market.

"And there's another point that I think is well-worth. I met with private sector buildings and trade labor leader, and they're desperate. They're desperate; and these are people that work. These are people that get up at 5:00 in the morning, drink their coffee, hammer nails, dig holes, build buildings. They are people that work with their hands and make Hawai'i what it is. Great majority of them are out of work. They're frankly looking to the rail line to be the savior; taxpayers spending \$3-, \$4-, \$5 billion dollars on a rail system, the finances of that I can't understand.

"But what has this Legislature done in ensuring years? We had a \$600 million project stopped; \$600 million of private money that could have been a shovel in the ground now. The workers would have been working now. It was Kaka'ako redevelopment. I was talking about it to a legislator colleague Senate member just the other day about it, and she said, 'Well, you saw the protest.' And I said, 'Yeah, I did see the protest.' We're a state of 1.3 million people. If 100, 200 people come down here with red shirts on and blow conch shell and say they don't want something, is it responsible for us to say, 'Oh, we're exceeding to the will of the people?' If we get 1,000 e-mails opposing something, are we supposed to stop it? Public opinion comes and goes with the tide, with the wind. Public gets information, they support something. They get different information, they reverse themselves. My point is that in a republic, we're supposed to do what's best for the most, for the longest, in our learned opinion, in concert with the public sentiment, but not oftentimes yielding to a recalcitrant neighborhood board or a handful of protestors.

"This bill is not going to help the private sector buildings and trade industry if there's no work here, and that's what this bill will further increase. The Kaka'ako development by Amfac and the \$600 million project could have been in the works right now, and it's not—because of us.

"So Madam President, I really think, if you look at these bills as well intentioned as they are, you measure out the empirical evidence of what they have done to the cost-of-living, to employment opportunities, and to jobs in Hawai'i, you would join the good senator from Hawai'i Kai and I in voting 'no.' Thank you, Madam President."

Senator Espero rose in support of the measure as follows:

"Local jobs for local people': A basic, simple concept that if you probably go to any jurisdiction in any city, any state, any country, they will agree, 'Yes, we want local jobs for local people. We want to make sure our citizens are fed, our citizens have a place to live, that we could send our children to school, and that we have a quality of life better than that which we were brought up with.' Local jobs for local people.

"I must respectfully disagree with our two senators opposed to this measure that this will have a negative face on business in Hawai'i. That is not true. That is incorrect. As was stated in a previous meeting or session, there are many businesses that want to come to Hawai'i, and there are many businesses who, when they open, are the top franchises in the U.S. of A., and I know in 'Ewa Beach, there are some of those.

"There's also a comment that this will be another straw in the demise of our economy. Not true. Our economy is already 'demised.' Because of the economy, worldwide, globally, what's been happening over the years, this bill will help our economy if there are construction jobs because there will be local jobs for local people. It just makes common sense, members, and I urge you to support this bill. Thank you."

Senator Chun Oakland rose in support of the measure as follows:

"I would like the words of the Senator from Wahiawa to be inserted as if they were my own. (The Chair so ordered, by reference only.) Thank you."

Senator Hooser rose in support of the measure as follows:

"I would like the words of the Senator from 'Ewa Beach and the Senate President emeritus entered into the record as if they were my own. (The Chair so ordered, by reference only.) Support local jobs for local people. Thank you."

Senator Galuteria rose in support of the measure as follows:

“The question is, colleagues: Why are contractors bringing in workers when we have so many unemployed locals who could work in trades? I speak in favor of the measure. As the economy improves, we must ensure that the jobs created when confidence returns stay home. Back in August, we were all enraged when an \$11 million Aloha Stadium reconstruction project was awarded to a mainland company. This local jobs bill that stands before us is so important in keeping Hawai‘i going during, not only the economic crisis, but during the economic recovery. The trades unemployment rate is high across the state: 40 to 50 percent on O‘ahu, 80 percent on Maui, 92 percent on the island of Hawai‘i. Let’s move this bill forward quickly, and get it up to the Governor’s desk as soon as possible. Thank you, Madam President.”

Senator Hemmings rose in rebuttal and said:

“It’s a great campaign slogan: ‘Local jobs for local people.’ I asked two questions; not one of the previous speakers answered it. Why can’t local contractors afford to compete in their own market? No one answered it. I answered it: Because the cost of doing business in Hawai‘i by regulation and taxation makes it so that mainland contractors can fly all the way to Hawai‘i and take jobs from local people. Why don’t we fix the problem rather than coming up with campaign slogans like ‘local jobs for local people?’”

“The second question I asked is: Why don’t we make private investment in public projects easier? No one answered why this Legislature stopped \$600 million being invested in redeveloping state land, which we cannot ourselves afford to redevelop with taxpayers’ resources, in Kaka‘ako? Now, I know the excuse I got was that a handful of people in red shirts didn’t want it to happen. They actually got a couple surfers to come down here and say it might interfere with their exclusive use of the surf at Kaka‘ako, or Kewalos. And you know what we did? ‘Oh okay, we’ll stop a \$600 million project because your parking lot might get too filled.’ I’ll also mention that that project did have a surfing park in it and was developing a great portion of the land for recreational use for the people of Hawai‘i and affordable housing.

“So those are the two questions. No one’s answered them, but you just go ahead and vote what’s convenient and what sounds good, as we usually do, and you’ll get the same results. Thank you, Madam President.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2840, S.D. 2, and S.B. No. 2840, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Hemmings, Slom). Excused, 4 (English, Gabbard, Takamine, Tsutsui).

S.B. No. 2898, S.D. 1, H.D. 1:

On motion by Senator Ige, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2898, S.D. 1, and S.B. No. 2898, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (English, Gabbard, Takamine, Tsutsui).

At this time, the Chair made the following announcement:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.”

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions received on Thursday, April 8, 2010:

- |                       |   |
|-----------------------|---|
| H.C.R. No.:           | Referred to:  |
| H.C.R. No. 68         | Jointly to the Committee on Health and the Committee on Economic Development and Technology                                 |
| H.C.R. No. 76, H.D. 1 | Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs |
| H.C.R. No. 89         | Committee on Water, Land, Agriculture, and Hawaiian Affairs   |

**RE-REFERRAL OF  
A MESSAGE FROM THE GOVERNOR**

The Chair re-referred the following Governor’s Message that was received:

- |                   |   |
|-------------------|---|
| Gov. Msg. No.:    | Re-referred to:   |
| Gov. Msg. No. 395 | Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology |

**MISCELLANEOUS BUSINESS  
MOTIONS TO OVERRIDE VETOES**

S.B. No. 771, S.D. 1, H.D. 1:

In accordance with Article III, Section 17 of the Hawai‘i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 771, S.D. 1, H.D. 1, as contained in Gov. Msg. No. 368, seconded by Senator Sakamoto.

Senator Baker rose in support of the motion to override the veto as follows:

“This is a bill that will provide lessees facing a rent increase with the reasons for a lease-rent increase, a rational basis for same. It will streamline the standards that real estate appraisers use in determining the cost of a property. Example: the fair market value used in the calculation, as well as the basis for that number, and the rate of return and the reason for that number. By using the Uniform Standards of Professional Appraisal Practice (USPAP for short), both in practice of appraisals and arbitration of real estate transactions, we can ensure that leasehold homeowners are treated fairly when their lease rent is being renegotiated.

“We heard the testimony from members of the appraisal and the real estate industries, both the pros and cons of this measure, and your Committee and our House counterpart moved out this measure to address the concerns of pricing property at its fair market value, not highest and best use. I might add that this measure passed unanimously on this Senate floor last year.

“This bill requires real estate appraisers to use the Uniform Standards of Professional Appraisal Practice when conducting appraisals, as well as when an appraiser acts as an arbitrator in a real estate arbitration proceeding. Why? Because using USPAP provides a kind of quality assurance; everybody knows what rationale is going to be used. When arbitrators don’t comply with the USPAP standard and instead use highest-and-best-use standards, the value is artificially inflated, which results in value that exceeds fair rental value, and that

undermines the process in establishing lease rents – a process that was clearly intended to provide for the fair determine of lease rental values.

“We believe it is appropriate that the law be extended to provide the same legal considerations and reporting be provided when an appraiser is sitting on a panel as an arbitrator and ultimately determining the value of the rental rates for real estate. In our attempt to protect consumers against inaccurate and erroneous property appraisals, this measure forces the usage of the USPAP standards to secure consistent practices by appraisers and arbitrators. Considering the recent activities within the real estate market, this measure looks to secure adequate protection for consumers and fair practices for the real estate industry. I urge all of my colleagues to vote in favor of this override. Mahalo.”

Senator Hemmings rose in support of the motion to override the veto as follows:

“I, too, remember the vote on this legislation, and I, too, would like to echo the points made by the previous speaker. I know the Chairman of the Consumer Protection Committee worked very hard on this initiative, and it is supported by a number of different interests in Hawai‘i; and the fact is that it will help protect consumers in Hawai‘i. Therefore, I wish the Senate unanimously vote to override the veto.”

Senator Chun Oakland rose in support of the motion to override the veto as follows:

“I stand in support of this measure and would like to insert remarks into the Journal.”

The Chair having so ordered, Senator Chun Oakland’s remarks read as follows:

“I rise in support of overriding the Governor’s veto for Senate Bill No. 771, House Draft No. 1 (S.B. No. 771), which the Legislature passed on March 5, 2010, and the Governor vetoed on March 19, 2010. This is a reasonable and logical bill that should become law.

“As you may know, Senator Sakamoto and I introduced this bill last session to address the lack of transparency and specific professional standards when a real estate appraiser acts as an appraiser or as an arbitrator in an arbitration proceeding to determine the fair market value or fair market rental of real estate. Currently, there is some confusion about whether the standards applicable to appraisers apply when the appraiser is labeled an ‘arbitrator’, even when the appraiser is performing appraisal functions. The intent of S.B. No. 771 is to clarify that, even though an appraiser may be labeled as an arbitrator, the appraiser must still follow all of the standards of the Uniform Standards of Professional Appraisal Practice (Uniform Standards) applicable to the appraiser profession. Among other things, this would require the appraiser to write a report showing how they arrived at the arbitrated value for the valuation, explaining the justification for the valuation.

“The Governor vetoed S.B. No. 771, based on her belief that appraisers who serve as arbitrators are not engaging in the practice of real estate appraisal, but are acting solely as arbitrators. She did not object to other portions of the bill. Her veto message states that ‘[a]rbitration is an alternative dispute resolution process used to reach a compromise solution, and not an appraisal.’ But in practice, this either/or interpretation is not correct.

- “1. An appraiser-arbitrator is not a traditional arbitrator, but is functioning in his or her capacity as appraiser.

“An appraiser-arbitrator in an arbitration proceeding to determine the fair market value or fair market rental of real estate is not a traditional arbitrator who functions as an informal

judge. In practice, appraiser-arbitrators in these types of proceedings are much less an informal judge and much more an impartial real estate appraiser. Often, the appraiser-arbitrators are performing actual appraisals, rather than just trying to craft a compromise between the parties. Therefore, requiring appraisers to follow their own professional standards is very reasonable and, frankly, a very good idea.

“Real estate appraisers estimate real estate values. They are expected to perform these valuation services competently and in a manner that is independent, impartial, and objective. They also provide consulting services including land utilization studies, supply and demand studies, economic feasibility studies, highest and best use analyses, and marketability or investment considerations. In addition, real estate appraisers also perform appraisal reviews where they may study or review a report prepared by another real estate appraiser. All of these functions are covered by the Uniform Standards, which sets specific performance standards and rules of ethical conduct for appraisers.

“When an appraiser is appointed to act as an arbitrator in a proceeding to determine fair market value or fair market rental of real estate, these are the types of functions they perform – not dispute-settlement services.

“For example, for some leases, when a lease term ends, the lease states that the lease can be extended, subject to the landlord and the tenant negotiating the new rental rate for the extended term, based on the fair market rental of the property. If the two parties cannot agree on the amount of the new rental rate, the lease may allow the parties to proceed to an alternative dispute resolution process instead of going to court to decide the new rate. Under many of these leases, the landlord and the tenant each to appoint an appraiser, and each of those appraisers appoint a third appraiser. The three appraisers are the ‘arbitrators’ in the arbitration. But the appraisers are required to actually perform an appraisal, and not just facilitate a compromise between the parties. The goal of the arbitration process is to come up with a fair, impartial appraisal, and that is what the ‘arbitrators’ (the three appraisers) are tasked with doing.

“Another example where it is clear that the arbitrator is actually acting as an appraiser is the situation where the arbitrator is the only appraiser involved in the proceeding. In some cases, the parties did not retain their own appraiser experts but rely entirely on the appraiser-arbitrator to make the valuation determination. In those cases, the appraiser-arbitrator is the only person conducting the appraisal. This can occur for leases where the value of the lease is not sufficient to justify hiring more than one appraiser.

“Other examples involve situations where the parties do hire their own appraisers as expert witnesses. These appraiser expert witnesses conduct appraisals that are submitted to an appraiser-arbitrator, who reviews the appraisals and comes to a valuation determination. Under the Uniform Standards, the appraiser-arbitrator’s review in this type of situation would be considered an ‘appraisal review’, and the appraiser-arbitrator would also be subject to the Uniform Standards.

“The appraiser-arbitrators described above are all appraisers who are tasked with either conducting appraisals or performing appraisal reviews. S.B. No. 771 clarifies that, just because these appraisers may be labeled as ‘arbitrators’, they are actually functioning as ‘appraisers’ and their professional standards for performing appraisals should not be disregarded.

- “2. Compliance with the Uniform Arbitration Act is insufficient for appraiser-arbitrators.

“The Governor’s message also states that it would be more appropriate to require arbitrators to follow chapter 658A, HRS

(the Uniform Arbitration Act), but this is clearly inadequate to address the specific functions of an appraiser-arbitrator. The Uniform Arbitration Act describes a judicial or administrative process that results in an 'award' to one party. The arbitrator in a Uniform Arbitration Act proceeding may hold hearings and listen to evidence. He or she can subpoena witnesses, permit depositions of witnesses, or allow discovery. The Uniform Arbitration Act does not, however, contain any rules relating to professional standards for conducting appraisals similar to those in the Uniform Standards. If an appraiser would only be required to adhere to the Uniform Arbitration Act, and not the Uniform Standards, then the resulting appraisals or valuation determinations would lack transparency and perhaps would not adhere to specific professional standards.

"For example, under the Uniform Standards, the appraiser-arbitrators are subject to ethics requirements. Honesty, impartiality, and professional competency are required of all appraisers under the Uniform Standards. By contrast, the Uniform Arbitration Act only requires an arbitrator to disclose to the parties facts that would likely affect the impartiality of the arbitration proceedings. Then an award may be vacated under limited circumstances: corruption, fraud, evident partiality, or misconduct by an arbitrator; conduct related to hearings; exceeding the arbitrator's powers lack of agreement to arbitrate; lack of notice regarding initiation of the proceeding. The ethics requirements under the Uniform Standards are higher than in the Uniform Arbitration Act and set the benchmark for the actions taken by the appraiser-arbitrator, rather than simply providing a means to vacate an award after-the-fact.

"Additionally, there is nothing specific in the Uniform Arbitration Act requiring an appraiser-arbitrator to perform the appraisal with professional competency. Standards in the Uniform Standards require, for example, that 'In developing a real property appraisal, an appraiser must . . . be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal[.]' Uniform Standards (2009), page U-15, Standard 1. The Uniform Arbitration Act would not necessarily allow the vacation of an award for using an incorrect method to conduct an appraisal.

"Moreover, currently, arbitrators in these types of proceedings are not required to be transparent in their decision making process. They are not required to submit a written report to substantiate the value or rent they determined under the current laws. With S.B. No. 771, the Uniform Standards will require the valuations made by appraiser-arbitrators to be transparent. An appraiser-arbitrator will need to provide a written report of how they arrived at their final value.

"In summary, contrary to the Governor's understanding, an appraiser-arbitrator determining the fair market value or fair market rental of real estate is acting more within the scope of his or her specialty as an appraiser rather than a traditional arbitrator. Because an appraiser-arbitrator is hired for his or her professional expertise to perform an appraisal service, either an appraisal or an appraisal review, the appraiser-arbitrator cannot step out of the appraiser shoes and should be required to adhere to the standards of practice required for their profession. These standards are reasonable requirements, and S.B. No. 771 will end confusion as to their applicability in arbitration proceedings.

"Thank you."

At this time, the President made the following announcement:

"If there are no objections from the members, we will be taking a Roll Call vote on each of the Governor's Messages before us."

Senator Hemmings rose on a point on inquiry and said:

"A 'yes' vote will mean you're voting in favor of the override of the veto?"

The Chair responded:

"In favor of the override; the motion is to override."

Senator Hemmings replied:

"Override...yes, so you sustain...Thank you."

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 771, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Kim). Noes, none. Excused, 4 (English, Gabbard, Takamine, Tsutsui).

At 12:46 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:48 p.m.

S.B. No. 1311, S.D. 1, H.D. 1:

In accordance with Article III, Section 17 of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 1311, S.D. 1, H.D. 1, as contained in Gov. Msg. No. 337, seconded by Senator Sakamoto.

Senator Hee rose in support of the motion to override the veto as follows:

"Members, I actually wasn't going to speak on this override. However, you folks may have received an e-mail that was received momentarily from the director of DLNR. I really have to thank Senator Ige for this because when things get sent to people, they arrive instantaneously, so let me read what the director said.

"She says, 'Aloha, Senator,' and I'm not the senator she said 'aloha' to. Would that senator wish to identify the senator-self?:"

Hopefully this message catches you on the floor before the vote on the veto override. The Senate bill mandates that UH-HIMB can use DLNR staff free of charge. The bill is being done to support the Senate Ways and Means proviso in the budget which transfers over \$1 million in Department of Aquatic Resources' general funds for the exclusive use of UH-HIMB. This bill and budget proviso will bankrupt the Division of Aquatic Resources. We will lose approximately \$4 million in associated federal funds and lay off about a dozen staff and shut down programs. This is the branch that conducts the stream studies and that have supported[—and this may give you a hint who it was sent to—]instream flow program runs the NOAA coral program and all aquatic resource protection programs. This is devastating for Division of Aquatic Resources[—and get this—]I am not exaggerating. Please do not support the veto override.

"Can you believe that? Not one of what I just read was in the override message. Not a single sentence that I just read was in the Governor's override message. How's that?"

"These funds for DOCARE to provide security to HIMB were provided by voluntarily vacant funded positions that were frozen by the author of the statement I just read. You may recall yesterday, on a point of personal privilege I criticized this

individual for dinging local canoe clubs \$1,500 to provide security, DOCARE security, of which she has said, 'We have so much to do with so little people in DOCARE,' that she has said \$1,500 to provide security for canoe races. Since that time, 24 hours ago or so, two staff attorneys went to meet with the DO board director and canoe club officials, and one of the staff attorneys asked for the rules which authorized this individual to ding local people \$1,500 for the races. The fact of the matter is in speaking to one of the House colleagues who was a former director of Department of Land and Natural Resources, it was his opinion that the present director had no authority according to Chapter 91. Then I spoke to a former land board member who is also one of our colleagues, and it was his opinion that she had no authority under rule making. So, Mr. Underwood sent us the rules today, but then I received from the author, the individual we're speaking about, the following e-mail. It wasn't to me; it was to my staff attorney: 'Dear Kalā, I was in land board all day. I've asked Ed to come by to talk with you about this.' This is the sentence: 'The press inaccurately reported the fee.' That's all I need to say. 'The press inaccurately reported the fee.'

'The veto message inaccurately left out the bankruptcy efforts of the Legislature for the Division of Aquatic Resources. Members, Coconut Island is falling into the ocean. I think you folks received pictures that I had encouraged the director to send to you so that you could graphically understand the need for this bill. The Governor's veto message says, 'The bill is objectionable because it grants the University of Hawai'i an overly broad and unnecessary exemption from permitting requirements that protect and preserve Hawai'i's natural public trust resources.' That sentence is about research permits, research permits that the Hawai'i Institute of Marine Biology asks of the DLNR to do studies. This bill has nothing to do with that. Nothing. And here's the sentence that evidently she does not truly understand: 'Notwithstanding any other law to the contrary, the University of Hawai'i shall be exempt from any law that requires a permit or application,'—and here are the important words—'to carry out repair and maintenance.' 'To carry out repair and maintenance': The island is falling into the ocean. The buildings are in disrepair because of overexposure to the salt.

'How the director connects the dots is beyond me, but I've given you three examples which demonstrate to me that either she is on another wavelength, or simply somebody needs to read it to her. Thank you. I encourage an override.'

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (English, Gabbard, Takamine, Tsutsui).

At this time, Senator Kim rose on a point of personal privilege as follows:

"As I said yesterday when we passed our budget that not everybody was going to be happy with the budget; there are a lot of things in the budget that we are all not happy with, and I can understand the concerned raised by corrections. I don't know how many of you saw this ad in the paper yesterday, and I'm sorry that our UPW Corrections people are not here at this point in time. But it's one thing to raise concerns, it's one thing to come and lobby us, but it's another thing, Madam President, when they send out incorrect information, and I want to correct that on the floor this afternoon.

"In this ad, it talks about how this one correction officer could possibly lose his job, but it also says that sending inmates to the mainland will cost Hawai'i 70 jobs. Seventy jobs. I'm not sure how they can compute 70 jobs. My understanding is to close down one module, that there are 24—24—correction officers assigned 24-7 to a module. Also, I have here a list of vacancies. Total: 76 vacancies of correction officers. Some of these vacancies have been vacant from 2004. Vacancies across the state at a total of \$3.6 million. These are not unfunded vacancies. These are funded vacancies, and so when I met with head of UPW, I showed him the list and said that I don't anticipate any officers having to lose their jobs and that the money is there, and we can look at that. If they need to be, the positions changed and so forth, that can be done.

"In addition to this, Madam President, I have been told—and we have been researching this—that we could look at options such as closing, closing the special needs 'module' or where they house the special needs area. But that takes 90 people—90 people—to run the special needs area, and that if we were to move this special needs into the module where we would become vacant, that it would take only 24, 24 correction officers, and that we could save a lot of money there.

"There are all the other ways. There are \$9 million in overtime. If corrections could cut down on the \$9 million of overtime which they say, 'Part of the reason is vacancies; part of the reason is they're not enough officers there. And that is the reason why some of these officers have to work overtime and why we have \$9 million.' By closing down one module, we would have saved approximately \$6 million; \$9 million in overtime. Let's compute that. These officers are not going to lose their jobs, and we can fill these positions and cut down on overtime.

"This is far from being resolved. I'm not saying that this is the answer. I'm not saying that sending our prisoners away is the answer, but it certainly opens up the discussion. I believe we've been discussing with the unions how to cut down overtime. We've been looking at options, and there are other options there. And I think that before they incite people and put out this kind of ad with erroneous information, that that kind of information should be put out to the public. Thank you, Madam President."

Senator Galuteria rose on a point of personal privilege as follows:

"And this will be the final time I stand up this week. I would like to end on a high note, colleagues. As your chair of the 2010 Senate Food Bank drive, I am happy to announce that we're almost at the end of the road and we're one week away from that point. Next Friday, April 16, we invite you—you've all received your notification here that we invite you all—to bring your team's food collections down to the Senate chamber. With the approval of the Senate President, we will be weighing the team totals here, and we want to end the food drive with a bang. I'm happy to announce that as of this date, we have collected, monetarily thus far, \$12,435.70; and I believe that we're on track to surpass and eclipse Senator Kidani's point total from last year. Appreciate that. Mahalo nui loa. Thank you, Madam President."

Senator Hooser rose on a point of personal privilege as follows:

"Like the Chair of Ways and Means, I also have comments about the accuracy of some of the reports in the press regarding the budget conversations of yesterday. The *Honolulu Star-Bulletin* ran a story and I believe it mischaracterized my position on the budget, and I wanted to clarify that and I think it's important for the record.

“The *Honolulu Star-Bulletin* implied strongly that my support of the final budget was predicated on the increase in the general excise tax, and I want to say clearly two things. One, that I do and I have supported an increase in the general excise tax, specifically S.B. 1346, S.D. 2—which I’m a co-sponsor on as well as my colleague, the Chair of the Education Committee, and many others—which increases the general excise tax, exempts groceries, farming, production of food, certain medical expenses, a portion of rents from the general excise tax, and a number of other reforms, and dedicates significant portions, or a portion, to education. So I am in support of that. I have supported it in the past.

“But the article went on to say that without a general excise tax, I would not support the budget. And I reviewed my comments, both in writing and on tape, and it’s an important distinction that my support of the budget, Madam President, is predicated on my definition of ‘success’ in the budget. And what I had said yesterday was that, ‘Unless the direction is changed significantly, unless we are clear in our resolve to restore and make whole our public school system and end furlough Fridays.’ So that, I believe, is the number one criteria for my support of the budget. Restoring and making whole our public schools and ending furlough Fridays, and unless we are firmly committed to ending the downward spiral of cuts and takeaways from those most vulnerable, unless these things happen, I will not be able to support the budget.

“And it is a separate issue, and I believe it’s a separate, very important point. It is possible that we could have a general excise tax increase and not restore furlough Fridays. It is possible that we could restore our education, schools’ funding, in other ways. And I believe the definition of success—this is a very critical point, and I want to be clear on my position—that my definition of success is the restoration and preservation of education, the important social safety net, and others. Some might define success as anything other than raising taxes. Some might define success as, you know, reducing jobs, shrinking government, etcetera, etcetera, but my support or non-support of the budget, in final reading, is not predicated on the general excise tax. It’s predicated on keeping our schools whole, returning our students to school, and preserving many of the important, vital services that are critical to our state. So, I just wanted to make that clear for the record. Thank you, Madam President.”

Senator Kim rose on a point of personal privilege as follows:

“We’d just like to thank our Food Bank chair, our senator from Waikiki, for doing a great job; and members, I think he deserves a round of applause.”

Senator Hemmings rose on a point of personal privilege as follows:

“I want to offer a constructive solution to furlough Fridays that I think will resolve the problem, at least with the HSTA teachers’ union leaders—immediately solve the problem. Rename ‘furlough Fridays’ a ‘strike’ like they did in 2001, when they kept public school children out of school for 21 days. I find it incredibly disingenuous on the part of these union leaders to be crying crocodile tears about the poor keiki out of school. They could easily go back to work and solve the problem without any of us doing any legislation. This is the same union that kept kids out of school 21 days in 2001. So you want to solve the problem for some people? Rename ‘furlough Fridays,’ ‘strike.’ Thank you.”

At this time, the Chair made the following announcement:

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.”

#### APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 2359, S.D. 2 (H.D. 1):

The President discharged Senator Takamine as a manager and appointed him as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2359, S.D. 2.

S.B. No. 2488, S.D. 2 (H.D. 1):

The President appointed Senators Green, Hee as additional managers on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2488, S.D. 2.

S.B. No. 2494, S.D. 2 (H.D. 2):

The President discharged Senator Takamine as a manager and appointed him as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2494, S.D. 2.

S.B. No. 2527, S.D. 2 (H.D. 2):

The President discharged Senator Bunda as a manager and appointed Senators Takamine, Kokubun as additional managers on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2527, S.D. 2.

S.B. No. 2650, S.D. 2 (H.D. 2):

The President discharged Senator Tsutsui as a co-chair and appointed Senator Kim as an additional co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2650, S.D. 2.

S.B. No. 2951, S.D. 2 (H.D. 2):

The President appointed Senator Kokubun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2951, S.D. 2.

H.B. No. 347, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 347, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Taniguchi, co-chair; Kokubun, Takamine, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2084, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2084, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Chun Oakland, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2086, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2086, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Baker, Slom as managers on the part of the Senate at such conference.

H.B. No. 2152, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2152, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Tsutsui, co-chair;

Chun Oakland as manager on the part of the Senate at such conference.

H.B. No. 2200, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2200, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Chun Oakland, English, Fukunaga, Galuteria, Hee, Hooser, Kidani, Kokubun, Tokuda, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2349, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2349, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Green as manager on the part of the Senate at such conference.

H.B. No. 2461, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2461, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Chun Oakland, Ige, Kim, co-chairs; Taniguchi as manager on the part of the Senate at such conference.

H.B. No. 2561 (S.D. 1):

The President appointed Senator Tokuda as an additional co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2561.

H.B. No. 2575, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2575, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2598, H.D. 1 (S.D. 2):

The President appointed Senator Kokubun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2598, H.D. 1.

H.B. No. 2661, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2661, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2688, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2688, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Ige, Tsutsui, co-chairs on the part of the Senate at such conference.

H.B. No. 2774, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2774, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, Tsutsui, co-chairs; Baker, Green as managers on the part of the Senate at such conference.

## ADJOURNMENT

At 1:09 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, April 12, 2010.

## FORTY-SEVENTH DAY

Monday, April 12, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:50 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Kristen "Kanani" Souza, Office of the Honorable Clarence K. Nishihara, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Forty-Sixth Day.

At this time, the following introduction was made to members of the Senate:

Senator Chun Oakland, on behalf of all Senators, introduced members of Protecting Hawai'i's Ohana, Children, Underserved, Elderly and Disabled (PHOCUSED) from across the state who had been a constant voice supportive of preserving the safety net for the most vulnerable in the state.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 468 to 469) were read by the Clerk and were placed on file:

Gov. Msg. No. 468, informing the Senate that on April 9, 2010, the Governor signed into law Senate Bill No. 2772, S.D. 2 as Act 13, entitled: "RELATING TO VETERINARY MEDICINE."

Gov. Msg. No. 469, informing the Senate that on April 9, 2010, the Governor withdrew the nomination of KEANE K. MURANAKA to the Board of Directors of the Hawai'i Hurricane Relief Fund under Gov. Msg. No. 403, dated March 31, 2010.

In compliance with Gov. Msg. No. 469, the nomination listed under Gov. Msg. No. 403 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 472 to 556) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 472, informing the Senate that on April 9, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 2169, S.D. 2 (H.D. 2):

Representatives McKelvey, Ito, Karamatsu, Co-Chairs; Ward,

was placed on file.

Hse. Com. No. 473, informing the Senate that on April 9, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 2058, H.D. 1 (S.D. 1):

Representatives McKelvey, Choy, Co-Chairs; Evans, Ward.

H.B. No. 2133, H.D. 1 (S.D. 1):

Representatives McKelvey, Choy, Co-Chairs; Ward.

H.B. No. 2831, H.D. 2 (S.D. 2):

Representatives McKelvey, Choy, Co-Chairs; Evans, Ward, was placed on file.

Hse. Com. No. 474, informing the Senate that on April 9, 2010, the House reconsidered its action taken on March 16, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2546 (S.D. 1), was placed on file.

Hse. Com. No. 475, informing the Senate that on April 9, 2010, the House reconsidered its action taken on March 30, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 1927, H.D. 2 (S.D. 1), was placed on file.

Hse. Com. No. 476, informing the Senate that on April 9, 2010, the House reconsidered its action taken on April 6, 2010, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 2197, H.D. 1 (S.D. 1); and  
H.B. No. 2568 (S.D. 1),

was placed on file.

Hse. Com. No. 477, informing the Senate that on April 9, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 134, H.D. 2 (S.D. 2); and  
H.B. No. 2561 (S.D. 1),

was placed on file.

At 11:55 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

Hse. Com. No. 478, returning S.C.R. No. 178, S.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

Hse. Com. No. 479, transmitting H.C.R. No. 13, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was deferred.

Hse. Com. No. 480, transmitting H.C.R. No. 15, H.D. 2, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 15, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII CENTER ON AGING TO CONVENE A HAWAII STATE FALL PREVENTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was deferred.

Hse. Com. No. 481, transmitting H.C.R. No. 17, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII AT HILO'S COLLEGE OF

PHARMACY IN ITS EFFORTS TO OBTAIN FEDERAL FUNDING TO ESTABLISH A BEACON COMMUNITY ON THE ISLAND OF HAWAII," was deferred.

Hse. Com. No. 482, transmitting H.C.R. No. 19, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A DATABASE RESOURCE WEBSITE TO HOUSE REAL-TIME AVAILABILITY OF ALL JUVENILE SERVICES FROM THE LOWEST LEVEL OF CARE TO THE HIGHEST LEVEL OF CARE FOR THE APPROPRIATE PLACEMENT OF JUVENILES IN HAWAII," was deferred.

Hse. Com. No. 483, transmitting H.C.R. No. 50, H.D. 2, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 50, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUMMIT FOR THE HEALING AND CREATION OF POSITIVE CHANGE FOR THE STATE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was deferred.

Hse. Com. No. 484, transmitting H.C.R. No. 56, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION," was deferred.

Hse. Com. No. 485, transmitting H.C.R. No. 61, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," was deferred.

Hse. Com. No. 486, transmitting H.C.R. No. 86, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUA'I TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was deferred.

Hse. Com. No. 487, transmitting H.C.R. No. 114, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 114, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ESTABLISH HOMELESS SAFE ZONES," was deferred.

Hse. Com. No. 488, transmitting H.C.R. No. 115, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 115, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU, AND ANY OTHER AGENCIES

OR ENTITIES NECESSARY, TO DEVELOP A PLAN TO RESOLVE ISSUES RELATED TO HOMELESS INDIVIDUALS LIVING IN ABANDONED VEHICLES," was deferred.

Hse. Com. No. 489, transmitting H.C.R. No. 117, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONGRESSIONAL AND STATE FUNDING FOR BROADBAND INFRASTRUCTURE," was deferred.

Hse. Com. No. 490, transmitting H.C.R. No. 123, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was deferred.

Hse. Com. No. 491, transmitting H.C.R. No. 129, H.D. 2, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 129, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was deferred.

Hse. Com. No. 492, transmitting H.C.R. No. 139, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL," was deferred.

Hse. Com. No. 493, transmitting H.C.R. No. 145, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH," was deferred.

Hse. Com. No. 494, transmitting H.C.R. No. 155, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was deferred.

Hse. Com. No. 495, transmitting H.C.R. No. 158, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP A PROGRAM TO ENCOURAGE BREASTFEEDING AMONG MOTHERS WHO RECEIVE MEDICAL ASSISTANCE FROM MEDICAID," was deferred.

Hse. Com. No. 496, transmitting H.C.R. No. 160, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR NURSING TO EVALUATE THE NEED AND RESOURCES REQUIRED TO ESTABLISH A CONTINUING EDUCATION PROGRAM FOR NURSES," was deferred.

Hse. Com. No. 497, transmitting H.C.R. No. 161, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 161, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII, INC. TO WORK WITH THE OAHU ARTS CENTER AND THE COMMUNITY TO SECURE AN APPROPRIATE SITE FOR AN ARTS CENTER," was deferred.

Hse. Com. No. 498, transmitting H.C.R. No. 162, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was deferred.

Hse. Com. No. 499, transmitting H.C.R. No. 166, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 166, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COLLABORATION WITH THE HAWAII BOXING COMMISSION AND OTHER RELATED PARTIES, TO CONTINUE TO PURSUE BRINGING WORLD-CLASS BOXING EVENTS TO HAWAII," was deferred.

Hse. Com. No. 500, transmitting H.C.R. No. 167, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 167, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN

PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21<sup>ST</sup> CENTURY," was deferred.

Hse. Com. No. 501, transmitting H.C.R. No. 169, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 169, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF VETERANS' SERVICES, ASSISTED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF DEFENSE, TO DEVELOP A PLAN TO CREATE MEMORIALS TO THE VETERANS OF THE PERSIAN GULF WAR AND WOMEN VETERANS OF WORLD WAR II ON THE GROUNDS OF THE STATE CAPITOL NEAR THE KOREAN AND VIETNAM WAR MEMORIAL," was deferred.

Hse. Com. No. 502, transmitting H.C.R. No. 173, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER AT THE UNIVERSITY OF HAWAII AT MANOA TO PREPARE A REPORT ON THE CIVIL DEFENSE PREPAREDNESS RESPONSE TO THE FEBRUARY, 2010 TSUNAMI THREAT," was deferred.

Hse. Com. No. 503, transmitting H.C.R. No. 174, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was deferred.

Hse. Com. No. 504, transmitting H.C.R. No. 181, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 181, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO DEVELOP A PLAN TO REDIRECT STORM WATER RUNOFF FROM STATE LANDS ADJACENT TO THE HANAPEPE SALT PONDS AWAY FROM THE SALT PANS," was deferred.

Hse. Com. No. 505, transmitting H.C.R. No. 182, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF LAND AND NATURAL RESOURCES TO OFFER LEASES OF PUBLIC LAND LOCATED IN KOKE'E STATE PARK THROUGH A PUBLIC LOTTERY SYSTEM," was deferred.

Hse. Com. No. 506, transmitting H.C.R. No. 184, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 184, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATURE CONVENE AN INVESTIGATORY PUBLIC HEARING TO EVALUATE THE BIOSECURITY PROGRAM BY EXAMINING STATE AND COUNTY POLICIES AND PRACTICES THAT AFFECT THE AVAILABILITY OF WATER FOR AGRICULTURE AND MAINTENANCE OF AGRICULTURAL IRRIGATION SYSTEMS," was deferred.

Hse. Com. No. 507, transmitting H.C.R. No. 187, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was deferred.

Hse. Com. No. 508, transmitting H.C.R. No. 190, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL GUARD HAWAII YOUTH CHALLENGE PROGRAM TO CONSIDER ALTERNATIVE SITES FOR ITS PROGRAM ACTIVITIES ON THE ISLAND OF HAWAII," was deferred.

Hse. Com. No. 509, transmitting H.C.R. No. 199, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 199, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER CERTAIN FACTORS BEFORE ENTERING INTO CONTRACTS WITH MANAGED CARE ORGANIZATIONS THAT PROVIDE MEDICAID BENEFITS UNDER QUEST MANAGED CARE PLANS," was deferred.

Hse. Com. No. 510, transmitting H.C.R. No. 200, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE-OWNED BANK," was deferred.

Hse. Com. No. 511, transmitting H.C.R. No. 206, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF ESTABLISHING AND USING A SOLAR POWERED HIGHWAY LIGHTING SYSTEM ALONG HAWAII'S HIGHWAYS," was deferred.

Hse. Com. No. 512, transmitting H.C.R. No. 209, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was deferred.

Hse. Com. No. 513, transmitting H.C.R. No. 212, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was deferred.

Hse. Com. No. 514, transmitting H.C.R. No. 216, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAII TO PURSUE THE BID TO HOST THE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS," was deferred.

Hse. Com. No. 515, transmitting H.C.R. No. 223, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST," was deferred.

Hse. Com. No. 516, transmitting H.C.R. No. 224, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS AN INCUBATOR FOR RESEARCH AND COMMERCIALIZATION OF ENERGY, HIGH TECHNOLOGY, AND ECONOMIC DEVELOPMENT IN THE STATE OF HAWAII," was deferred.

Hse. Com. No. 517, transmitting H.C.R. No. 235, H.D. 2, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 235, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER IN THE UNITED STATES," was deferred.

Hse. Com. No. 518, transmitting H.C.R. No. 237, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ECONOMIC STIMULUS OVERSIGHT COMMISSION TO EXPAND ITS MONITORING OF FEDERAL STIMULUS FUNDS AVAILABLE TO HAWAII," was deferred.

Hse. Com. No. 519, transmitting H.C.R. No. 256, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE VERACITY, EXTENT, AND EFFECT OF CERTAIN ALLEGATIONS OF SHORTCOMINGS OF PROGRAMS FOR ADULTS WITH SPECIAL NEEDS," was deferred.

Hse. Com. No. 520, transmitting H.C.R. No. 262, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was deferred.

Hse. Com. No. 521, transmitting H.C.R. No. 278, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 278, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO CONVENE A COMMITTEE TO IDENTIFY AT WHICH POINT VETERANS AND ACTIVE DUTY MILITARY PERSONNEL AND RETURNING RESERVISTS AND NATIONAL GUARD MEMBERS ENTER THE JUSTICE SYSTEM, AND HOW BEST TO ADDRESS THEIR NEEDS, INCLUDING DEVELOPING A VETERANS COURT," was deferred.

Hse. Com. No. 522, transmitting H.C.R. No. 282, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 282, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH," was deferred.

Hse. Com. No. 523, transmitting H.C.R. No. 284, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A NEW STADIUM ON OAHU AND RELATED MATTERS," was deferred.

Hse. Com. No. 524, transmitting H.C.R. No. 288, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 288, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was deferred.

Hse. Com. No. 525, transmitting H.C.R. No. 289, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 289, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING MORE OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS," was deferred.

Hse. Com. No. 526, transmitting H.C.R. No. 296, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROPERLY FUND THE SMALL BUSINESS REGULATORY REVIEW BOARD UNDER THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUPPORT HAWAII'S SMALL BUSINESSES," was deferred.

Hse. Com. No. 527, transmitting H.C.R. No. 297, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was deferred.

Hse. Com. No. 528, transmitting H.C.R. No. 298, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 298, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO COORDINATE INITIATIVES WITHIN THE COMMUNITY WHICH ADDRESS ENERGY INNOVATION WITH THE ORGANIZERS OF ENERGY AWARDS AND PROGRAMS, AND ASSIST IN THEIR OUTREACH TO THE HAWAII COMMUNITY," was deferred.

Hse. Com. No. 529, transmitting H.C.R. No. 22, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII," was deferred.

Hse. Com. No. 530, transmitting H.C.R. No. 23, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII," was deferred.

Hse. Com. No. 531, transmitting H.C.R. No. 24, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII," was deferred.

Hse. Com. No. 532, transmitting H.C.R. No. 25, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAAHA LOOP, KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 533, transmitting H.C.R. No. 26, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 534, transmitting H.C.R. No. 27, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was deferred.

Hse. Com. No. 535, transmitting H.C.R. No. 28, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was deferred.

Hse. Com. No. 536, transmitting H.C.R. No. 29, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was deferred.

Hse. Com. No. 537, transmitting H.C.R. No. 30, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was deferred.

Hse. Com. No. 538, transmitting H.C.R. No. 31, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was deferred.

Hse. Com. No. 539, transmitting H.C.R. No. 32, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 540, transmitting H.C.R. No. 33, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 541, transmitting H.C.R. No. 34, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 542, transmitting H.C.R. No. 36, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEOHE, HAWAII," was deferred.

Hse. Com. No. 543, transmitting H.C.R. No. 44, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was deferred.

Hse. Com. No. 544, transmitting H.C.R. No. 45, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR BEACH ACCESS RIGHT-OF-WAY PURPOSES," was deferred.

Hse. Com. No. 545, transmitting H.C.R. No. 46, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," was deferred.

Hse. Com. No. 546, transmitting H.C.R. No. 47, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF KEEHI INDUSTRIAL LOTS, ISLAND OF OAHU," was deferred.

Hse. Com. No. 547, transmitting H.C.R. No. 101, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI, IN CONJUNCTION WITH THE DEPARTMENT OF TRANSPORTATION, TO CONDUCT A FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER FACTORS RELATING TO THE CONSTRUCTION OF A FIXED-RAIL TRANSPORTATION SYSTEM CONNECTING THE KAHULUI-WAILUKU AREA, KIHEI, AND LAHAINA ON THE ISLAND OF MAUI," was deferred.

Hse. Com. No. 548, transmitting H.C.R. No. 165, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE EFFICIENCY AND EFFECTIVENESS OF THE CHILD WELFARE SERVICES PROGRAM IN PROCESSING AND INVESTIGATING COMPLAINTS OF CHILD ABUSE AND NEGLECT AND MISUSE OF CHILD SUPPORT," was deferred.

Hse. Com. No. 549, transmitting H.C.R. No. 292, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 292, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO AN AGREEMENT TO TRANSFER THE MAUNA KEA STATE RECREATION AREA AND THE HAPUNA BEACH STATE RECREATION AREA TO THE COUNTY OF HAWAII," was deferred.

Hse. Com. No. 550, transmitting H.C.R. No. 311, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 311, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO SUBMIT TO THE LEGISLATURE A REPORT OF OBSERVATION VIEWING TIME ON THE TELESCOPES ON MAUNA KEA," was deferred.

Hse. Com. No. 551, transmitting H.C.R. No. 316, H.D. 2, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 316, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII," was deferred.

Hse. Com. No. 552, transmitting H.C.R. No. 318, H.D. 1, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 318, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES AND ALL AGENCIES WITH DEPARTMENT OF HUMAN SERVICES' CONTRACTS TO UPHOLD THEIR NONDISCRIMINATION POLICY FOR GAY, LESBIAN, BISEXUAL, AND TRANSGENDERED PERSONS," was deferred.

Hse. Com. No. 553, transmitting H.C.R. No. 319, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF ALL COMMUNITY-BASED PROGRAMS AND SERVICES RECEIVING MEDICAID FUNDING OR SUBSIDIZING INDIVIDUALS ELIGIBLE FOR MEDICAID," was deferred.

Hse. Com. No. 554, transmitting H.C.R. No. 320, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was deferred.

Hse. Com. No. 555, transmitting H.C.R. No. 21, which was adopted by the House of Representatives on April 9, 2010, was placed on file.

By unanimous consent, H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPAU STREET, KAPA'A, HAWAII," was deferred.

Hse. Com. No. 556, informing the Senate that on April 9, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 2200, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Chair; Aquino, Awana, Brower, Choy, Coffman, Har, Keith-Agaran, C. Lee, M. Lee, Nishimoto, Sagum, Tokioka, Wooley, Yamashita, Finnegan, Ward,

was placed on file.

Hse. Com. No. 557, informing the Senate that on April 12, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 107 (H.D. 2):

Representatives Souki, Karamatsu, Co-Chairs; Awana, Saiki, Pine.

S.B. No. 358, S.D. 1 (H.D. 2):

Representatives Hanohano, Karamatsu, Co-Chairs; Ito, Luke, Pine.

S.B. No. 466, S.D. 2 (H.D. 1):

Representatives Morita, Karamatsu, Co-Chairs; Nishimoto, Thielen.

S.B. No. 506, S.D. 1 (H.D. 3):

Representatives McKelvey, Herkes, Choy, Co-Chairs; Souki, Ward.

S.B. No. 633, S.D. 1 (H.D. 2):

Representatives Ito, Tsuji, Carroll, Co-Chairs; Har, Thielen.

S.B. No. 898, S.D. 2 (H.D. 1):

Representatives Hanohano, Karamatsu, Co-Chairs; Bertram, Herkes, Pine.

S.B. No. 910, S.D. 1 (H.D. 2):

Representatives Cabanilla, Karamatsu, Sagum, Co-Chairs; Chong, Thielen.

S.B. No. 930 (H.D. 2):

Representatives Yamane, Karamatsu, Nishimoto, Co-Chairs; Belatti, Finnegan.

S.B. No. 950, S.D. 2 (H.D. 3):

Representatives Hanohano, Ito, Karamatsu, Aquino, Co-Chairs; Souki, Pine.

S.B. No. 1059, S.D. 2 (H.D. 3):

Representatives Hanohano, Souki, Karamatsu, Co-Chairs; M. Lee, Manahan, B. Oshiro, Pine.

S.B. No. 1062, S.D. 1 (H.D. 1):

Representatives Rhoads, McKelvey, Herkes, Yamashita, Co-Chairs; Pine.

S.B. No. 1105, S.D. 2 (H.D. 1):

Representatives Tokioka, Keith-Agaran, Co-Chairs; Evans, Pine.

S.B. No. 1178, S.D. 2 (H.D. 2):

Representatives Yamane, M. Oshiro, Co-Chairs; Finnegan.

- S.B. No. 1315, S.D. 2 (H.D. 2):  
Representatives Ito, Hanohano, Har, Co-Chairs; Aquino, Sagum, Thielen.
- S.B. No. 2019, S.D. 1 (H.D. 2):  
Representatives Ito, Har, Co-Chairs; Sagum, Thielen.
- S.B. No. 2020 (H.D. 2):  
Representatives McKelvey, Karamatsu, Co-Chairs; Ward.
- S.B. No. 2045, S.D. 1 (H.D. 1):  
Representatives Karamatsu, Chair; Belatti, Luke, Souki, Tsuji, Pine.
- S.B. No. 2054, S.D. 2 (H.D. 1):  
Representatives Hanohano, Aquino, Co-Chairs; Awana, Herkes, Pine.
- S.B. No. 2068, S.D. 2 (H.D. 1):  
Representatives Takumi, M. Lee, Co-Chairs; Berg, Ching.
- S.B. No. 2105, S.D. 2 (H.D. 1):  
Representatives Souki, Yamane, Awana, Co-Chairs; Pine.
- S.B. No. 2109, S.D. 2 (H.D. 1):  
Representatives M. Oshiro, Chair; Cabanilla, Chong, Sagum, Finnegan.
- S.B. No. 2115, S.D. 1 (H.D. 2):  
Representatives Takumi, Chang, M. Lee, Co-Chairs; Ching.
- S.B. No. 2116, S.D. 2 (H.D. 2):  
Representatives Karamatsu, Takumi, Tokioka, Co-Chairs; Thielen.
- S.B. No. 2124, S.D. 2 (H.D. 1):  
Representatives Takumi, Rhoads, Herkes, M. Oshiro, Co-Chairs; Nakashima, Finnegan.
- S.B. No. 2139, S.D. 2 (H.D. 2):  
Representatives McKelvey, Choy, Co-Chairs; Takai, Ward.
- S.B. No. 2144, S.D. 2 (H.D. 2):  
Representatives McKelvey, M. Oshiro, Co-Chairs; Chong, Choy, Yamashita, Ward.
- S.B. No. 2150 (H.D. 1):  
Representatives Karamatsu, Keith-Agaran, Co-Chairs; Souki, Thielen.
- S.B. No. 2154, S.D. 1 (H.D. 1):  
Representatives Karamatsu, Chair; Souki, Tsuji, Thielen.
- S.B. No. 2163, S.D. 2 (H.D. 1):  
Representatives Yamane, Herkes, Co-Chairs; M. Lee, Nishimoto, Finnegan.
- S.B. No. 2165, S.D. 1 (H.D. 2):  
Representatives Herkes, Keith-Agaran, Co-Chairs; Wakai, Marumoto.
- S.B. No. 2172, S.D. 2 (H.D. 1):  
Representatives Takumi, C. Lee, Co-Chairs; Marumoto.
- S.B. No. 2173, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Chair; M. Lee, Ward.
- S.B. No. 2187, S.D. 1 (H.D. 2):  
Representatives Manahan, Tokioka, Co-Chairs; Marumoto.
- S.B. No. 2220, S.D. 1 (H.D. 2):  
Representatives Herkes, Keith-Agaran, Co-Chairs; Wakai, Marumoto.
- S.B. No. 2231, S.D. 1 (H.D. 2):  
Representatives Morita, Coffman, Co-Chairs; Ching.
- S.B. No. 2256, S.D. 1 (H.D. 1):  
Representatives Takumi, M. Lee, Co-Chairs; Saiki, Ching.
- S.B. No. 2257, S.D. 2 (H.D. 1):  
Representatives Takumi, Chang, Choy, Co-Chairs; Ching.
- S.B. No. 2323 (H.D. 2):  
Representatives Rhoads, McKelvey, Yamashita, Co-Chairs; Pine.
- S.B. No. 2324, S.D. 2 (H.D. 2):  
Representatives Rhoads, M. Oshiro, Co-Chairs; Nakashima, Yamashita, Ward.
- S.B. No. 2371, S.D. 2 (H.D. 1):  
Representatives Yamane, Herkes, Co-Chairs; Nishimoto, Wakai, Marumoto.
- S.B. No. 2378, S.D. 2 (H.D. 1):  
Representatives Karamatsu, Carroll, M. Oshiro, Co-Chairs; Ito, Thielen.
- S.B. No. 2385, S.D. 1 (H.D. 1):  
Representatives Chang, M. Lee, Co-Chairs; Aquino, C. Lee, Pine.
- S.B. No. 2386 (H.D. 1):  
Representatives Chang, M. Oshiro, Co-Chairs; Aquino, Yamashita, Pine.
- S.B. No. 2390, S.D. 2 (H.D. 2):  
Representatives Yamane, Chang, Herkes, Co-Chairs; Nakashima, Tsuji, Marumoto.
- S.B. No. 2395, S.D. 2 (H.D. 1):  
Representatives Rhoads, M. Oshiro, Co-Chairs; Aquino, M. Lee, Nakashima, Yamashita, Finnegan.
- S.B. No. 2399, S.D. 1 (H.D. 1):  
Representatives Herkes, Keith-Agaran, Co-Chairs; Chang, Wakai, Marumoto.
- S.B. No. 2400, S.D. 1 (H.D. 1):  
Representatives Karamatsu, M. Oshiro, Co-Chairs; Finnegan.
- S.B. No. 2402, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Finnegan.
- S.B. No. 2408, S.D. 2 (H.D. 1):  
Representatives Ito, Cabanilla, Co-Chairs; Chong, Har, Tokioka, Thielen.

- S.B. No. 2409 (H.D. 3):  
Representatives McKelvey, Ito, Karamatsu, Co-Chairs; Carroll, Ward.
- S.B. No. 2434, S.D. 1 (H.D. 1):  
Representatives Takumi, Rhoads, M. Lee, Co-Chairs.
- S.B. No. 2441, S.D. 2 (H.D. 2):  
Representatives Ito, Karamatsu, Co-Chairs; Choy, C. Lee, Thielen.
- S.B. No. 2449 (H.D. 1):  
Representatives Souki, Karamatsu, Co-Chairs; Awana, Saiki, Pine.
- S.B. No. 2452, S.D. 2 (H.D. 2):  
Representatives Takumi, M. Oshiro, Co-Chairs; Nakashima, Tokioka, Ching.
- S.B. No. 2454, S.D. 2 (H.D. 1):  
Representatives Karamatsu, Keith-Agaran, Co-Chairs; Souki, Thielen.
- S.B. No. 2461, S.D. 2 (H.D. 2):  
Representatives Souki, M. Oshiro, Co-Chairs; Awana, Yamashita, Finnegan.
- S.B. No. 2469, S.D. 2 (H.D. 2):  
Representatives Mizuno, Yamane, M. Oshiro, Co-Chairs; M. Lee, Shimabukuro, Ward.
- S.B. No. 2472, S.D. 2 (H.D. 1):  
Representatives Herkes, Karamatsu, Co-Chairs; Souki, Wakai, Marumoto.
- S.B. No. 2473, S.D. 1 (H.D. 2):  
Representatives Cabanilla, Sagum, Co-Chairs; Chong, Ching.
- S.B. No. 2488, S.D. 2 (H.D. 1):  
Representatives Morita, Herkes, Co-Chairs; Wakai, Wooley, Ching.
- S.B. No. 2491, S.D. 2 (H.D. 1):  
Representatives Yamane, Wakai, Karamatsu, Co-Chairs; Nishimoto, Souki, Finnegan.
- S.B. No. 2493, S.D. 2 (H.D. 1):  
Representatives Yamane, Chang, M. Oshiro, Co-Chairs; Nakashima, Finnegan.
- S.B. No. 2494, S.D. 2 (H.D. 2):  
Representatives Yamane, Rhoads, Herkes, M. Oshiro, Co-Chairs; Bertram, M. Lee, Marumoto.
- S.B. No. 2502, S.D. 1 (H.D. 1):  
Representatives Hanohano, Aquino, Co-Chairs; Evans, Pine.
- S.B. No. 2523, S.D. 2 (H.D. 2):  
Representatives Tsuji, M. Oshiro, Co-Chairs; Wooley, Marumoto.
- S.B. No. 2527, S.D. 2 (H.D. 2):  
Representatives Tsuji, M. Oshiro, Co-Chairs; Wooley, Marumoto.
- S.B. No. 2532 (H.D. 1):  
Representatives Ito, Morita, Manahan, McKelvey, Tsuji, Har, Co-Chairs; Chong, Thielen.
- S.B. No. 2533, S.D. 1 (H.D. 1):  
Representatives Hanohano, Tokioka, Aquino, Co-Chairs; Ward.
- S.B. No. 2534, S.D. 2 (H.D. 1):  
Representatives Karamatsu, Keith-Agaran, Co-Chairs; Aquino, Souki, Thielen.
- S.B. No. 2545, S.D. 2 (H.D. 2):  
Representatives McKelvey, Wakai, Karamatsu, Co-Chairs; Ward.
- S.B. No. 2547, S.D. 1 (H.D. 1):  
Representatives Ito, Chair; Har, Sagum, Thielen.
- S.B. No. 2548, S.D. 2 (H.D. 1):  
Representatives McKelvey, Choy, Co-Chairs; Yamashita, Ward.
- S.B. No. 2563, S.D. 1 (H.D. 2):  
Representatives Morita, Coffman, Co-Chairs; Choy, Ching.
- S.B. No. 2565, S.D. 1 (H.D. 1):  
Representatives Rhoads, Karamatsu, Co-Chairs; Luke, Yamashita, Pine.
- S.B. No. 2566 (H.D. 2):  
Representatives Rhoads, Herkes, Yamashita, Co-Chairs; Tokioka, Pine.
- S.B. No. 2570, S.D. 1 (H.D. 2):  
Representatives Takumi, Karamatsu, M. Oshiro, Co-Chairs; Berg, M. Lee, Nakashima, Ward.
- S.B. No. 2571, S.D. 2 (H.D. 2):  
Representatives Takumi, Karamatsu, M. Oshiro, Co-Chairs; Berg, M. Lee, Nakashima, Ward.
- S.B. No. 2578, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Chair; Cabanilla, Chong, Sagum, Ward.
- S.B. No. 2589, S.D. 2 (H.D. 1):  
Representatives Takumi, M. Oshiro, Co-Chairs; Nakashima, Yamashita, Finnegan.
- S.B. No. 2593, S.D. 1 (H.D. 2):  
Representatives Cabanilla, Sagum, Co-Chairs; Chong, Ching.
- S.B. No. 2597 (H.D. 1):  
Representatives Rhoads, Herkes, Karamatsu, Co-Chairs; Pine.
- S.B. No. 2599, S.D. 2 (H.D. 2):  
Representatives Yamane, Herkes, M. Oshiro, Co-Chairs; M. Lee, Marumoto.
- S.B. No. 2600, S.D. 2 (H.D. 2):  
Representatives Yamane, Herkes, M. Oshiro, Co-Chairs; M. Lee, Finnegan.

- S.B. No. 2601, S.D. 1 (H.D. 2):  
Representatives Manahan, Wakai, Tokioka, Co-Chairs; Chang, Marumoto.
- S.B. No. 2603, S.D. 2 (H.D. 2):  
Representatives Herkes, Karamatsu, Keith-Agaran, Co-Chairs; C. Lee, Tokioka, Marumoto.
- S.B. No. 2607, S.D. 2 (H.D. 1):  
Representatives Manahan, Wakai, Karamatsu, Co-Chairs; C. Lee, Tokioka, Marumoto.
- S.B. No. 2610 (H.D. 1):  
Representatives Ito, Har, Co-Chairs; Thielen.
- S.B. No. 2611, S.D. 2 (H.D. 2):  
Representatives Yamane, Nishimoto, Co-Chairs; Finnegan.
- S.B. No. 2643, S.D. 1 (H.D. 1):  
Representatives Manahan, Wakai, Tokioka, Co-Chairs; Choy, Finnegan.
- S.B. No. 2646, S.D. 1 (H.D. 2):  
Representatives McKelvey, Manahan, Ito, Co-Chairs; M. Oshiro, Ward.
- S.B. No. 2661, S.D. 2 (H.D. 2):  
Representatives Karamatsu, M. Oshiro, Co-Chairs; Thielen.
- S.B. No. 2685, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Co-Chair; M. Lee, Ward.
- S.B. No. 2691, S.D. 1 (H.D. 1):  
Representatives Rhoads, M. Lee, Co-Chairs; Yamashita, Pine.
- S.B. No. 2697, S.D. 1 (H.D. 1):  
Representatives Herkes, Karamatsu, Co-Chairs; Wakai, Marumoto.
- S.B. No. 2701, S.D. 1 (H.D. 1):  
Representatives Herkes, Karamatsu, Co-Chairs; Souki, Wakai, Marumoto.
- S.B. No. 2702, S.D. 2 (H.D. 1):  
Representatives Hanohano, Aquino, Co-Chairs; Awana, Shimabukuro, Pine.
- S.B. No. 2709, S.D. 1 (H.D. 3):  
Representatives Takumi, Morita, Nishimoto, Co-Chairs; Ching.
- S.B. No. 2716, S.D. 2 (H.D. 2):  
Representatives Mizuno, Karamatsu, M. Oshiro, Co-Chairs; Brower, Ward.
- S.B. No. 2726, S.D. 2 (H.D. 2):  
Representatives Yamane, Karamatsu, Co-Chairs; Nishimoto, M. Oshiro, Souki, Finnegan.
- S.B. No. 2729, S.D. 2 (H.D. 1):  
Representatives Yamane, Nishimoto, Co-Chairs; Finnegan.
- S.B. No. 2745, S.D. 2 (H.D. 1):  
Representatives Yamane, Karamatsu, Co-Chairs; Belatti, Marumoto.
- S.B. No. 2770, S.D. 1 (H.D. 2):  
Representatives Yamane, Herkes, Co-Chairs; Tokioka, Finnegan.
- S.B. No. 2775, S.D. 1 (H.D. 2):  
Representatives McKelvey, Wakai, Karamatsu, Co-Chairs; Chang, Ward.
- S.B. No. 2803, S.D. 1 (H.D. 1):  
Representatives Nakashima, Chair; Manahan, Yamane, Pine.
- S.B. No. 2806, S.D. 2 (H.D. 1):  
Representatives M. Oshiro, Chair; Chong, Rhoads, Finnegan.
- S.B. No. 2807, S.D. 2 (H.D. 2):  
Representatives M. Oshiro, Karamatsu, Co-Chairs; Chong, Rhoads, Thielen.
- S.B. No. 2809, S.D. 2 (H.D. 1):  
Representatives Herkes, Keith-Agaran, Co-Chairs; Marumoto.
- S.B. No. 2811, S.D. 2 (H.D. 2):  
Representatives Yamane, Herkes, Co-Chairs; Nishimoto, Wakai, Marumoto.
- S.B. No. 2817, S.D. 1 (H.D. 1):  
Representatives Morita, Cabanilla, Karamatsu, Co-Chairs; Ching.
- S.B. No. 2825, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Chair; Choy, Finnegan.
- S.B. No. 2828, S.D. 1 (H.D. 3):  
Representatives Takumi, Ito, M. Oshiro, Co-Chairs; Har, Nakashima, Pine.
- S.B. No. 2831, S.D. 1 (H.D. 1):  
Representatives McKelvey, Choy, Co-Chairs; Ward.
- S.B. No. 2840, S.D. 2 (H.D. 1):  
Representatives McKelvey, Rhoads, Choy, Co-Chairs; Ward.
- S.B. No. 2842, S.D. 2 (H.D. 1):  
Representatives Herkes, Choy, Co-Chairs; Aquino, Wakai, Marumoto.
- S.B. No. 2859, S.D. 2 (H.D. 1):  
Representatives Herkes, Karamatsu, Co-Chairs; McKelvey, Souki, Marumoto.
- S.B. No. 2863, S.D. 2 (H.D. 2):  
Representatives Souki, Karamatsu, Awana, Co-Chairs; Saiki, Pine.
- S.B. No. 2883, S.D. 1 (H.D. 2):  
Representatives Rhoads, Karamatsu, M. Oshiro, Co-Chairs; Yamashita, Pine.
- S.B. No. 2885, S.D. 2 (H.D. 1):  
Representatives Yamane, Rhoads, Nishimoto, Co-Chairs; C. Lee, M. Lee, Finnegan.

- S.B. No. 2897, S.D. 2 (H.D. 3):  
Representatives Souki, Karamatsu, Awana, Co-Chairs; Har, B. Oshiro, Pine.
- S.B. No. 2898, S.D. 1 (H.D. 1):  
Representatives Yamane, Wakai, Co-Chairs; M. Lee, Finnegan.
- S.B. No. 2903, S.D. 2 (H.D. 1):  
Representatives Chang, Takumi, Carroll, M. Oshiro, Co-Chairs; Tsuji, Ching.
- S.B. No. 2919, S.D. 1 (H.D. 1):  
Representatives Yamane, Hanohano, Nishimoto, Co-Chairs; Ito, Finnegan.
- S.B. No. 2937, S.D. 1 (H.D. 1):  
Representatives Karamatsu, Chair; Belatti, B. Oshiro, Thielen.
- S.B. No. 2942, S.D. 2 (H.D. 2):  
Representatives Souki, Ito, M. Oshiro, Co-Chairs; Pine.
- S.B. No. 2951, S.D. 2 (H.D. 2):  
Representatives Ito, Tsuji, Har, Co-Chairs; Choy, Marumoto, was placed on file.  
Hse. Com. No. 558, informing the Senate that on April 12, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:
- H.B. No. 347, H.D. 2 (S.D. 2):  
Representatives Chang, Yamashita, Co-Chairs; Pine.
- H.B. No. 415, H.D. 2 (S.D. 2):  
Representatives Hanohano, Aquino, Co-Chairs; Pine.
- H.B. No. 840, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; B. Oshiro, Thielen.
- H.B. No. 865, H.D. 1 (S.D. 1):  
Representatives Souki, Ito, Awana, Co-Chairs; Keith-Agaran, Pine.
- H.B. No. 921, H.D. 1 (S.D. 2):  
Representatives Ito, Carroll, Har, Co-Chairs; Thielen.
- H.B. No. 979, H.D. 1 (S.D. 1):  
Representatives Ito, Morita, Har, Co-Chairs; Ward.
- H.B. No. 1015, H.D. 1 (S.D. 2):  
Representatives Carroll, Ito, M. Oshiro, Co-Chairs; Har, Ward.
- H.B. No. 1019, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Ito, Luke, Tsuji, Thielen.
- H.B. No. 1190, H.D. 1 (S.D. 2):  
Representatives Souki, Karamatsu, Co-Chairs; Awana, Saiki, Pine.
- H.B. No. 1212, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Choy, Mizuno, Thielen.
- H.B. No. 1439, H.D. 1 (S.D. 1):  
Representatives Herkes, Keith-Agaran, Co-Chairs; Wakai, Marumoto.
- H.B. No. 1554 (S.D. 1):  
Representatives Ito, Cabanilla, Carroll, Co-Chairs; Har, Thielen.
- H.B. No. 1684, H.D. 2 (S.D. 2):  
Representatives Tsuji, Morita, Souki, Karamatsu, Co-Chairs; Wooley, Marumoto.
- H.B. No. 1808, H.D. 3 (S.D. 1):  
Representatives Ito, Karamatsu, Har, Co-Chairs; Souki, Yamashita, Thielen.
- H.B. No. 1818, H.D. 2 (S.D. 2):  
Representatives Hanohano, Carroll, Aquino, Co-Chairs; Awana, Shimabukuro, Ward.
- H.B. No. 1854 (S.D. 2):  
Representatives Takumi, M. Lee, Co-Chairs; Finnegan.
- H.B. No. 1862, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Luke, Rhoads, Marumoto.
- H.B. No. 1863, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Luke, Rhoads, Thielen.
- H.B. No. 1900 (S.D. 1):  
Representatives McKelvey, Chair; Takai, Ward.
- H.B. No. 1948, H.D. 1 (S.D. 1):  
Representatives M. Oshiro, Chair; Chong, M. Lee, Ward.
- H.B. No. 1978, H.D. 2 (S.D. 2):  
Representatives Souki, Karamatsu, Co-Chairs; Pine.
- H.B. No. 1987, H.D. 2 (S.D. 2):  
Representatives Hanohano, Karamatsu, M. Lee, Co-Chairs; Manahan, Thielen.
- H.B. No. 1992, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Luke, Tsuji, Thielen.
- H.B. No. 2000, H.D. 2 (S.D. 2):  
Representatives Karamatsu, M. Oshiro, Co-Chairs; Thielen.
- H.B. No. 2003, H.D. 3 (S.D. 2):  
Representatives Karamatsu, M. Oshiro, Co-Chairs; Luke, B. Oshiro.
- H.B. No. 2016 (S.D. 1):  
Representatives Hanohano, Chair; Nakashima, Pine.
- H.B. No. 2020, H.D. 2 (S.D. 2):  
Representatives Souki, Chair; Nakashima, Pine.
- H.B. No. 2056, H.D. 1 (S.D. 1):  
Representatives Yamane, Chang, Herkes, Co-Chairs; Nakashima, Marumoto.
- H.B. No. 2061, H.D. 1 (S.D. 2):  
Representatives Mizuno, McKelvey, Brower, Co-Chairs; Belatti, Ward.

- H.B. No. 2077, H.D. 1 (S.D. 1):  
Representatives Takumi, Chair; Berg, Ching.
- H.B. No. 2083, H.D. 1 (S.D. 2):  
Representatives Tsuji, Herkes, Karamatsu, Co-Chairs; Yamane, Marumoto.
- H.B. No. 2084, H.D. 1 (S.D. 1):  
Representatives Yamane, M. Oshiro, Co-Chairs; Nishimoto, Ward.
- H.B. No. 2085, H.D. 1 (S.D. 2):  
Representatives Yamane, Mizuno, M. Oshiro, Co-Chairs; Shimabukuro, Finnegan.
- H.B. No. 2086, H.D. 2 (S.D. 2):  
Representatives Yamane, Karamatsu, Co-Chairs; Belatti, Thielen.
- H.B. No. 2087, H.D. 1 (S.D. 2):  
Representatives Yamane, Mizuno, Herkes, Karamatsu, Nishimoto, Co-Chairs; Thielen.
- H.B. No. 2129, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Aquino, Nakashima, Thielen.
- H.B. No. 2132, H.D. 1 (S.D. 2):  
Representatives Herkes, Karamatsu, Co-Chairs; Wakai, Marumoto.
- H.B. No. 2152, H.D. 1 (S.D. 1):  
Representatives Yamane, Nishimoto, Co-Chairs; Finnegan.
- H.B. No. 2157, H.D. 1 (S.D. 1):  
Representatives Mizuno, Yamane, Brower, Co-Chairs; Bertram, Ward.
- H.B. No. 2239 (S.D. 2):  
Representatives Morita, Coffman, Co-Chairs; Ching.
- H.B. No. 2266, H.D. 1 (S.D. 1):  
Representatives Hanohano, Aquino, Co-Chairs; Pine.
- H.B. No. 2267, H.D. 1 (S.D. 1):  
Representatives Takumi, M. Lee, Co-Chairs; Nakashima, Finnegan.
- H.B. No. 2283, H.D. 2 (S.D. 1):  
Representatives McKelvey, Choy, Co-Chairs; Ward.
- H.B. No. 2288, H.D. 1 (S.D. 2):  
Representatives Herkes, Karamatsu, Ito, Co-Chairs; Sagum, Marumoto.
- H.B. No. 2289, H.D. 2 (S.D. 1):  
Representatives McKelvey, Wakai, Co-Chairs; Marumoto.
- H.B. No. 2290, H.D. 2 (S.D. 1):  
Representatives Tsuji, Ito, Karamatsu, M. Oshiro, Co-Chairs; Marumoto.
- H.B. No. 2294, H.D. 2 (S.D. 2):  
Representatives Tsuji, M. Oshiro, Co-Chairs; Wooley, Marumoto.
- H.B. No. 2297, H.D. 2 (S.D. 2):  
Representatives Souki, Karamatsu, Wakai, Co-Chairs; Pine.
- H.B. No. 2306, H.D. 2 (S.D. 3):  
Representatives Takumi, Rhoads, M. Lee, Co-Chairs.
- H.B. No. 2318, H.D. 2 (S.D. 1):  
Representatives Cabanilla, Ito, Yamane, Mizuno, Sagum, Co-Chairs; Chong, Thielen.
- H.B. No. 2349, H.D. 1 (S.D. 2):  
Representatives Yamane, Karamatsu, Co-Chairs; Belatti, Finnegan.
- H.B. No. 2351 (S.D. 1):  
Representatives McKelvey, Souki, Co-Chairs; Takai, Pine.
- H.B. No. 2376, H.D. 3 (S.D. 2):  
Representatives Takumi, Karamatsu, M. Oshiro, Co-Chairs; Berg, M. Lee, Nakashima, Finnegan.
- H.B. No. 2377, H.D. 3 (S.D. 2):  
Representatives Takumi, Karamatsu, M. Oshiro, Co-Chairs; Berg, M. Lee, Nakashima, Ching.
- H.B. No. 2381, H.D. 2 (S.D. 2):  
Representatives McKelvey, Cabanilla, Choy, Co-Chairs; Har, Thielen.
- H.B. No. 2383, H.D. 1 (S.D. 2):  
Representatives McKelvey, Karamatsu, Co-Chairs; Har, Ward.
- H.B. No. 2397, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; B. Oshiro, Thielen.
- H.B. No. 2409, H.D. 2 (S.D. 1):  
Representatives Tsuji, Ito, M. Oshiro, Co-Chairs; Marumoto.
- H.B. No. 2441, H.D. 2 (S.D. 2):  
Representatives McKelvey, Choy, Co-Chairs; Wakai, Ward.
- H.B. No. 2450, H.D. 1 (S.D. 2):  
Representatives Morita, Ito, Tsuji, Co-Chairs.
- H.B. No. 2461, H.D. 2 (S.D. 2):  
Representatives Yamane, Mizuno, Rhoads, Herkes, Nishimoto, Co-Chairs; Bertram, Finnegan.
- H.B. No. 2486, H.D. 2 (S.D. 2):  
Representatives Takumi, Rhoads, M. Oshiro, Co-Chairs; Berg, Nakashima, Finnegan.
- H.B. No. 2497 (S.D. 1):  
Representatives Morita, Coffman, Co-Chairs; Ching.
- H.B. No. 2503, H.D. 1 (S.D. 2):  
Representatives Tsuji, Wooley, Co-Chairs; Marumoto.
- H.B. No. 2505, H.D. 1 (S.D. 1):  
Representatives M. Oshiro, Chair; Chong, Yamashita, Ward.
- H.B. No. 2533, H.D. 1 (S.D. 2):  
Representatives Rhoads, M. Oshiro, Co-Chairs; Yamashita, Pine.

- H.B. No. 2548, H.D. 1 (S.D. 1):  
Representatives Herkes, Karamatsu, Co-Chairs; Souki, Marumoto.
- H.B. No. 2575, H.D. 2 (S.D. 2):  
Representatives Yamane, Karamatsu, Co-Chairs; Belatti, Finnegan.
- H.B. No. 2582 (S.D. 2):  
Representatives Ito, Har, Co-Chairs; Tokioka, Thielen.
- H.B. No. 2583 (S.D. 2):  
Representatives Ito, Karamatsu, Har, Co-Chairs; Souki, Tokioka, Thielen.
- H.B. No. 2598, H.D. 1 (S.D. 2):  
Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Manahan, Ward.
- H.B. No. 2604, H.D. 2 (S.D. 2):  
Representatives Souki, Awana, Co-Chairs; Pine.
- H.B. No. 2631, H.D. 2 (S.D. 2):  
Representatives Morita, Herkes, Karamatsu, Coffman, Co-Chairs; Ching.
- H.B. No. 2644, H.D. 2 (S.D. 2):  
Representatives Morita, Coffman, Co-Chairs; Tokioka, Ching.
- H.B. No. 2661, H.D. 2 (S.D. 2):  
Representatives Yamane, Karamatsu, Co-Chairs; Belatti, Finnegan.
- H.B. No. 2670, H.D. 1 (S.D. 1):  
Representatives Chang, M. Oshiro, Co-Chairs; M. Lee, Nakashima, Pine.
- H.B. No. 2676, H.D. 1 (S.D. 1):  
Representatives Carroll, McKelvey, Keith-Agaran, Co-Chairs; C. Lee, Shimabukuro, Ward.
- H.B. No. 2688, H.D. 1 (S.D. 2):  
Representatives Yamane, M. Oshiro, Co-Chairs; Nishimoto, Finnegan.
- H.B. No. 2692, H.D. 1 (S.D. 1):  
Representatives Hanohano, Aquino, Co-Chairs; Awana, Herkes, Pine.
- H.B. No. 2698, H.D. 2 (S.D. 2):  
Representatives McKelvey, Wakai, Yamashita, Co-Chairs; Ward.
- H.B. No. 2708, H.D. 1 (S.D. 1):  
Representatives Souki, Awana, Co-Chairs; Aquino, Pine.
- H.B. No. 2721, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Souki, Tsuji, Thielen.
- H.B. No. 2724, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Nakashima, Souki, Thielen.
- H.B. No. 2725, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Chair; Nakashima, Souki, Thielen.
- H.B. No. 2741, H.D. 1 (S.D. 2):  
Representatives Ito, Har, Co-Chairs; Coffman, Tokioka, Ward.
- H.B. No. 2774, H.D. 2 (S.D. 2):  
Representatives Mizuno, Yamane, M. Oshiro, Co-Chairs; Chong, Ward.
- H.B. No. 2775, H.D. 2 (S.D. 2):  
Representatives Tsuji, Wooley, Co-Chairs; Chong, Marumoto.
- H.B. No. 2783, H.D. 2 (S.D. 2):  
Representatives Manahan, Wakai, Tokioka, Co-Chairs; Choy, Marumoto.
- H.B. No. 2784, H.D. 1 (S.D. 1):  
Representatives Karamatsu, Keith-Agaran, Co-Chairs; Souki, Tsuji, Thielen.
- H.B. No. 2832, H.D. 1 (S.D. 2):  
Representatives Tsuji, Ito, Carroll, M. Oshiro, Co-Chairs; Nakashima, Sagum, Wooley, Finnegan.
- H.B. No. 2845, H.D. 1 (S.D. 1):  
Representatives Ito, Cabanilla, Har, Co-Chairs; Chong, Thielen.
- H.B. No. 2897, H.D. 1 (S.D. 1):  
Representatives Rhoads, Herkes, Karamatsu, Co-Chairs; Souki, Pine.
- H.B. No. 2919, H.D. 1 (S.D. 2):  
Representatives Rhoads, Yamashita, Co-Chairs; Pine.
- H.B. No. 2923, H.D. 2 (S.D. 2):  
Representatives Ito, Manahan, Carroll, Har, Co-Chairs; Chang, Thielen,  
was placed on file.
- Hse. Com. No. 559, informing the Senate that on April 10, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:
- S.B. No. 2402, S.D. 1 (H.D. 1):  
Representatives M. Oshiro, Chair; Chong, Choy, M. Lee, Finnegan,  
was placed on file.
- Hse. Com. No. 560, informing the Senate that on April 12, 2010, the House discharged all conferees to S.B. No. 1178, S.D. 2 (H.D. 2), was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 3130) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Tourism Authority of the following:

KELVIN M. BLOOM, in accordance with Gov. Msg. No. 229;

PATRICIA ANN EWING, in accordance with Gov. Msg. No. 230;

CHARLENE "CHA" MAE KU'UPUAALA THOMPSON, in accordance with Gov. Msg. No. 231;

VERNON FOOK LEONG CHAR, in accordance with Gov. Msg. No. 305; and

PATRICK K. FITZGERALD, in accordance with Gov. Msg. No. 353.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3130 and Gov. Msg. Nos. 229, 230, 231, 305, and 353 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3131) recommending that the Senate advise and consent to the nomination of KYLE JAMES KALEO CHOCK to the Land Use Commission, in accordance with Gov. Msg. No. 339.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3131 and Gov. Msg. No. 339 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3132) recommending that the Senate advise and consent to the nomination of CLISSON KUNANE AIPOALANI to the Island Burial Council, Islands of Kaua'i and Ni'ihau, in accordance with Gov. Msg. No. 425.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3132 and Gov. Msg. No. 425 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3133) recommending that the Senate advise and consent to the nomination of KEKAMAIIKAMAIIKALANI HELM to the Island Burial Council, Island of Molokai, in accordance with Gov. Msg. No. 426.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3133 and Gov. Msg. No. 426 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3134) recommending that the Senate advise and consent to the nomination of ROBERT J. PACHECO to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 427.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3134 and Gov. Msg. No. 427 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3135) recommending that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

LARRY S. SAGARIO, in accordance with Gov. Msg. No. 428; and

MOKE KIM, in accordance with Gov. Msg. No. 461.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3135 and Gov. Msg. Nos. 428 and 461 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3136) recommending that the Senate advise and consent to the nomination of MARIE M. BRUEGMANN to the Natural

Area Reserve System Commission, in accordance with Gov. Msg. No. 446.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3136 and Gov. Msg. No. 446 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3137) recommending that the Senate advise and consent to the nomination of MICHELLE M. GALIMBA to the Board of Agriculture, in accordance with Gov. Msg. No. 459.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3137 and Gov. Msg. No. 459 was deferred until Tuesday, April 13, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3138) recommending that the Senate advise and consent to the nomination of KA'IULANI MURPHY to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 460.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3138 and Gov. Msg. No. 460 was deferred until Tuesday, April 13, 2010.

Senators Nishihara and English, for the Committee on Tourism and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3139) recommending that H.C.R. No. 141 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3139 and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE APPLICATION OF HAWAIIAN AIRLINES TO PROVIDE AIRLINE SERVICE TO HANEDA AIRPORT IN TOKYO, JAPAN," was deferred until Tuesday, April 13, 2010.

## ORDER OF THE DAY

### AGREE/DISAGREE

#### MATTER DEFERRED FROM FRIDAY, APRIL 9, 2010

S.B. No. 2346, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2346, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, April 13, 2010.

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3122 (Gov. Msg. No. 219):

Senator Taniguchi moved that Stand. Com. Rep. No. 3122 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of TIN MYAING THEIN to the Language Access Advisory Council, term to expire June 30, 2014, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3123 (Gov. Msg. No. 243):

Senator Taniguchi moved that Stand. Com. Rep. No. 3123 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of AARON FUJIOKA to the office of State Procurement Administrator, term to expire August 25, 2013 (term amended to October 16, 2013 by Gov. Msg. No. 318), seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3124 (Gov. Msg. No. 293):

Senator Taniguchi moved that Stand. Com. Rep. No. 3124 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of SAMUEL MOKU to the Civil Rights Commission, term to expire June 30, 2011, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3125 (Gov. Msg. Nos. 294 and 295):

Senator Taniguchi moved that Stand. Com. Rep. No. 3125 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Hawaii State Council for Interstate Juvenile Supervision of the following:

DENNIS M. DUNN, term to expire June 30, 2010 (Gov. Msg. No. 294); and

DENNIS M. DUNN, term to expire June 30, 2014 (Gov. Msg. No. 295),

seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3126 (Gov. Msg. Nos. 296 and 297):

Senator Taniguchi moved that Stand. Com. Rep. No. 3126 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Interstate Compact for Juveniles of the following:

WENDELL K. KIKUCHI, term to expire June 30, 2010 (Gov. Msg. No. 296); and

WENDELL K. KIKUCHI, term to expire June 30, 2014 (Gov. Msg. No. 297),

seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3127 (Gov. Msg. No. 389):

Senator English moved that Stand. Com. Rep. No. 3127 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of EUGENE A.H. MAGNIER MD to the Medical Advisory Board, term to expire June 30, 2014, seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3128 (Gov. Msg. No. 390):

Senator English moved that Stand. Com. Rep. No. 3128 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of LEO MAHER MD, MHA, FAAN to the Medical Advisory Board, term to expire June 30, 2014, seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3129 (Gov. Msg. No. 391):

Senator English moved that Stand. Com. Rep. No. 3129 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of ALAN SERIKAWA to the Medical Advisory Board, term to expire June 30, 2014, seconded by Senator Gabbard.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Taniguchi recognized and introduced Aaron Fujioka, State Procurement Administrator, who was seated in the gallery.

## MISCELLANEOUS BUSINESS

### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2001, S.D. 1 (H.D. 1):

Senator Kim moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2001, S.D. 1, seconded by Senator Fukunaga and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2001, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Kidani, Kim, Kokubun); Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Hemmings).

Senator Kim then moved that the Senate agree to the amendments made by the House to S.B. No. 2001, S.D. 1, seconded by Senator Fukunaga.

Senator Kim noted:

“Madam President, the Senate moved to agree to the House Draft 1. This would extend the research tax credit and repeal the technology infrastructure high technology business investment tax credit, and we do need this in balancing our financial plan.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2001, S.D. 1, and S.B. No. 2001, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was placed on the calendar for Final Reading on Tuesday, April 13, 2010.

S.B. No. 2159 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2159, seconded by Senator Kim and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2159, on the following showing of Ayes and Noes:

Ayes, 2 (Kim, Taniguchi). Noes, none. Excused, 1 (Takamine).

Senator Taniguchi then moved that the Senate agree to the amendments made by the House to S.B. No. 2159, seconded by Senator Kim.

Senator Taniguchi noted:

"This bill proposes to increase the fee for traffic abstract. After much discussion on the amount, your Conference Committee decided to agree to the amount suggested by the House. The increase in fees is necessary to assist us with balancing the budget."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2159, and S.B. No. 2159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," was placed on the calendar for Final Reading on Tuesday, April 13, 2010.

S.B. No. 2401, S.D. 1 (H.D. 1):

Senator Kim moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2401, S.D. 1, seconded by Senator Fukunaga and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2401, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Kidani, Kim, Kokubun); Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Hemmings).

Senator Kim then moved that the Senate agree to the amendments made by the House to S.B. No. 2401, S.D. 1, seconded by Senator Fukunaga.

Senator Kim noted:

"The H.D. 1 inserted the deferment of the high technology infrastructure renovation tax credit for three years. The measure is, again, needed to balance our budget."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2401, S.D. 1, and S.B. No. 2401, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was placed on the calendar for Final Reading on Tuesday, April 13, 2010.

At 12:04 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:39 p.m.

#### CONFERENCE COMMITTEE REPORTS

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1907, H.D. 1, presented a report (Conf. Com. Rep. No. 2-10) recommending that H.B. No. 1907, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 2-10 and H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2866, H.D. 1, presented a report (Conf. Com. Rep. No. 3-10) recommending that H.B. No. 2866, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 3-10 and H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Hee, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2421, H.D. 2, presented a report (Conf. Com. Rep. No. 4-10) recommending that H.B. No. 2421, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 4-10 and H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1985, presented a report (Conf. Com. Rep. No. 5-10) recommending that H.B. No. 1985, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 5-10 and H.B. No. 1985, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2650, S.D. 2, presented a report (Conf. Com. Rep. No. 51-10) recommending that S.B. No. 2650, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 51-10 and S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2405, S.D. 2, presented a report (Conf. Com. Rep. No. 52-10) recommending that S.B. No. 2405, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 52-10 and S.B. No. 2405, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO TAXATION,” was deferred for a period of 48 hours.

Senator Kim, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2402, S.D. 1, presented a report (Conf. Com. Rep. No. 53-10) recommending that S.B. No. 2402, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai‘i, action on Conf. Com. Rep. No. 53-10 and S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION;” was deferred for a period of 48 hours.

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later today.”

#### APPOINTMENT OF CONFEREES

S.B. No. 2533, S.D. 1 (H.D. 1):

The President appointed Senator Kokubun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2533, S.D. 1.

S.B. No. 2863, S.D. 2 (H.D. 2):

The President appointed Senator Taniguchi as an additional co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2863, S.D. 2.

H.B. No. 415, H.D. 2 (S.D. 2):

The President appointed Senator Kokubun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 415, H.D. 2.

H.B. No. 2003, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2003, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Takamine as managers on the part of the Senate at such conference.

H.B. No. 2306, H.D. 2 (S.D. 3):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2306, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, Takamine, co-chairs on the part of the Senate at such conference.

H.B. No. 2450, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2450, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; English, Hee, co-chairs; Hooser, Slom as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:40 p.m., on motion by Senator Hooser, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, April 13, 2010.

## FORTY-EIGHTH DAY

Tuesday, April 13, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:44 a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. Kalena Silva, Director of the Hawaiian Language College, University of Hawai'i at Hilo, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Kim who were excused.

The President announced that she had read and approved the Journal of the Forty-Seventh Day.

At this time, the following introductions were made to members of the Senate:

Senator Takamine introduced a delegation from the University of Hawai'i at Hilo including Kameha'ililani Waia'u, lead teacher at Ke Kula 'O Samuel M. Kamakau School; Shawn Kana'iaupuni, Director of Public Education Support; Walter Kahumoku, Director of Professional Development at Kamehameha Schools; Colin Kippen, Executive Director, Native Hawaiian Education Council; Kaua Neuman and Koleka Haia, students at Ka Haka 'Ula Ke'elikolani College – College of Hawaiian Language; Rose Tseng, Chancellor; and Gerald De Mello, Director of University Relations. Also recognized were teachers and students from Punana Leo Preschools of Honolulu and Kawaiaha'o Church.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 470 to 473) were read by the Clerk and were placed on file:

Gov. Msg. No. 470, informing the Senate that on April 12, 2010, the Governor signed into law Senate Bill No. 2758 as Act 14, entitled: "RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES."

Gov. Msg. No. 471, informing the Senate that on April 12, 2010, the Governor signed into law Senate Bill No. 2754 as Act 15, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING."

Gov. Msg. No. 472, informing the Senate that on April 12, 2010, the Governor signed into law Senate Bill No. 2759 as Act 16, entitled, "RELATING TO DRIVER LICENSING."

Gov. Msg. No. 473, informing the Senate that on April 12, 2010, the Governor signed into law Senate Bill No. 2676, S.D. 1 as Act 17, entitled: "RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 561 to 564) were read by the Clerk and were placed on file:

Hse. Com. No. 561, informing the Senate that on April 12, 2010, the House agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives:

H.B. No. 134, H.D. 2, S.D. 2;  
H.B. No. 1927, H.D. 2, S.D. 1;  
H.B. No. 2197, H.D. 1, S.D. 1;  
H.B. No. 2546, S.D. 1;  
H.B. No. 2561, S.D. 1; and  
H.B. No. 2568, S.D. 1.

Hse. Com. No. 562, informing the Senate that on April 12, 2010, the Speaker made the following changes to the conferees on the following bill:

H.B. No. 2020, H.D. 2 (S.D. 2):

Representatives Souki, Karamatsu added as Co-Chairs.

Hse. Com. No. 563, informing the Senate that on April 12, 2010, the Speaker made the following changes to the conferees on the following bills:

H.B. No. 2003, H.D. 3 (S.D. 2):

Representative Marumoto added as a manager.

H.B. No. 2450, H.D. 1 (S.D. 2):

Representative Thielen added as a manager.

Hse. Com. No. 564, informing the Senate that on April 12, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 2690 (S.D. 2):

Representatives M. Oshiro, Karamatsu, McKelvey, Manahan, Rhoads, Tokioka, Co-Chairs.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3140) recommending that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs (PABEA) of the following:

HERBERT C. SHARP, in accordance with Gov. Msg. No. 396; and

F. ADELE RUGG, in accordance with Gov. Msg. No. 444.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3140 and Gov. Msg. Nos. 396 and 444 was deferred until Wednesday, April 14, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3141) recommending that the Senate advise and consent to the nomination of EDWARD R. CRUICKSHANK to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 454.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3141 and Gov. Msg. No. 454 was deferred until Wednesday, April 14, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3142) recommending that the Senate advise and consent to the nominations to the Early Learning Council of the following:

CHARLES E. LARSON, in accordance with Gov. Msg. No. 412; and

CRYSTAL RAY K. NAONE, in accordance with Gov. Msg. No. 413.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3142 and Gov. Msg. No. 412 and 413 was deferred until Wednesday, April 14, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3143) recommending that the Senate advise and consent to the

nomination of ELWOOD EDWARD MACHADO to the Commission on Fatherhood, in accordance with Gov. Msg. No. 443.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3143 and Gov. Msg. No. 443 was deferred until Wednesday, April 14, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3144) recommending that H.C.R. No. 64, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3144 and H.C.R. No. 64, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MARCH AS "ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH,"" was deferred until Wednesday, April 14, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM MONDAY, APRIL 12, 2010

S.B. No. 2346, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2346, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until the end of the calendar.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3130 (Gov. Msg. Nos. 229, 230, 231, 305, and 353):

Senator Nishihara moved that Stand. Com. Rep. No. 3130 be received and placed on file, seconded by Senator Galuteria and carried.

Senator Nishihara then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Tourism Authority of the following:

KELVIN M. BLOOM, term to expire June 30, 2014 (Gov. Msg. No. 229);

PATRICIA ANN EWING, term to expire June 30, 2014 (Gov. Msg. No. 230);

CHARLENE "CHA" MAE KU'UPUAALA THOMPSON, term to expire June 30, 2014 (Gov. Msg. No. 231);

VERNON FOOK LEONG CHAR, term to expire June 30, 2014 (Gov. Msg. No. 305); and

PATRICK K. FITZGERALD, term to expire June 30, 2014 (Gov. Msg. No. 353),

seconded by Senator Galuteria.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3131 (Gov. Msg. No. 339):

Senator Hee moved that Stand. Com. Rep. No. 3131 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of KYLE JAMES KALEO CHOCK to the Land Use Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3132 (Gov. Msg. No. 425):

Senator Hee moved that Stand. Com. Rep. No. 3132 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of CLISSON KUNANE AIPOALANI to the Island Burial Council, Islands of Kaua'i and Ni'ihau, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3133 (Gov. Msg. No. 426):

Senator Hee moved that Stand. Com. Rep. No. 3133 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of KEKAMAIIKAMAIIKALANI HELM to the Island Burial Council, Island of Molokai, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3134 (Gov. Msg. No. 427):

Senator Hee moved that Stand. Com. Rep. No. 3134 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of ROBERT J. PACHECO to the Board of Land and Natural Resources, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3135 (Gov. Msg. Nos. 428 and 461):

Senator Hee moved that Stand. Com. Rep. No. 3135 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

LARRY S. SAGARIO, term to expire June 30, 2011 (Gov. Msg. No. 428); and

MOKE KIM, term to expire June 30, 2013 (Gov. Msg. No. 461),

seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3136 (Gov. Msg. No. 446):

Senator Hee moved that Stand. Com. Rep. No. 3136 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of MARIE M. BRUEGMANN to the Natural Area Reserve System Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3137 (Gov. Msg. No. 459):

Senator Hee moved that Stand. Com. Rep. No. 3137 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of MICHELLE M. GALIMBA to the Board of Agriculture, term to expire June 30, 2014, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

Stand. Com. Rep. No. 3138 (Gov. Msg. No. 460):

Senator Hee moved that Stand. Com. Rep. No. 3138 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of KA'IULANI MURPHY to the Kaho'olawe Island Reserve Commission, term to expire June 30, 2012, seconded by Senator Tokuda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kim).

#### ADOPTION OF RESOLUTION

#### MATTER DEFERRED FROM MONDAY, APRIL 12, 2010

Stand. Com. Rep. No. 3139 (H.C.R. No. 141):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE APPLICATION OF HAWAIIAN AIRLINES TO PROVIDE AIRLINE SERVICE TO HANEDA AIRPORT IN TOKYO, JAPAN," was adopted.

#### FINAL READING

S.B. No. 2001, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2001, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 14, 2010.

S.B. No. 2159, H.D. 1:

By unanimous consent, action on S.B. No. 2159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," was deferred until Wednesday, April 14, 2010.

S.B. No. 2401, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2401, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was deferred until Wednesday, April 14, 2010.

#### MISCELLANEOUS COMMUNICATION

The following communication (Misc. Com. No. 3) was read by the Clerk and was placed on file:

Misc. Com. No. 3, from the Honorable Colleen Hanabusa, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 12, 2010, transmitting a Legislative Communication authorizing a waiver of the April 8, 2010 disagree deadline on the 2010 Legislative Timetable for S.B. No. 2346, S.D. 1, H.D. 1.

#### AGREE/DISAGREE

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

S.B. No. 2346, S.D. 1 (H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2346, S.D. 1, and requested a conference on the subject matter thereof.

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2346, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kidani, Hemmings as managers on the part of the Senate at such conference.

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

"In addition, conferees will be named in accordance with the Action Sheets to be distributed to your offices later today."

At this time, the Chair and members of the Senate extended happy birthday wishes to Senator Slom.

#### REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair made the following committee assignments of House concurrent resolutions received on Monday, April 12, 2010:

H.C.R. No.:	Referred to:
H.C.R. No. 13	Committee on Human Services
H.C.R. No. 15, H.D. 2	Jointly to the Committee on Higher Education and the Committee on Human Services
H.C.R. No. 17	Jointly to the Committee on Higher Education and the Committee on Ways and Means
H.C.R. No. 19	Committee on Human Services
H.C.R. No. 21	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means

H.C.R. No. 22	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 45	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means
H.C.R. No. 23	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 46	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means
H.C.R. No. 24	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 47	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means
H.C.R. No. 25	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 50, H.D. 2	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 26	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 56	Jointly to the Committee on Education and Housing and the Committee on Ways and Means
H.C.R. No. 27	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 61	Jointly to the Committee on Human Services and the Committee on Ways and Means
H.C.R. No. 28	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 86	Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 29	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 101	Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 30	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 114, H.D. 1	Jointly to the Committee on Education and Housing and the Committee on Human Services
H.C.R. No. 31	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 115, H.D. 1	Jointly to the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 32	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 117	Jointly to the Committee on Economic Development and Technology and the Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 33	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 123	Committee on Public Safety and Military Affairs
H.C.R. No. 34	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 129, H.D. 2	Jointly to the Committee on Education and Housing and the Committee on Higher Education
H.C.R. No. 36	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 139	Committee on Public Safety and Military Affairs
H.C.R. No. 44	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 145	Committee on Labor
		H.C.R. No. 155	Jointly to the Committee on Human Services and the Committee on Ways and Means
		H.C.R. No. 158	Jointly to the Committee on Human Services and the Committee on Health
		H.C.R. No. 160, H.D. 1	Jointly to the Committee on Higher Education and the Committee on Health
		H.C.R. No. 161, H.D. 1	Committee on Economic Development and Technology
		H.C.R. No. 162	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Human Services

H.C.R. No. 165	Jointly to the Committee on Human Services and the Committee on Ways and Means	H.C.R. No. 282, H.D. 1	Jointly to the Committee on Judiciary and Government Operations and the Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 166, H.D. 1	Committee on Tourism	H.C.R. No. 284	Committee on Economic Development and Technology
H.C.R. No. 167, H.D. 1	Committee on Education and Housing	H.C.R. No. 288, H.D. 1	Jointly to the Committee on Higher Education and the Committee on Energy and Environment
H.C.R. No. 169, H.D. 1	Committee on Public Safety and Military Affairs	H.C.R. No. 289, H.D. 1	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations
H.C.R. No. 173	Jointly to the Committee on Higher Education and the Committee on Public Safety and Military Affairs	H.C.R. No. 292, H.D. 1	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs
H.C.R. No. 174	Committee on Transportation, International and Intergovernmental Affairs	H.C.R. No. 296	Committee on Economic Development and Technology
H.C.R. No. 181, H.D. 1	Committee on Water, Land, Agriculture, and Hawaiian Affairs	H.C.R. No. 297	Committee on Economic Development and Technology
H.C.R. No. 182	Committee on Water, Land, Agriculture, and Hawaiian Affairs	H.C.R. No. 298, H.D. 1	Jointly to the Committee on Economic Development and Technology and the Committee on Energy and Environment
H.C.R. No. 184, H.D. 1	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means	H.C.R. No. 311, H.D. 1	Committee on Higher Education
H.C.R. No. 187	Committee on Public Safety and Military Affairs	H.C.R. No. 316, H.D. 2	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means
H.C.R. No. 190	Committee on Public Safety and Military Affairs	H.C.R. No. 318, H.D. 1	Jointly to the Committee on Human Services and the Committee on Judiciary and Government Operations
H.C.R. No. 199, H.D. 1	Committee on Human Services	H.C.R. No. 319	Jointly to the Committee on Human Services and the Committee on Ways and Means
H.C.R. No. 200	Committee on Commerce and Consumer Protection	H.C.R. No. 320	Jointly to the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Ways and Means
H.C.R. No. 206	Committee on Transportation, International and Intergovernmental Affairs		
H.C.R. No. 209	Committee on Judiciary and Government Operations		
H.C.R. No. 212	Committee on Economic Development and Technology		
H.C.R. No. 216	Jointly to the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs		
H.C.R. No. 223, H.D. 1	Committee on Public Safety and Military Affairs		
H.C.R. No. 224	Jointly to the Committee on Energy and Environment and the Committee on Economic Development and Technology		
H.C.R. No. 235, H.D. 2	Committee on Energy and Environment		
H.C.R. No. 237	Committee on Ways and Means		
H.C.R. No. 256	Committee on Human Services		
H.C.R. No. 262, H.D. 1	Committee on Human Services		
H.C.R. No. 278, H.D. 1	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary and Government Operations		

**ADJOURNMENT**

At 11:53 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 12:00 p.m., Wednesday, April 14, 2010.

## FORTY-NINTH DAY

## Wednesday, April 14, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 12:11 p.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Sam Slom, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Forty-Eighth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 474 to 476) were read by the Clerk and were placed on file:

Gov. Msg. No. 474, informing the Senate that on April 13, 2010, the Governor signed into law Senate Bill No. 2050 as Act 18, entitled: "RELATING TO VOCATIONAL REHABILITATION IN WORKERS' COMPENSATION LAW."

Gov. Msg. No. 475, informing the Senate that on April 13, 2010, the Governor signed into law Senate Bill No. 2340, S.D. 1, H.D. 1 as Act 19, entitled: "RELATING TO KANEOHE BAY REGIONAL COUNCIL."

Gov. Msg. No. 476, informing the Senate that on April 13, 2010, the Governor signed into law Senate Bill No. 2201, S.D. 1, H.D. 1 as Act 20, entitled: "RELATING TO MOTOR VEHICLES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 565 to 568) were read by the Clerk and were placed on file:

Hse. Com. No. 565, returning S.B. No. 2121, which passed Third Reading in the House of Representatives on April 13, 2010.

Hse. Com. No. 566, informing the Senate that on April 13, 2010, the Speaker made the following changes to the conferees on the following bill:

H.B. No. 2061, H.D. 1 (S.D. 2):

Representative Evans added as a member.

Hse. Com. No. 567, informing the Senate that on April 13, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 2346, S.D. 1 (H.D. 1):

Representatives Takumi, Rhoads, Co-Chairs; Ching.

Hse. Com. No. 568, informing the Senate that on April 13, 2010, the House discharged all conferees to the following bills:

H.B. No. 2085, H.D. 1 (S.D. 2); and

H.B. No. 2086, H.D. 2 (S.D. 2).

## STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 3145) recommending that the Senate advise and consent to the nomination of PETER H. COOPER to the Environmental Council, in accordance with Gov. Msg. No. 394.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3145 and Gov. Msg. No. 394 was deferred until Thursday, April 15, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3146) recommending that the Senate advise and consent to the nominations to the Defender Council of the following:

JEFFREY ALAN HAWK, in accordance with Gov. Msg. No. 418; and

SHIRLEY MIKI KAWAMURA, in accordance with Gov. Msg. No. 419.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3146 and Gov. Msg. Nos. 418 and 419 was deferred until Thursday, April 15, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3147) recommending that the Senate advise and consent to the nomination of DANIEL KAWAMURA to the Board of Registration of the Islands of Kaua'i and Ni'ihau, in accordance with Gov. Msg. No. 420.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3147 and Gov. Msg. No. 420 was deferred until Thursday, April 15, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3148) recommending that the Senate advise and consent to the nomination of ELENA M.H. CABATU to the Commission on the Status of Women, in accordance with Gov. Msg. No. 421.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3148 and Gov. Msg. No. 421 was deferred until Thursday, April 15, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 3149) recommending that the Senate advise and consent to the nomination of R. ERIC HO'OLULUKAMAKANI BEAVER, ESQ. to the Board of Directors of the Hawai'i Public Housing Authority (PHA), in accordance with Gov. Msg. No. 392.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3149 and Gov. Msg. No. 392 was deferred until Thursday, April 15, 2010.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 3150) recommending that H.C.R. No. 178 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3150 and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII," was deferred until Thursday, April 15, 2010.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3140 (Gov. Msg. Nos. 396 and 444):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3140 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs (PABEA) of the following:

HERBERT C. SHARP, term to expire June 30, 2014 (Gov. Msg. No. 396); and

F. ADELE RUGG, term to expire June 30, 2014 (Gov. Msg. No. 444),

seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 3141 (Gov. Msg. No. 454):

Senator Espero moved that Stand. Com. Rep. No. 3141 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of EDWARD R. CRUICKSHANK to the Civil Defense Advisory Council, term to expire June 30, 2011, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 3142 (Gov. Msg. Nos. 412 and 413):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3142 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Early Learning Council of the following:

CHARLES E. LARSON, term to expire June 30, 2012 (Gov. Msg. No. 412); and

CRYSTAL RAY K. NAONE, term to expire June 30, 2012 (Gov. Msg. No. 413),

seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 3143 (Gov. Msg. No. 443):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3143 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of ELWOOD EDWARD MACHADO to the Commission on Fatherhood, term to expire June 30, 2012, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

#### ADOPTION OF RESOLUTION

#### MATTER DEFERRED FROM TUESDAY, APRIL 13, 2010

Stand. Com. Rep. No. 3144 (H.C.R. No. 64, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and

H.C.R. No. 64, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MARCH AS "ADULT RESIDENTIAL CARE HOME AND ADULT FOSTER HOME OPERATORS MONTH,"" was adopted.

#### FINAL READING

#### MATTERS DEFERRED FROM TUESDAY, APRIL 13, 2010

S.B. No. 2001, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2001, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 27, 2010.

S.B. No. 2159, H.D. 1:

Senator Taniguchi moved that S.B. No. 2159, H.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Hemmings rose in opposition to the measure as follows:

"Madam President, this may seem innocuous, raising the traffic abstract fee from \$7 to \$20, a \$13 increase. The economic impact, as we compute it, will be about \$6.5 million. In speaking against this, I'd like to speak against all of the things we're doing today with tax increases. We will be taking, with these bills, approximately \$172 million out of the marketplace, out of people's pockets, out of circulation, out of businesses that would create jobs, out of poor people's pockets that need money to pay for their own living—and God bless the ones that work hard every day and are not relying on government for their day-to-day care. They're the ones we hurt the most in this state. This bill and others take money from those sometimes who are least able to afford it.

"Oftentimes in speaking against these bills, Senator Slom and I get accused of being the people that just say 'no.' Well, I'm really proud to have the courage to say 'no' against some of the waste that we find in institutions like the Department of Education, that spends well over \$2 billion a year and produces a 47<sup>th</sup> ranked education system in the nation. I'm so proud to say 'no' to that abuse of taxpayers and our children. I'm most pleased to say 'no' against a union who hijacks our kids on furlough days and says they want to do it for the children when they themselves kept kids out for 21 days on a strike not too long ago. In speaking against this bill on abstracts that will take money out of people's pockets, I'm proud to say 'no' against Hawai'i Health Care System's monopoly hospitals that would be anti-trust if it was done in the private sector. It needs to be subsidized \$80, \$90 million, or more to keep the doors open. I'm proud to say 'no' against the excessive pay and compensation of some of our public workers, and sometimes paying for jobs we don't need or can be done better for less money in the private sector.

"What we should be saying 'yes' to in rewarding are those in our community who make us work and make things happen. We continue to take jobs away and money out of their pocket. This small bill, taking \$6.5 million out of people's pockets, won't be paid by greedy companies or rich people. It will be paid by consumers, as all taxes ultimately are paid for. I think one of the mistakes that the Majority party often makes in producing the fifth worst taxed state in the nation is that, well, the fat cats—the rich guys—can afford it; and ultimately, especially here in Hawai'i, it ends up being the little guy that pays for it. I will remind everybody last year it was revealed that we were second only to Alabama for being the most regressive state in the nation.

"So in passing all of these tax increases, including this abstract fee, we're hurting our consumers. We're hurting jobs. We're hurting the future. And it would be remiss of me not to

speak out on behalf of what the Majority party often calls—and national Democrats call—‘the greedy rich.’ Thank God. Thank God we have people that were smart enough, worked hard enough, to become wealthy in this state. I am so proud of the Castle Foundation, a rich man who passed away and left his fortune in trust; a man who allowed our small district to have a hospital, to have free land to put our churches on, and to have all the other benefits showered on our community. Thank God for the Weinberg Corporation, another rich guy. If you go around this state, you look on many buildings that service the poor, the elderly, and the needy, and it doesn’t say a political label. It has the name of a rich guy and his wife. I’m proud that we have a society where hard work does pay off, but if we continue to punish those who produce and reward those who do not, that will no longer be true.

“So these are my comments, although broadened on Senate Bill 2159, but on all of the taxes we’re heaping on the people of Hawai’i in order to pay for oftentimes jobs we don’t need and most assuredly jobs we can’t afford. Last I checked, for instance, benefits for the retired public employees, just paying off their holidays, will cost the taxpayers \$14 million this year. It’s time we bring fairness to the marketplace and put everybody on a level playing field.

“I certainly appreciate, Madam President, your indulgence and my colleagues’ indulgence. This will be my one time speaking about all these issues, and I thought I’d attach my generic comments to this first initiative. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2159, and S.B. No. 2159, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Green, Hemmings, Slom).

S.B. No. 2401, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2401, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE FINANCES,” was deferred until Tuesday, April 27, 2010.

#### FINAL READING

Conf. Com. Rep. No. 2-10 (H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 2-10 and H.B. No. 1907, H.D. 1, S.D. 1, CD 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 3-10 (H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 3-10 be adopted and H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kokubun.

Senators Slom, Baker, Sakamoto, and Hooser requested that their votes be cast “no,” and the Chair so ordered.

Senators Espero, Ihara, Bunda, Fukunaga, Ige, and Green requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 3-10 was adopted and H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Bunda, Espero, Fukunaga, Green, Ige, Ihara). Noes, 4 (Baker, Hooser, Sakamoto, Slom).

At 12:24 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 p.m.

Conf. Com. Rep. No. 4-10 (H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 4-10 be adopted and H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Gabbard.

Senator Slom rose in opposition to the measure as follows:

“I want to thank the Senate President and my colleagues for not having these bills yesterday on my birthday, so I was able to enjoy it.

“This bill, the so-called ‘barrel tax bill,’ was shown to the public and discussed early on as relating to food and agricultural security. It was advertised as an environmental bill. It was advertised that it was going to do a lot of things to protect our industry here in Hawai’i and to help us.

“Stripped away of all of the nomenclature, it’s just simply a bad tax bill, and it’s so much worse than the supporters think it is. First of all, what it does is raise the current barrel of fuel tax from 5 cents to \$1.05. As we all know that during the discussions of this bill, there were suggestions to raise it to \$5 a barrel. Then there was a compromise to \$1.50 a barrel; and right now in its present form, it’s \$1, or a total of \$1.05. People tried to negate the impact of this bill by saying, ‘Oh, it’s only going to raise the price of petroleum products, gasoline, for the already beleaguered Hawai’i consumer by 2½, 3½, 4 cents per gallon.’ The estimates that I’ve looked at are 5 to 6 cents per gallon, but you know, we get used to thinking, ‘Oh, it’s only a couple of cents and it doesn’t mean anything.’ Well those cents add up, number one, on the price of gasoline, but more importantly, and what people are not looking at, it’s going to impact the cost of our food. It’s going to impact the cost of everything that we utilize here in Hawai’i because as the fuel prices continue to escalate—as they are already nationally—we find that the delivery of food, the production, any energy, electricity, anything that we use will go up substantially, and we will add 5 cents to 10 cents to 20 cents to 50 cents. And there’s only one group of people that pay that, and that’s the consumers and the taxpayers of this state.

“It’s an unfair bill because it has nothing to do with helping us get to alternative energy faster. It has nothing to do with making us more self-sufficient. And the proof of that is in the distribution of the funds, it doesn’t go for the lofty purposes advertised in the bill; it goes into the general fund to pay for our deficits, to pay for the unions, to pay for the Department of Education that my colleague has waxed poetic about. It includes two special funds. It also, early on from the beginning, had an exemption to try to placate people in the aviation and tourist industry to show them, ‘See it’s not that bad because we’ll give you an exemption.’ But my understanding is that in the current version, that exemption has been removed as well. So what we’re faced with is a major tax increase that’s going to affect all of us, and not just in the energy corridor, but also our food and everything else.

“I think it’s always bad precedence when we tell the public that we’re passing a bill because it’s going to do this, and we know it’s not going to do that. It’s not going to help us with our invasive species. It’s not going to help us with our food supply. It’s not going to help us with our agricultural industry. All it’s going to do is raise money; and if we can raise the barrel from

5 cents to \$1.05 this year, we certainly can go to \$1.55 or \$5.55, \$5.05 next year. It's just a matter of time.

"The prudent thing to do is not to pass this legislation. The prudent thing to do is as we approach the deadline for paying our federal taxes tomorrow, the prudent thing to do is to listen to the plight of the taxpayers and try to pass legislation that is going to remove or reduce that burden, not enhance or increase it; and that's what this bill would do. I urge my colleagues to rethink their support for this bill. Thank you."

Senator Hooser rose in support of the measure as follows:

"You know, we passed a similar measure last year and this year's a slightly different situation, but this is still a huge start and a big step toward our state becoming more sustainable with regards to food and energy. It's certainly not everything I would hope for, but it's a big step and a significant start down that pathway.

"We export billions and billions of dollars every year for food and energy. It's time that we begin taking serious growing our own food and getting off of fossil fuel. The public benefits to this measure—more specifically the public benefits to the end result, getting off of fossil fuel and growing our own food—are huge. They're significant, but this is a long journey and we must have the resolve to start now by taking this significant step. The economic development benefits are significant. The food and energy security benefits are significant. The land use benefits, keeping Hawai'i green, keeping the country country are significant. And of course, the environmental benefits and the jobs that it will create, ultimately, are huge.

"This is an important first step. Is it big enough for me? No, it's not. I'd like to take a much larger step. Are coal and imported biofuels included? No, but I'm hopeful that we can include those later. I also wish there were more funds directed toward the core food and energy programs; I absolutely believe that. But I also know we have to face the reality of our budget situation, and we have important needs for many other programs, including taking care of our elderly, agricultural inspection, and yes, supporting our public school system. We need to fill these needs, but we need to step out and aggressively support food and energy programs; and with time, I'm confident that more money can be focused on this core mission: food and energy. Again, an important step, a significant step.

"We need this measure. We need it now. We cannot delay it another year, another two years to move our state's sustainability agenda forward. This is important, and I encourage my colleagues to vote in strong support of this measure. Thank you, Madam President."

Senator Baker rose in opposition to the measure as follows:

"Madam President, I appreciate the conference committee listening to some of us who had concerns last year and took out the tax levied on aviation fuel; and yes, that exemption is there. It's on page 11, lines 11 and 12. So this bill will not affect, adversely, air transportation, but unfortunately, and the reason I'm standing to oppose this measure is because it affects other methods of moving people and goods. And as such, it falls disproportionately on the neighbor islands and people who have to travel great distances. Yes, it will impact the cost of food, the cost of every product we have. As my colleagues know, I prefer, if we're going to generate tax dollars for the general fund, that we do it in the fairest, broadest manner possible by using an increase in the general excise tax coupled with tax reform to mitigate the GET's regressivity. Unfortunately, this measure does not contain a more positive approach to revenue generation. The barrel tax is a flat tax and it is regressive with no mitigating or offsetting provisions. Therefore, I ask my

colleagues to join me in voting 'no.' Thank you, Madam President."

Senator Green rose in opposition to the measure as follows:

"I stand in opposition, and I'd like to enter the senator from Maui's comments into the record as my own." (The Chair so ordered, by reference only.)

Senator Kim rose in support of the measure as follows:

"The extra dollar that this bill will increase will break down as such: 15 cents will go to the energy security program, which is approximately \$3.3 million; 15 cents to the agriculture security program, \$3.3 million; and to the energy development, \$2.2 million for a total of approximately \$8.8 million, and depending upon how many barrels used, it could go up.

"And yes, the balance we'll dump into the general fund. We're looking at approximately \$12 to \$13 million, but what exactly does the general fund do? You know, we're just raising money. What are we raising money for? We're raising money for the programs that have been talked about. We're raising money in our food security program that uses general fund dollars—\$21.7 million go for that program of general fund dollars. In our energy programs, in BED, in Water-Land, in all of these other programs, the energy program—\$11.6 million of general fund dollars. So whether it's a 1 percent GET tax or whether it's a barrel tax, those have to be funded. And then we have the solar tax credit: \$6 to \$8.5 million and growing of general fund dollars. So, if you're saying that we're going to raise the barrel tax and that only a small portion is going to go for these programs; not true. And if we were to raise a 1 percent GET tax, it's going to raise the gasoline even more; it's going to raise food more. And so I don't know how you can on one hand support a 1 percent regressive tax across the board and not support the barrel tax. Thank you, Madam President."

Senator Hemmings rose in rebuttal as follows:

"Thank you, Madam President. What we're saying, I was hoping would be heard loud and clear, not necessarily by the people on this floor who hear it all so often. What we're saying is raising taxes hurt the economy, will lead to less income, and reduce tax revenue. What we're saying is reduce spending. It's quite simple. Get rid of what the Stroudwater report said the close to \$100 million a year we're losing in Hawai'i Health Care Systems. Privatize those institutions.

"What we're saying is get rid of the waste and abuse and unaccounted for tens of millions, if not hundreds of millions or more, in the public education system education bureaucracy. If throwing more money at public education was going to make the system better, it would be. But we hear the same tired speeches every year about, 'It's for the kids. It's for the kids. It's for the kids,' and we continue to get the miserable results. And the excuse the following year is, 'Let's raise more money, so we can throw it at public education.'

"What we're saying is bring parity to public workers' compensation and fringe benefits with those in the private sector who don't get 21 days sick leave, and then when they retire get tens of thousands if not more in payouts for the sick leave they didn't use. Bring parity with the private sector in the amount of compensation where public workers, the vast majority of them, get paid more than their counterparts in the private sector. Let's be fair. Let's be fair.

"What we're saying is that the \$10 billion plus budget that gets all the money from the taxpayers of this state in some shape, form, manner or not has to be reduced. As I said previously, we're spending just \$14 million to pay for vacation days for the average retirees. And in defense of public workers, most of them, most of them who do a good job, there's no

reason why anyone could lose their job if we'd embark on an effort to reduce public employment through attrition, but the labor unions have made it so difficult we can't even transfer people from one position to another without going through holy hell to get the paperwork done. They make it hard on themselves and their own people.

"We are saying something: We're paying too much gourmet prices for government, and in some instances via the audits and everything else, we're getting served the bologna sandwich. So there is an alternative to increasing taxes, and the alternative is to reduce spending and privatize many of the services that could be done better and less expensively than this gourmet government. Thank you, Madam President."

Senator Hooser rose in rebuttal as follows:

"Madam President and colleagues, I resisted speaking earlier when the Minority Leader, I believe, assured us that he was just going to talk about this subject once and that was it for the day. But it's clear that that's not the case, and too often, Madam President, colleagues, I sit here and I think others too, and we listen to the same tired talking points, the same tired speeches, the same bashing and looking for scapegoats, and I guess we're going to have that again today.

"We're going to have the courage to say 'no' when I think all of us know here the real courage today is to say 'yes.' None of us enjoy raising fees or taxes, but we have a responsibility here today to fund our essential services. So the courage here today is to say 'yes,' not to say 'no.' But it's really easy to look for scapegoats. It's really easy to bash public workers, bash our public education system, bash teachers, bash hospitals. I'm just surprised that the tourism industry has been left out, the high tech industry has been left out, and among others that I'm sure will come out later.

"It's easy to bash the public workers. It really is. You know, bash the public workers for negotiating with management and accepting a job based on the terms of their contract. Don't bash management. Don't bash the Lingle administration who doubled the benefits for the public workers union during her first year. Bash the public workers. Blame public workers, blame teachers, blame hospitals for the condition of our economy today. Don't blame Lehman Brothers, the big banks, the big insurance companies, the big investment houses who caused these problems. Don't blame Exxon Mobile, who made a \$40 billion profit in 2009. But let's bash public workers.

"Madam President, we live in a wonderful, wonderful place. We live in a state we should all be thankful that we're here. We're surrounded by a diverse culture. We're surrounded by nice, good weather, quality of life. We can do much better, but we're not going to do much better, Madam President and colleagues, unless we stop bashing, unless we stop the ongoing onslaught of negativity that we're surrounded by on the radio, on the television, and on this floor. It's beyond time, it's beyond time to start working together, to start speaking positively about the good things in our community, and move forward to make our state a better place. Thank you, Madam President."

Senator Slom rose in rebuttal as follows:

"First of all, let me correct myself and thank the good senator from Maui on the correction about the aviation fuel exemption in the bill. I'm glad that that's still in.

"You know, I listen very carefully to the words of the Minority Leader, and the only complaint I have with him is his bashing of bologna. And I think bologna serves a great purpose, particularly in this Legislature, so I would admonish my colleague not to do that.

"When the good Senator from the Garden Island talks about the same tired talking points, I thought perhaps he was talking about the same speech that we've heard him give six times this session thus far, but maybe I'm wrong. And when the good Senator talks about courage and the fact that none of us enjoy raising taxes here—we'll wait a minute, that's all we've done this session and the last session. The Majority has raised taxes. So if they don't enjoy it, they sure could fool the rest of us.

"And as far as the tired talking points of us talking about waste and excessive spending in government, we continue talking about it because we don't do anything about it. We continue to waste. We continue the spending. Nothing gets done except our financial picture gets worse.

"And I think it's really interesting that we can talk about 'bashing.' Nobody's bashed public school teachers. Nobody's bashed health care workers. The criticism is aimed at the union leaders who have brought us to this condition to the state-run hospital system, which is always near bankruptcy and always requires emergency funding, while defeating any kind of alternative private investment to solve the problem.

"And I don't ever remember either my colleague or I standing up in behalf of bankers and Lehman Brothers and investors. I do remember people within the national administration, however, who engineered the bailouts for these very companies and still do.

"So let's set the facts straight, and let's say that there's no courage in raising other people's taxes and picking their pockets. And let's say that there's no courage in adding 50 cents here, a dollar there, 25 cents there—and by the way, I bristle every time I hear anybody talking about a general excise tax increase of 1 percent. It's 25 percent; that's the increase. The rate change may be 1 percent. The increase is 25 percent—and I learned that in public school.

"Yes, we may be on a journey, but the journey is going to be longer and is going to be more difficult if we continue to tax and to punish people. We have had opportunity after opportunity to attract new capital, new investment to this state, and that's what we should be doing: looking for new revenue from outside sources and from people who believe that it's okay to invest in Hawai'i. But we continue at best to save the best for this Legislature by raising taxes and giving them mixed signals. We're all on the journey together, but we all have different visions of how to get there and what's most beneficial; and no one has shown me yet an example of any state or any country that has pulled themselves out of economic difficulties by raising the taxes even more on the people who can least afford to pay for those taxes and those costs. And every day as we watch businesses and organizations and cultural benchmarks in our community not only having difficult times but shutting down, and we say, 'Why is that,' and we dismiss the actions that we take in terms of taxes. We are responsible. We don't have to look for scapegoats. We are the ones that make the decisions. We are the ones that pass the bills. We are the ones that create the laws; and we are the ones that are increasing the taxes, the cost of living, and reducing the standard of living for the people of the State of Hawai'i, and we could and should be doing a better job.

"So yes, I concur it is significant what we have done this session, but it's not positively significant. And anybody knows if you're talking about prudent action, anybody knows if you want alternative energy or you want more locally-grown food or you want more local employees that you get to that stage first before you cut off the bridges behind you; and that's what we're doing right now. All of us in this room have supported alternative energy. All of us have supported agriculture and the growing of local foods and more sustainability and less dependence. But we're not there yet, and we're not taking the

actions that will get us there; and in the meantime, we are harming our citizens every day. And that's what's significant, and the courage would be to face up to it and to do the things that we should do for all of the people of Hawai'i. Thank you, Madam President."

Senators Espero and Ihara requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 4-10 was adopted and H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Espero, Ihara). Noes, 7 (Baker, Bunda, Fukunaga, Green, Hemmings, Ige, Slom).

Conf. Com. Rep. No. 5-10 (H.B. No. 1985, S.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 5-10 be adopted and H.B. No. 1985, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure as follows:

"This bill clearly is aimed at denying any change in how we provide human services in this state—oh, I'm sorry, Madam President, I skipped ahead. Save that for the next bill. Thank you."

Senators Ihara, Baker, Fukunaga, Ige, and Espero requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 5-10 was adopted and H.B. No. 1985, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Baker, Espero, Fukunaga, Ige, Ihara). Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 51-10 (S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 51-10 be adopted and S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure as follows:

"I do rise in opposition to this bill, and I apologize to my colleagues. It must be a function of old age.

"As I started to say about this bill: This bill really is in opposition to any changes, improvements, or creativity in the delivery of welfare and human services. And it's interesting to me—again, another example, if we need any more examples—that the President of the United States keep talking about hope and change, and we in Hawai'i really don't want to change. We hope everything will be fine if we don't change, and we just hunker down.

"There was a provision to not only reduce costs, but also to make it easier on those people that access human services here. The idea of closing down certain offices and enhancing the use of technology and online services was to make it easier for the people that did not have the time to journey to the offices or to wait in line or to go through all of that—to make it easier.

"Now I understand that there are people that may be technologically challenged—some people have accused me of doing that in some areas—and there certainly are ways of overcoming that, and I think the Department of Human Services has recognized that. But to categorically say, 'You can't make

any changes and you can't go in this direction,' where we are in every other area trying to go online, trying to make it easier for people to access services and government operations through their home and their computer and their iPhone and their iPad and all of that. It just doesn't make sense.

"So you know, I understand the idea of trying to keep employees, but we have to make a decision as to who we're really trying to aid here; and if we're really trying to aid those people dependent on human services, we should indeed try to explore every opportunity to make it easier for them. Thank you."

Senator Chun Oakland rose in support of the measure as follows:

"Thank you very much. Your Committee on Human Services, as well as the House Human Services Committee, had held briefings on the proposed EPOD program statewide, and we were able to hear from hundreds of people. Three groups: the employees of the Department of Human Services, the advocates of clients, as well as the clients themselves, speaking about their concerns, as well as the positive aspects, of this proposal.

"What this bill before us does is exempts, at this point, all neighbor islands from this program. What it does allow is for a pilot program on O'ahu to take place. In this way, we can actually look methodically at how it is implemented to make sure that the negative concerns that were expressed—the impacts potentially that would be negative in nature for our customers, our clientele—is ameliorated before proceeding with EPOD on a statewide basis. We are taking a very prudent step. I do hope that the Department of Human Services and the Governor looks at this proposal and sees the benefit in doing a pilot. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 51-10 was adopted and S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 52-10 (S.B. No. 2405, S.D. 2, H.D. 1, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 52-10 be adopted and S.B. No. 2405, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

"Gosh, it's the streamlining tax that will never die. Ha! It's back again in a gutted version of this bill.

"There are actually some positive factors in this bill, but there are some negative tax consequences as well. I guess the major positive tax factor is the elimination of taxes on businesses owned by the disabled. But the negative tax impacts far exceed that, and the streamlining tax—which is again a misnomer because it's a tax on all of our efforts in the new technology—it's a back-end tax. It is not just trying to recoup what is due us. It is a tax we've talked about again and again and again and again. It is negative. It will not help us. It will not save money for consumers in this community, and again, punishes the very people that have adopted the idea of change and technology. Thank you."

Senator Fukunaga rose in support of the measure as follows:

"Thank you, Madam President. I rise to speak in support of this measure and partly to rebut the remarks of the prior speaker. I would simply note that this measure is intended to level the playing field, so all of the local brick-and-mortar

retailers who pay their GET can compete fairly with those who are located in jurisdictions outside of Hawai'i. Thank you."

Senator Chun Oakland rose in support of the measure as follows:

"My understanding is, in 1969, the State Legislature passed the use tax. This is a tax on products that we purchase outside of the state that are brought into the state. This measure would collect the taxes that are already owed to the State. In speaking with many people in the public, they are not aware that, if they purchase something through a catalog or via the internet, they are already required to pay taxes, and so this is one way of being able to comply with the existing law. Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 52-10 was adopted and S.B. No. 2405, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Sлом).

Conf. Com. Rep. No. 53-10 (S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 53-10 and S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1 be recommitted to the Committee on Conference, seconded by Senator Tsutsui.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 53-10 and S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the referrals listed on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices this afternoon."

**RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

H.C.R. No.:	Re-referred to:
H.C.R. No. 21	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 22	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 23	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 24	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 25	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 26	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 27	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 28	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 29	Committee on Water, Land, Agriculture, and Hawaiian Affairs

H.C.R. No. 30	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 31	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 32	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 33	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 34	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 36	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 44	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 45	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 46	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 47	Committee on Water, Land, Agriculture, and Hawaiian Affairs
H.C.R. No. 320	Committee on Water, Land, Agriculture, and Hawaiian Affairs

**MISCELLANEOUS BUSINESS**

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 898, S.D. 2 (H.D. 1):

Senator Espero moved that the Senate reconsider its action taken on March 4, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 898, S.D. 2, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 898, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Bunda, Espero, Hemmings, Taniguchi). Noes, none. Excused, 1 (Takamine).

Senator Espero then moved that the Senate agree to the amendments made by the House to S.B. No. 898, S.D. 2, seconded by Senator Taniguchi.

Senator Espero noted:

"This measure supports the State Civil Defense shelter-in-place initiative by exempting civil liability for care homes and schools, in addition to hotels, during officially designated emergencies. The amendments are basically technical, non-substantive, Madam President. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 898, S.D. 2, and S.B. No. 898, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was placed on the calendar for Final Reading on Thursday, April 15, 2010.

S.B. No. 2775, S.D. 1 (H.D. 2):

Senator Fukunaga moved that the Senate reconsider its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2775, S.D. 1, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2775, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Fukunaga, Taniguchi). Noes, none. Excused, 1 (Slom).

Senator Fukunaga then moved that the Senate agree to the amendments made by the House to S.B. No. 2775, S.D. 1, seconded by Senator Taniguchi.

Senator Fukunaga noted:

“Madam President, the House amendments were primarily technical in nature. The Department of Commerce and Consumer Affairs has advised us that they are able to implement this change with considerably greater ease.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2775, S.D. 1, and S.B. No. 2775, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P,” was placed on the calendar for Final Reading on Thursday, April 15, 2010.

Senator Hee, Chair of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

H.C.R. No. 21;  
H.C.R. No. 22;  
H.C.R. No. 23;  
H.C.R. No. 24;  
H.C.R. No. 25;  
H.C.R. No. 26;  
H.C.R. No. 27;  
H.C.R. No. 28;  
H.C.R. No. 29;  
H.C.R. No. 30;  
H.C.R. No. 31;  
H.C.R. No. 32;  
H.C.R. No. 33;  
H.C.R. No. 34;  
H.C.R. No. 36;  
H.C.R. No. 44;  
H.C.R. No. 45;  
H.C.R. No. 46;  
H.C.R. No. 47;  
H.C.R. No. 50, H.D. 2;  
H.C.R. No. 292, H.D. 1;  
H.C.R. No. 320; and  
S.R. No. 12.

Senator Hee noted:

“Your Committee received these House concurrent resolutions yesterday, and would like to hold a hearing on them tomorrow in order to meet Friday’s filing deadline. We would like to add S.R. No. 12 to this notice so that we can take testimony on it at the same time.”

The Chair granted the waiver.

At this time, the Chair made the following announcement:

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later today.”

Senator Hee rose on a point of inquiry as follows:

“Let me provide some background for my point of inquiry. I was inspired by the Higher Education confirmation hearing yesterday, and particularly the nominee from Maui was particularly inspirational. It reminded me that at a time when only native Hawaiians were here that that did not stop native Hawaiians from saying things about other native Hawaiians, much like today’s cosmopolitan population may say things about the Chinese people or the pakes, or the pukīkī or the kepanī. The native Hawaiians were not isolated from saying things about others; and watching the entertainment of the Higher Education confirmation hearing, it reminded me, on this Maui nominee, it reminded me that native Hawaiians had a saying for Maui people. They said Maui people were people that ‘ai ule lio because of their proclivity and appetite for the sea cucumber.

“So, I thought maybe this is a Maui thing. So, I want to ask the Majority Caucus Leader from Maui if he knew what an ‘eco-preneur’ was. Will you so ask him?”

The Chair asked Senator Tsutsui if he wished to respond to the question.

Senator Tsutsui responded:

“You know, I don’t know what an ‘eco-preneur’ is, but if you could ask the Senator from Kahalu’u to use it in a sentence, then I might be able to assist him.”

The Chair then said:

“Members, this is the Senate floor; this is not spelling bee. Senator Hee? There’s been an inquiry reversed back to you; would you wish to respond to that inquiry?”

Senator Hee responded:

“I’m not sure what ‘eco-preneur’ is, but when I hear it yesterday in the deliberations of the Higher Education Chairman, I thought maybe it was something that in the morning, while doing my morning constitution and letting the horse out of the stall, that it reminded me perhaps of the Senate Vice President, who was there, and hearing his melodic voice saying, ‘Hey there. What are you doing and what is that you’re putting in the wheelbarrow?’ And I would say, ‘Eco-preneur.’ I’ve heard, and it makes the flowers bloom. Madam President, the point of my inquiry is I have heard a lot of ‘eco-preneur’ on the floor; so with that inquiry, I want to thank you and thank my members who are ‘eco-preneurists’ in the act of ‘eco-preneurism.’”

#### APPOINTMENT AND DISCHARGE OF CONFEREES

H.B. No. 865, H.D. 1 (S.D. 1):

The President discharged Senator Kim as chair and Senator English as co-chair, and appointed Senator Kim as co-chair and Senator English as chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 865, H.D. 1.

H.B. No. 2267, H.D. 1 (S.D. 1):

The President discharged Senator Kim as chair and Senator Sakamoto as co-chair, and appointed Senator Kim as co-chair and Senator Sakamoto as chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2267, H.D. 1.

#### ADJOURNMENT

At 1:10 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, April 15, 2010.

## FIFTIETH DAY

Thursday, April 15, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:41 a.m. with the President in the Chair.

The Divine Blessing was invoked by Shawna Lau Kong, Office of the Honorable Dwight Y. Takamine, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Ige, Ihara, and Sakamoto who were excused.

The President announced that she had read and approved the Journal of the Forty-Ninth Day.

At this time, the following introduction was made to members of the Senate:

Senator Espero introduced a group of 5<sup>th</sup> grade students from 'Ewa Elementary School who were accompanied by teachers Kim Amodo, Carrie LaForteza, Wendy Alverio, and student teacher Ruby Kim.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 477 to 479) were read by the Clerk and were placed on file:

Gov. Msg. No. 477, informing the Senate that on April 14, 2010, the Governor signed into law House Bill No. 2596 as Act 21, entitled: "RELATING TO TAX CREDITS."

Gov. Msg. No. 478, informing the Senate that on April 14, 2010, the Governor signed into law House Bill No. 2600 as Act 22, entitled: "RELATING TO TAX ADMINISTRATION."

Gov. Msg. No. 479, dated April 14, 2010, transmitting the Governor's statement of objections to House Bill No. 1868, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 14, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1868

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1868, entitled 'A Bill for an Act Relating to Civil Service.'

The purpose of this bill is to prohibit all civil service employees not covered by collective bargaining agreements from taking leaves of absence to serve for more than one year in certain appointed positions in the executive and judicial branches. The one-year leave of absence would also apply to civil service employees whose collective bargaining agreements do not provide for the granting of longer leaves for the purpose of serving in appointed positions.

This bill is objectionable for the following reasons. First, this measure provides unfair and disparate treatment between career civil servants depending on whether they are covered by collective bargaining agreements. Because there are a number of collective bargaining agreements covering Hawaii

Government Employees Association and United Public Worker employees that provide for four-year leaves of absence to serve in appointed positions, this bill conflicts with section 89C-3, Hawaii Revised Statutes, which requires employers to provide employees not covered by collective bargaining agreements with compensation and benefit packages that are at least equal to compensation and benefit packages provided under collective bargaining agreements for counterparts or subordinates within the employer's jurisdiction. Section 89C-3 was recently interpreted by the State Circuit Court to mean that a vacation leave or temporary assignment program offered by a public employer only to civil service employees through a collective bargaining agreement constituted a distinct "benefit" that must be offered equally to all of that employer's civil service employees. As such, we believe, this bill is in conflict with current law. Given that section 89C-6 allows chapter 89C to take precedence over all other statutes, including chapter 76 as amended by this bill, we also note House Bill No. 1868 is for all practical purposes unenforceable.

Second, the net effect of this measure will be to impose severe practical constraints on the ability of various appointing authorities, including the Governor, to fill certain appointed positions such as department directors, deputies, and board and commission members. The number of career civil servants willing to take these types of appointments would be severely reduced without assurances that they will be able to keep their hard earned benefits by returning to their previous positions after the end of an appointment. Although this bill will not affect my administration, it will have a significant impact on the next administration.

Third, this measure needlessly limits valuable opportunities for career civil servants to serve in higher level appointed leadership positions in our government. By specifically targeting civil servants not covered by collective bargaining agreements—who often tend to be managerial and supervisory employees—the State will lose out on the valuable knowledge and expertise that these civil servants will bring to their appointed positions.

For the foregoing reasons, I am returning House Bill No. 1868 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 569 to 572) were read by the Clerk and were placed on file:

Hse. Com. No. 569, informing the Senate that on April 14, 2010, the House discharged all conferees to the H.B. No. 2383, H.D. 1 (S.D. 2).

Hse. Com. No. 570, informing the Senate that the following bills passed Final Reading in the House of Representatives on April 14, 2010:

H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1985, S.D. 1, C.D. 1;  
H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1; and  
S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1.

Hse. Com. No. 571, informing the Senate that on April 14, 2010, the House discharged all conferees to H.B. No. 2351 (S.D. 1).

Hse. Com. No. 572, informing the Senate that on April 14, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to the following House bills, and said bills passed Final Reading in the House of Representatives:

H.B. No. 2085, H.D. 1, S.D. 2;  
H.B. No. 2086, H.D. 2, S.D. 2; and  
H.B. No. 2383, H.D. 1, S.D. 2.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3151) recommending that the Senate advise and consent to the nomination of BRUCE T. KAWANO to the State Boxing Commission of Hawai'i, in accordance with Gov. Msg. No. 384.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3151 and Gov. Msg. No. 384 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3152) recommending that the Senate advise and consent to the nomination of MORRIS H. KANESHIRO to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 385.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3152 and Gov. Msg. No. 385 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3153) recommending that the Senate advise and consent to the nominations to the Board of Massage Therapy of the following:

LAURA Y. CHOCK, in accordance with Gov. Msg. No. 387; and

OLIVIA B. NAGASHIMA, in accordance with Gov. Msg. No. 388.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3153 and Gov. Msg. Nos. 387 and 388 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3154) recommending that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

STEVEN R. OBERG CPA, in accordance with Gov. Msg. No. 401; and

STEVEN R. OBERG CPA, in accordance with Gov. Msg. No. 402.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3154 and Gov. Msg. Nos. 401 and 402 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3155) recommending that the Senate advise and consent to the nomination of CARL K. YORITA to the Hawaii Medical Board, in accordance with Gov. Msg. No. 404.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3155 and Gov. Msg. No. 404 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3156) recommending that the Senate advise and consent to the nomination of DAVID R. KERN to the Board of Naturopathic Medicine, in accordance with Gov. Msg. No. 405.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3156 and Gov. Msg. No. 405 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3157) recommending that the Senate advise and consent to the nomination of TODD K. INAFUKU to the Board of Pharmacy, in accordance with Gov. Msg. No. 406.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3157 and Gov. Msg. No. 406 was deferred until Friday, April 16, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3158) recommending that the Senate advise and consent to the nomination of SCOTT A. SHERLEY to the Real Estate Commission, in accordance with Gov. Msg. No. 407.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3158 and Gov. Msg. No. 407 was deferred until Friday, April 16, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3159) recommending that the Senate advise and consent to the nomination of GORDON L. FULLER to the Statewide Council on Independent Living, in accordance with Gov. Msg. No. 445.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3159 and Gov. Msg. No. 445 was deferred until Friday, April 16, 2010.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3160) recommending that the Senate advise and consent to the nomination of MICHAEL BUCHAL to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, in accordance with Gov. Msg. No. 395.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3160 and Gov. Msg. No. 395 was deferred until Friday, April 16, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3161) recommending that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

TREVOR H. KAINOA DAINES, in accordance with Gov. Msg. No. 393;

KALEIAHIHI K. FERMANTEZ, in accordance with Gov. Msg. No. 409;

KALEIAHIHI K. FERMANTEZ, in accordance with Gov. Msg. No. 410; and

DORADEEN M. KANUHA, in accordance with Gov. Msg. No. 434.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3161 and Gov. Msg. Nos. 393, 409, 410, and 434 was deferred until Friday, April 16, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3162) recommending that the Senate advise and consent to the nomination of RICHARD SCHNITZLER to the Small Business Regulatory Review Board, in accordance with Gov. Msg. No. 411.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3162 and Gov. Msg. No. 411 was deferred until Friday, April 16, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3163) recommending that the Senate advise and consent to the nomination of JEFFREY N. DODGE to the Hawai'i Historic Places Review Board, in accordance with Gov. Msg. No. 433.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3163 and Gov. Msg. No. 433 was deferred until Friday, April 16, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3164) recommending that the Senate advise and consent to the nomination of FEREDOUN DON PARSA, MD to the Hawai'i Medical Education Council, in accordance with Gov. Msg. No. 397.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3164 and Gov. Msg. No. 397 was deferred until Friday, April 16, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3165) recommending that the Senate advise and consent to the nominations to the Stadium Authority of the following:

KATHRYN WHANG INOUE, in accordance with Gov. Msg. No. 200;

KENNETH B. MARCUS ESQ., in accordance with Gov. Msg. No. 199; and

ALAN S. TAMAYOSE, in accordance with Gov. Msg. No. 198.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3165 and Gov. Msg. Nos. 200, 199, and 198 was deferred until Friday, April 16, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3166) recommending that the Senate advise and consent to the nomination of EDELENE O. URIARTE to the Language Access Advisory Council, in accordance with Gov. Msg. No. 351.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3166 and Gov. Msg. No. 351 was deferred until Friday, April 16, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3167) recommending that the Senate advise and consent to the nomination of STEVEN CHARLES WHEELWRIGHT to the Western Interstate Commission for Higher Education (WICHE), in accordance with Gov. Msg. No. 436.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3167 and Gov. Msg. No. 436 was deferred until Friday, April 16, 2010.

Senators Gabbard and Baker, for the Committee on Energy and Environment and the Committee on Commerce and

Consumer Protection, presented a joint report (Stand. Com. Rep. No. 3168) recommending that H.C.R. No. 230 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3168 and H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CLEAN ENERGY INITIATIVE END-USE EFFICIENCY WORKING GROUP TO CONVENE DEVELOPMENT AND BUILDING INDUSTRY STAKEHOLDERS TO IDENTIFY BARRIERS TO IMPLEMENTATION AND WORK TOWARDS A CONSENSUS POSITION TO PROMOTE THE DESIGN AND CONSTRUCTION OF NET ZERO ENERGY BUILDINGS," was deferred until Friday, April 16, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3169) recommending that H.C.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3169 and H.C.R. No. 51, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK," was deferred until Friday, April 16, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3170) recommending that H.C.R. No. 62, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3170 and H.C.R. No. 62, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CAREGIVERS AND RECOGNIZING THEIR ROLE IN MAINTAINING THE HEALTH AND WELL-BEING OF HAWAII'S FRAIL AND VULNERABLE POPULATION," was deferred until Friday, April 16, 2010.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3145 (Gov. Msg. No. 394):

Senator Gabbard moved that Stand. Com. Rep. No. 3145 be received and placed on file, seconded by Senator English and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of PETER H. COOPER to the Environmental Council, term to expire June 30, 2014, seconded by Senator English.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

Stand. Com. Rep. No. 3146 (Gov. Msg. Nos. 418 and 419):

Senator Taniguchi moved that Stand. Com. Rep. No. 3146 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Defender Council of the following:

JEFFREY ALAN HAWK, term to expire June 30, 2014 (Gov. Msg. No. 418); and

SHIRLEY MIKI KAWAMURA, term to expire June 30, 2014 (Gov. Msg. No. 419),

seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

Stand. Com. Rep. No. 3147 (Gov. Msg. No. 420):

Senator Taniguchi moved that Stand. Com. Rep. No. 3147 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of DANIEL KAWAMURA to the Board of Registration of the Islands of Kaua'i and Ni'ihau, term to expire June 30, 2014, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

Stand. Com. Rep. No. 3148 (Gov. Msg. No. 421):

Senator Taniguchi moved that Stand. Com. Rep. No. 3148 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of ELENA M.H. CABATU to the Commission on the Status of Women, term to expire June 30, 2014, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

Stand. Com. Rep. No. 3149 (Gov. Msg. No. 392):

Senator Kidani moved that Stand. Com. Rep. No. 3149 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Kidani then moved that the Senate advise and consent to the nomination of R. ERIC HO'OLULUKAMAKANI BEAVER, ESQ. to the Board of Directors of the Hawai'i Public Housing Authority (PHA), term to expire June 30, 2014, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

#### **ADOPTION OF RESOLUTION**

#### **MATTER DEFERRED FROM WEDNESDAY, APRIL 14, 2010**

Stand. Com. Rep. No. 3150 (H.C.R. No. 178):

On motion by Senator Hooser, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII," was adopted.

#### **FINAL READING**

S.B. No. 898, S.D. 2, H.D. 1:

On motion by Senator Espero, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 898, S.D. 2, and S.B. No. 898, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

S.B. No. 2775, S.D. 1, H.D. 2:

On motion by Senator Fukunaga, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2775, S.D. 1, and S.B. No. 2775, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Ihara, Sakamoto).

#### **MISCELLANEOUS BUSINESS**

#### **RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 358, S.D. 1 (H.D. 2):

Senator Espero moved that the Senate reconsider its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 358, S.D. 1, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 358, S.D. 1 on the following showing of Ayes and Noes:

Ayes, 3 (Espero, Taniguchi, Slom). Noes, none. Excused, none.

Senator Espero then moved that the Senate agree to the amendments made by the House to S.B. No. 358, S.D. 1, seconded by Senator Taniguchi.

Senator Espero noted:

"This measure is, 'Relating to Firearms.' I attempted to rename it, 'The Sarah Palin Act of 2010,' but that did not go very well. However, this measure deals with the prohibition against the seizure during emergencies of personal firearms. The changes are non-substantive, technical, and I recommend that we pass it. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 358, S.D. 1, and S.B. No. 358, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was placed on the calendar for Final Reading on Friday, April 16, 2010.

Senator Hee, Chair of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, requested that referrals of the following House concurrent resolutions to the Committee on Water, Land, Agriculture, and Hawaiian Affairs be waived pursuant to Senate Rule 46(4):

H.C.R. No. 46,  
H.C.R. No. 47,  
H.C.R. No. 89, and  
H.C.R. No. 320.

Senator Hee noted:

"Thank you, Madam President. I request a waiver of the referral to the Committee on Water, Land, Ag, and Hawaiian Affairs for House Concurrent Resolution numbers 46, 47, 89, and 320 to bring these resolutions to the Senate floor for a vote in order to meet Monday's House concurrent resolution crossover deadline."

The Chair granted the waiver.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice

requirement pursuant to Senate Rule 21 for the following House concurrent resolutions:

H.C.R. No. 87;  
H.C.R. No. 161, H.D. 1;  
H.C.R. No. 212;  
H.C.R. No. 284;  
H.C.R. No. 296; and  
H.C.R. No. 297.

Senator Fukunaga noted:

“These resolutions need to be heard in order to position them for Monday’s crossover deadline.”

The Chair granted the waiver.

At this time, Senator Espero rose on a point of personal privilege as follows:

“I am disappointed and disheartened by the actions of State Representative Kym Pine, the Republican from ‘Ewa Beach, in an e-mail she sent out last night that had blatant lies and false statements.

“Yesterday, she wrote that, ‘Senator Will Espero and Representative Angus McKelvey killed your flag bill today.’ That is an inaccurate statement. That is a malicious lie. Yesterday, the truth is we passed H.B. 2383, which deals with Prisoner of War/Missing in Action flags and allowing those flags to fly at the State Capitol and other Department of Defense state facilities during certain times.

“In her moment of turmoil and confusion, somehow Representative Pine from ‘Ewa Beach inserted the discussion and dialogue on H.B. 2311 regarding flagpoles in planned community associations. The Senate passed a resolution, and I believe the House will as well, that confirms and supports the right of all citizens to fly the American flag. This issue has brought awareness for many planned community associations and educated many people about a federal law—and that’s an important point, a federal law—that addresses the right of all Americans, all citizens, to fly the American flag.

“I understand at times we become emotional and passionate about our issues and our bills, but when a member of this robust body intentionally lies to promote her own cause, I must step forward. When a member of this body, the Hawai‘i State Legislature, manipulates an issue in order to get support from certain individuals, I must speak up. To state that we killed the flag bill is a blatant lie by the State Representative from ‘Ewa Beach; and please let the record show that this State Senator will not accept this type of language, this deceitful action, these words that do not belong. Thank you for the opportunity to share my thoughts.”

Senator Slom rose on a point of personal privilege as follows:

“Today is the tax deadline day for our federal taxes, and there is an event at the Capitol this afternoon from 4 to 7 p.m. It’s the second annual Tea Party, and I know there’ll be no dissension and everybody will join hands and come to that. They can bring their flags. They can bring whatever they would like to; and there’ll also be some educational films in the auditorium from 1 to 4 p.m. So, I extend an invitation, particularly to my colleagues who expressed on the Senate floor yesterday the real difficulty they have in raising taxes but did it anyway. They can come and absolve themselves this afternoon. There will be representatives from every religious persuasion. So, 4 to 7 p.m. Thank you, Madam President.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.”

#### ADJOURNMENT

At 11:55 a.m., on motion by Senator Hooser, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, April 16, 2010.

## FIFTY-FIRST DAY

## Friday, April 16, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:41 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Russell Higa, Honolulu Christian Church, after which the Roll was called showing all Senators present with the exception of Senators Galuteria, Green, and Hemmings who were excused.

The President announced that she had read and approved the Journal of the Fiftieth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 480 to 482) were read by the Clerk and were placed on file:

Gov. Msg. No. 480, informing the Senate that on April 15, 2010, the Governor signed into law Senate Bill No. 2834, S.D. 1 as Act 23, entitled: "RELATING TO TAXATION."

Gov. Msg. No. 481, informing the Senate that on April 15, 2010, the Governor signed into law House Bill No. 1902, H.D. 1 as Act 24, entitled: "RELATING TO LONG TERM CARE."

Gov. Msg. No. 482, informing the Senate that on April 15, 2010, the Governor signed into law Senate Bill No. 2432 as Act 25, entitled: "RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 573 to 576) were read by the Clerk and were placed on file:

Hse. Com. No. 573, informing the Senate that on April 15, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2058, H.D. 1, and H.B. No. 2058, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives.

Hse. Com. No. 574, informing the Senate that on April 15, 2010, the House reconsidered its action taken on March 30, 2010, in disagreeing to the amendments proposed by the Senate to the H.B. No. 2351 (S.D. 1).

Hse. Com. No. 575, informing the Senate that on April 15, 2010, the Speaker made the following changes to the conferees on the following bills:

H.B. No. 1808, H.D. 3 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2548, H.D. 1 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2583 (S.D. 2):

Discharged Representative Souki.

H.B. No. 2721, H.D. 1 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2724, H.D. 1 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2725, H.D. 1 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2784, H.D. 1 (S.D. 1):

Discharged Representative Souki.

H.B. No. 2897, H.D. 1 (S.D. 1):

Discharged Representative Souki.

S.B. No. 506, S.D. 1 (H.D. 3):

Discharged Representative Souki.

S.B. No. 950, S.D. 2 (H.D. 3):

Discharged Representative Souki.

S.B. No. 2045, S.D. 1 (H.D. 1):

Replaced Representative Souki with Representative B. Oshiro as manager.

S.B. No. 2150 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2154, S.D. 1 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2454, S.D. 2 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2472, S.D. 2 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2491, S.D. 2 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2534, S.D. 2 (H.D. 1):

Discharged Representative Souki.

S.B. No. 2726, S.D. 2 (H.D. 2):

Discharged Representative Souki.

S.B. No. 2859, S.D. 2 (H.D. 1):

Discharged Representative Souki.

Hse. Com. No. 576, informing the Senate that on April 16, 2010, the House made the following change to the conferees on the following bill:

H.B. No. 2721, H.D. 1 (S.D. 1):

Representative Souki added as a manager.

## CONFERENCE COMMITTEE REPORTS

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1900, presented a report (Conf. Com. Rep. No. 6-10) recommending that H.B. No. 1900, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 6-10 and H.B. No. 1900, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2376, H.D. 3, presented a report (Conf. Com. Rep. No. 7-10) recommending that H.B. No. 2376, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article XVIII, Section 3 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 7-10 and H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION," was deferred for a period of 10 days.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2807, S.D. 2, presented a report (Conf. Com. Rep. No. 54-10) recommending that S.B. No. 2807, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article XVIII, Section 3 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 54-10 and S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT," was deferred for a period of 10 days.

#### STANDING COMMITTEE REPORT

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3171) recommending that the Senate advise and consent to the nomination of DALE M. ALLISON PHD, APRN, FAAN to the Center for Nursing Advisory Board, in accordance with Gov. Msg. No. 415.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3171 and Gov. Msg. No. 415 was deferred until Monday, April 19, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3172) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawai'i of the following:

MARK ITARU YAMADA, in accordance with Gov. Msg. No. 398; and

DONN MASAO TAKAKI, in accordance with Gov. Msg. No. 416.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3172 and Gov. Msg. Nos. 398 and 416 was deferred until Monday, April 19, 2010.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 3151 (Gov. Msg. No. 384):

Senator Baker moved that Stand. Com. Rep. No. 3151 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of BRUCE T. KAWANO to the State Boxing Commission of Hawai'i, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3152 (Gov. Msg. No. 385):

Senator Baker moved that Stand. Com. Rep. No. 3152 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of MORRIS H. KANESHIRO to the Board of Electricians and Plumbers, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3153 (Gov. Msg. Nos. 387 and 388):

Senator Baker moved that Stand. Com. Rep. No. 3153 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Massage Therapy of the following:

LAURA Y. CHOCK, term to expire June 30, 2014 (Gov. Msg. No. 387); and

OLIVIA B. NAGASHIMA, term to expire June 30, 2014 (Gov. Msg. No. 388),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3154 (Gov. Msg. Nos. 401 and 402):

Senator Baker moved that Stand. Com. Rep. No. 3154 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

STEVEN R. OBERG CPA, term to expire June 30, 2010 (Gov. Msg. No. 401); and

STEVEN R. OBERG CPA, term to expire June 30, 2014 (Gov. Msg. No. 402),

seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3155 (Gov. Msg. No. 404):

Senator Baker moved that Stand. Com. Rep. No. 3155 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of CARL K. YORITA to the Hawaii Medical Board, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3156 (Gov. Msg. No. 405):

Senator Baker moved that Stand. Com. Rep. No. 3156 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DAVID R. KERN to the Board of Naturopathic Medicine, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3157 (Gov. Msg. No. 406):

Senator Baker moved that Stand. Com. Rep. No. 3157 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of TODD K. INAFUKU to the Board of Pharmacy, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3158 (Gov. Msg. No. 407):

Senator Baker moved that Stand. Com. Rep. No. 3158 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of SCOTT A. SHERLEY to the Real Estate Commission, term to expire June 30, 2014, seconded by Senator Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3159 (Gov. Msg. No. 445):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3159 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of GORDON L. FULLER to the Statewide Council on Independent Living, term to expire June 30, 2012, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3160 (Gov. Msg. Nos. 395):

Senator Gabbard moved that Stand. Com. Rep. No. 3160 be received and placed on file, seconded by Senator Baker and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of MICHAEL BUCHAL to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, term to expire June 30, 2014, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3161 (Gov. Msg. Nos. 393, 409, 410, and 434):

Senator Baker moved that Stand. Com. Rep. No. 3161 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

TREVOR H. KAINOA DAINES, term to expire June 30, 2014 (Gov. Msg. No. 393);

KALEIAHIHI K. FERMANTEZ, term to expire June 30, 2010 (Gov. Msg. No. 409);

KALEIAHIHI K. FERMANTEZ, term to expire June 30, 2014 (Gov. Msg. No. 410); and

DORADEEN M. KANUHA, term to expire June 30, 2011 (Gov. Msg. No. 434),

seconded by Senator Hee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3162 (Gov. Msg. No. 411):

Senator Baker moved that Stand. Com. Rep. No. 3162 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of RICHARD SCHNITZLER to the Small Business Regulatory Review Board, term to expire June 30, 2014, seconded by Senator Hee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3163 (Gov. Msg. No. 433):

Senator Baker moved that Stand. Com. Rep. No. 3163 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JEFFREY N. DODGE to the Hawai'i Historic Places Review Board, term to expire June 30, 2014, seconded by Senator Hee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3164 (Gov. Msg. No. 397):

Senator Tokuda moved that Stand. Com. Rep. No. 3164 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of FERREYDOUN DON PARSIA, MD

to the Hawai'i Medical Education Council, term to expire June 30, 2013, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3165 (Gov. Msg. Nos. 200, 199, and 198):

Senator Baker moved that Stand. Com. Rep. No. 3165 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Stadium Authority of the following:

KATHRYN WHANG INOUE, term to expire June 30, 2014 (Gov. Msg. No. 200);

KENNETH B. MARCUS ESQ., term to expire June 30, 2014 (Gov. Msg. No. 199); and

ALAN S. TAMAYOSE, term to expire June 30, 2014 (Gov. Msg. No. 198),

seconded by Senator Hee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3166 (Gov. Msg. No. 351):

Senator Taniguchi moved that Stand. Com. Rep. No. 3166 be received and placed on file, seconded by Senator Takamine and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of EDELENE O. URIARTE to the Language Access Advisory Council, term to expire June 30, 2014, seconded by Senator Takamine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

Stand. Com. Rep. No. 3167 (Gov. Msg. No. 436):

Senator Tokuda moved that Stand. Com. Rep. No. 3167 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of STEVEN CHARLES WHEELWRIGHT to the Western Interstate Commission for Higher Education (WICHE), term to expire June 30, 2014, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

#### ADOPTION OF RESOLUTIONS

##### MATTERS DEFERRED FROM THURSDAY, APRIL 15, 2010

Stand. Com. Rep. No. 3168 (H.C.R. No. 230):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CLEAN ENERGY INITIATIVE END-USE EFFICIENCY WORKING GROUP TO CONVENE DEVELOPMENT AND BUILDING INDUSTRY STAKEHOLDERS TO IDENTIFY BARRIERS TO IMPLEMENTATION AND WORK TOWARDS A CONSENSUS POSITION TO PROMOTE THE DESIGN AND CONSTRUCTION OF NET ZERO ENERGY BUILDINGS," was adopted.

Stand. Com. Rep. No. 3169 (H.C.R. No. 51, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 51, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND WEEK IN OCTOBER AS CASE MANAGEMENT WEEK," was adopted.

Stand. Com. Rep. No. 3170 (H.C.R. No. 62, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 62, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CAREGIVERS AND RECOGNIZING THEIR ROLE IN MAINTAINING THE HEALTH AND WELL-BEING OF HAWAII'S FRAIL AND VULNERABLE POPULATION," was adopted.

H.C.R. No. 46:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE LANDS AT HANAPEPE, WAIMEA, KAUAI, FOR RESIDENTIAL PURPOSES," was adopted.

H.C.R. No. 47:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF KEEHI INDUSTRIAL LOTS, ISLAND OF OAHU," was adopted.

H.C.R. No. 89:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING FEBRUARY AS 'HAWAII-GROWN CACAO MONTH'," was adopted.

H.C.R. No. 320:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was adopted.

#### FINAL READING

##### MATTERS DEFERRED FROM THURSDAY, APRIL 15, 2010

S.B. No. 358, S.D. 1, H.D. 2:

On motion by Senator Espero, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 358, S.D. 1, and S.B. No. 358, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Galuteria, Green, Hemmings).

#### MISCELLANEOUS BUSINESS

##### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2409 (H.D. 3):

Senator Hee moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2409, seconded by Senator Sakamoto and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2409 on the following showing of Ayes and Noes:

Ayes, 2 (Hee, Hemmings). Noes, none. Excused, 1 (Bunda).

Senator Hee then moved that the Senate agree to the amendments made by the House to S.B. No. 2409, seconded by Senator Sakamoto.

Senator Hee noted:

“The review was that the approval date was good and that there were some technical amendments.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2409, and S.B. No. 2409, H.D. 3, entitled: “A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS,” was placed on the calendar for Final Reading on Monday, April 19, 2010.

At this time, Senator Hee rose on a point of personal privilege and said:

“This morning, I received an inquiry from one of the colleagues on the floor with regard to the ongoing electronic discussion that I have been privileged to have had with the Chairman of the Board of Land and Natural Resources, so I thought that I should take this opportunity to provide some information so that my phones or the e-mails are not jammed by my colleagues on the floor. And it is a privilege.

“Many things have been said, but let me clear the record. Your Committee on Water, Land, Agriculture, and Hawaiian Affairs recommended a cut to LNR401 of \$56,532, not \$1.2 million as the Land Board chair evidently has fixated in her mind. We provided the Land Board chair with a worksheet from House Finance to demonstrate the general fund reduction of \$56,532. The Legislature, in 2009 by Act 162, appropriated \$98 million for FY2011 to DLNR, of which \$23 million is general funded. The Governor mandated a 20 percent reduction, or \$4.6 million in general funds, and the Department complied by freezing fully-funded vacancies to meet the Governor’s mandatory reduction. DLNR could have requested expanding the use of some of the 25 special funds that allows DLNR to use for personnel costs. It chose not to. DLNR’s January budget information balance for these funds is \$24 million. In addition, of the 25 special funds that have a balance of \$24 million, DLNR has 3 revolving funds, the balance of one such fund pays out vacation pay and other costs, who’s balance is \$600,000. Lastly, DOBOR received, in 2009, \$11 million. So as I calculate the numbers, DLNR has a current budget amount of \$98 million, with \$24 million in special funds and \$11 million in DOBOR. That is \$133 million that DLNR has to pay for its operating costs.

“With the supplemental budget, DLNR, by the Governor’s mandate, took it upon themselves to lay off 67½ positions. In addition, last year DLNR eliminated the Survey Branch for the

Commission on Water Resource Management. It collapsed two fisheries branches into one with a recreation and commercial section; and the DAR staff was impacted by the Governor’s executive order for reduction-in-force, RIF, consolidating the aquatic biologists into a single fishery branch and the aquatics resources under two remaining managers. DLNR also eliminated the freshwater and saltwater stock enhancement program due to a drop in revenue projection after the budget was passed. This information can be found on DLNR’s budget testimony at [capitol.hawaii.gov/session2010/testimony/infotesti\\_monyWAM012110LNR.pdf](http://capitol.hawaii.gov/session2010/testimony/infotesti_monyWAM012110LNR.pdf).

“Much has been made with respect to the Land Board chair and her evident frustration in coming to grips with the fiscal situation. Our budget committee, of which I am a member, has also made some recommended cuts for consideration in the conference committee. Those have yet to be determined, but one thing is clear: Your WTL Committee recommended a \$56,000 cut. DLNR’s budget is in excess of \$133 million. Thank you very much.”

Senator Ige, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 68.

Senator Ige noted:

“Your Committee needs to hold a hearing today in order to meet today’s filing deadline.”

The Chair granted the waiver.

Senator Baker rose on a point of personal privilege and said:

“I was hoping I could do this before Senator Kidani’s remarks on our Food Bank drive. I simply want to thank everybody in the Senate and the House, and a few others from outside the Capitol, for participating in the Maui Magic Drawing. We drew numbers this morning and made about 25 or so individuals happy because their numbers were the lucky ones. Mahalo to all for participating and helping the Maui Food Bank.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.

“The deadline to file committee reports on amended House concurrent resolutions in order to meet Monday’s second crossover deadline is 7:30 p.m. tonight.”

#### RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

H.C.R. No.:	Re-referred to:
H.C.R. No. 282, H.D. 1	Committee on Transportation, International and Intergovernmental Affairs

#### ADJOURNMENT

At 12:00 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, April 19, 2010.

## FIFTY-SECOND DAY

Monday, April 19, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Kamakana Kaimulua, Office of the Honorable Jill N. Tokuda, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Hemmings who were excused.

The President announced that she had read and approved the Journal of the Fifty-First Day.

At this time, the following introduction was made to members of the Senate:

Senator English, on behalf of Senator Baker and Senator Tsutsui, introduced Ka Ipu Kukui Fellows including Tiare Ferguson, Elizabeth Foote, Angela Gannon, Dean George, Jordan Hart, Kainoa Harcajo, Craig Kinoshita, Tiare Lawrence, Ryan Ouye, Velma Panlasigui, Kimberly Skog, Christopher Speere, Bill Stevens, Emily Sullivan, Sharon Zalsos, as well as Director Dr. Lori Teragawachi.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 483 to 488) were read by the Clerk and were placed on file:

Gov. Msg. No. 483, dated April 15, 2010, transmitting the Hawaii State Foundation on Culture and the Arts' Annual Report for Fiscal Year 2008-2009 pursuant to Section 9-3, HRS.

Gov. Msg. No. 484, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2111, S.D. 2, H.D. 1 as Act 26, entitled: "RELATING TO AFFORDABLE HOUSING."

Gov. Msg. No. 485, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2139, S.D. 2, H.D. 2 as Act 27, entitled: "RELATING TO VETERANS."

Gov. Msg. No. 486, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2325, S.D. 1, H.D. 2 as Act 28, entitled: "RELATING TO CONTRACTORS."

Gov. Msg. No. 487, informing the Senate that on April 16, 2010, the Governor signed into law House Bill No. 40, H.D. 1 as Act 29, entitled: "RELATING TO STATE BONDS."

Gov. Msg. No. 488, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2357, S.D. 2, H.D. 1 as Act 30, entitled: "RELATING TO RENEWABLE ENERGY."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 577 to 582) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 577, returning S.C.R. No. 93, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 93, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND

DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was deferred until Tuesday, April 20, 2010.

Hse. Com. No. 578, returning S.C.R. No. 202, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 202, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was deferred until Tuesday, April 20, 2010.

Hse. Com. No. 579, returning S.C.R. No. 206, S.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

Hse. Com. No. 580, informing the Senate that on April 16, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2351, and H.B. No. 2351, S.D. 1 passed Final Reading in the House of Representatives.

Hse. Com. No. 581, informing the Senate that on April 16, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2016 (S.D. 1).

Hse. Com. No. 582, informing the Senate that on April 16, 2010, the House discharged all conferees to the H.B. No. 2897, H.D. 1 (S.D. 1).

## SENATE COMMUNICATION

Sen. Com. No. 3, notice to Governor dated April 16, 2010, transmitting H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1 and S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1, which propose amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"April 16, 2010

The Honorable Linda Lingle  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1  
"PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION."

S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1  
 "PROPOSING AN AMENDMENT TO ARTICLE VII,  
 SECTION 6, OF THE HAWAII CONSTITUTION,  
 RELATING TO THE TAX REBATE REQUIREMENT."

Respectfully,

/s/Carol Taniguchi  
 CAROL T. TANIGUCHI  
 Clerk of the Senate"

#### CONFERENCE COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1862, H.D. 1, presented a report (Conf. Com. Rep. No. 8-10) recommending that H.B. No. 1862, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 8-10 and H.B. No. 1862, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2187, S.D. 1, presented a report (Conf. Com. Rep. No. 55-10) recommending that S.B. No. 2187, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 55-10 and S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2441, S.D. 2, presented a report (Conf. Com. Rep. No. 56-10) recommending that S.B. No. 2441, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 56-10 and S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2607, S.D. 2, presented a report (Conf. Com. Rep. No. 57-10) recommending that S.B. No. 2607, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 57-10 and S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 3173) recommending that the Senate advise and consent to the nominations to the Hawai'i Teacher Standards Board of the following:

ALVIN NAAWAO PARKER, in accordance with Gov. Msg. No. 408;

GAIL H. AWAKUNI, in accordance with Gov. Msg. No. 429;

LEONARDO FLORES DELGADO, in accordance with Gov. Msg. No. 430;

JONATHAN D. KISSIDA, in accordance with Gov. Msg. No. 431; and

RUTH L. SILBERSTEIN, in accordance with Gov. Msg. No. 432.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3173 and Gov. Msg. Nos. 408, 429, 430, 431, and 432 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3174) recommending that the Senate advise and consent to the nomination of KARL P. ESPALDON to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 383.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3174 and Gov. Msg. No. 383 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3175) recommending that the Senate advise and consent to the nomination of ELLEN ALISSA HEID to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 417.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3175 and Gov. Msg. No. 417 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3176) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

TIFFANY R. VARA, in accordance with Gov. Msg. No. 348; and

BARBARA A. IOLI, in accordance with Gov. Msg. No. 349.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3176 and Gov. Msg. Nos. 348 and 349 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3177) recommending that the Senate advise and consent to the nomination of COLLEEN O'SULLIVAN to the Mental Health and Substance Abuse, Hawai'i Service Area Board, in accordance with Gov. Msg. No. 350.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3177 and Gov. Msg. No. 350 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3178) recommending that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

RONALD G. HAY, in accordance with Gov. Msg. No. 437;

LEE A. MANSFIELD, in accordance with Gov. Msg. No. 438;

AUDREY K. UYEMA PAK, in accordance with Gov. Msg. No. 439; and

VIRGILIO A. VIERNES, in accordance with Gov. Msg. No. 440.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3178 and Gov. Msg. Nos. 437, 438, 439, and 440 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3179) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Maui Service Area Board of the following:

ELOISE JOEY ENOS, in accordance with Gov. Msg. No. 441; and

PETER GONZALEZ, in accordance with Gov. Msg. No. 442.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3179 and Gov. Msg. Nos. 441 and 442 was deferred until Tuesday, April 20, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3180) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

ALENA N. MEDEIROS, in accordance with Gov. Msg. No. 369; and

ALENA N. MEDEIROS, in accordance with Gov. Msg. No. 370.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3180 and Gov. Msg. Nos. 369 and 370 was deferred until Tuesday, April 20, 2010.

#### STANDING COMMITTEE REPORTS AND ADOPTION OF RESOLUTIONS

Senators Ige and Fukunaga, for the Committee on Health and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3181) recommending that H.C.R. No. 68, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 68, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FIRST DAY OF DECEMBER OF EVERY YEAR AS WORLD AIDS DAY IN THE STATE OF HAWAII," was adopted.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3182) recommending that H.C.R. No. 292, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 292, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT PLAN FOR THE TRANSFER OF THE HAPUNA BEACH STATE RECREATION AREA FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE COUNTY OF HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3183) recommending that H.C.R. No. 27, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 27, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3184) recommending that H.C.R. No. 31, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 31, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3185) recommending that H.C.R. No. 32, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 32, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3186) recommending that H.C.R. No. 33, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 33, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3187) recommending that H.C.R. No. 34, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 34, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3188) recommending that H.C.R. No. 36, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 36, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEOHE, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3189) recommending that H.C.R. No. 45, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 45, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com.

Rep. No. 3190) recommending that H.C.R. No. 212, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 212, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3191) recommending that H.C.R. No. 284, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 284, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3192) recommending that H.C.R. No. 296, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 296, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAII CAPITAL CULTURAL COALITION," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3193) recommending that H.C.R. No. 297, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 297, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3194) recommending that H.C.R. No. 21, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 21, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPA STREET, KAPAA, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3195) recommending that H.C.R. No. 22, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 22, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3196) recommending that H.C.R. No. 23, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 23, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3197) recommending that H.C.R. No. 24, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 24, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3198) recommending that H.C.R. No. 25, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 25, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAAHA LOOP, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3199) recommending that H.C.R. No. 26, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 26, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3200) recommending that H.C.R. No. 28, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 28, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3201) recommending that H.C.R. No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 29, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3202) recommending that H.C.R. No. 30, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 30, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the majority of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3203) recommending that H.C.R. No. 50, H.D. 2, as amended in S.D. 1, be adopted.

Senator Sakamoto moved that Stand. Com. Rep. No. 3203 and H.C.R. No. 50, H.D. 2, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.C.R. No. 50, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A JOINT HOUSE AND SENATE INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A TRIBAL HISTORIC PRESERVATION OFFICE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF THE STATE HISTORIC PRESERVATION DIVISION," was adopted with Senator Slom voting "No".

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3204) recommending that H.C.R. No. 87 be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK THAT INCLUDES AUGUST 24TH AS SURF WEEK IN HAWAII," was adopted.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3205) recommending that H.C.R. No. 161, H.D. 1 be adopted.

Senator Sakamoto moved that Stand. Com. Rep. No. 3205 and H.C.R. No. 161, H.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.C.R. No. 161, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII, INC. TO WORK WITH THE OAHU ARTS CENTER AND THE COMMUNITY TO SECURE AN APPROPRIATE SITE FOR AN ARTS CENTER," was adopted with Senator Slom voting "No".

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3171 (Gov. Msg. No. 415):

Senator Tokuda moved that Stand. Com. Rep. No. 3171 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of DALE M. ALLISON PHD,

APRN, FAAN to the Center for Nursing Advisory Board, term to expire June 30, 2014, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

Stand. Com. Rep. No. 3172 (Gov. Msg. Nos. 398 and 416):

Senator Tokuda moved that Stand. Com. Rep. No. 3172 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawai'i of the following:

MARK ITARU YAMADA, term to expire June 30, 2014 (Gov. Msg. No. 398); and

DONN MASAO TAKAKI, term to expire June 30, 2014 (Gov. Msg. No. 416),

seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

#### FINAL READING

Conf. Com. Rep. No. 6-10 (H.B. No. 1900, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 6-10 was adopted and H.B. No. 1900, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

S.B. No. 2409, H.D. 3:

On motion by Senator Hee, seconded by Senator Tokuda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2409, and S.B. No. 2409, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

#### MISCELLANEOUS BUSINESS

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2323 (H.D. 2):

Senator Takamine moved that the Senate reconsider its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2323, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2323 on the following showing of Ayes and Noes:

Ayes, 2 (Takamine, Taniguchi). Noes, none. Excused, 1 (Slom).

Senator Takamine then moved that the Senate agree to the amendments made by the House to S.B. No. 2323, seconded by Senator Taniguchi.

Senator Takamine noted:

“Madam President, the House amendments provide safeguards in utilizing the internet to access unemployment insurance benefits and is consistent with the intent of the measure to maximize access given the current economic conditions.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2323, and S.B. No. 2323, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,” was placed on the calendar for Final Reading on Tuesday, April 20, 2010.

At this time, Senator Baker rose on a point of personal privilege and said:

“Madam President, we often hear on the floor of this Senate that our public hospitals—those ‘horrible monopolies’ on the neighbor islands—are not as good as private hospitals. Well, on the front page of the *Maui News*, April 5—I’m a little behind in reading my papers—there’s an article entitled, ‘Doctors beating a new path: Treatment for arterial fibrillation done on Maui and only a few other places in U.S.’ This facility, part of the Hawai‘i Health Systems Corporation, has attracted the leading doctor in this procedure who owns the patent for the procedure and the equipment that goes with it to our humble hospital on Maui. This procedure will save countless lives and lots of medical expense because the procedure allows the catheter to go into the heart and cauterize some of the bad tissue that could ultimately cause a stroke. This reduces the stroke possibilities for individuals from 36 percent to 4 percent in six years following the procedure which is called ‘catheter ablation.’

“I just wanted to bring this to the attention of my colleagues to know that we do in fact have centers of excellence in our hospitals throughout the state, and that patients from all over the world, as well as the state, can access this procedure on Maui. Thank you very much.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.”

#### **RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.:	Re-referred to:
S.C.R. No. 202, S.D. 1, H.D. 1	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

#### **ADJOURNMENT**

At 11:53 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, April 20, 2010.

## FIFTY-THIRD DAY

Tuesday, April 20, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Page Kraker, Office of the Honorable Shan S. Tsutsui, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Hemmings, Ihara, and Kim who were excused.

The President announced that she had read and approved the Journal of the Fifty-Second Day.

At this time, the following introduction was made to members of the Senate:

Senator Espero, on behalf of Senator Galuteria and himself, introduced a group of 2<sup>nd</sup> and 3<sup>rd</sup> grade students from Voyager Charter School, as well as teacher Mrs. Bonny Chikamori and chaperones Janet Ishol and Naomi Baretto.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 489 to 495) were read by the Clerk and were placed on file:

Gov. Msg. No. 489, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 2117, S.D. 1 as Act 31, entitled: "RELATING TO EDUCATION."

Gov. Msg. No. 490, informing the Senate that on April 19, 2010, the Governor signed into law House Bill No. 2028, S.D. 1 as Act 32, entitled: "RELATING TO GROUP LIFE INSURANCE."

Gov. Msg. No. 491, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 1178, S.D. 2, H.D. 2 as Act 33, entitled: "RELATING TO HEALTH."

Gov. Msg. No. 492, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 2120, S.D. 1 as Act 34, entitled: "RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS."

Gov. Msg. No. 493, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 2837, S.D. 1, H.D. 1 as Act 35, entitled: "RELATING TO LICENSING."

Gov. Msg. No. 494, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 2910, H.D. 1 as Act 36, entitled: "RELATING TO REAL PROPERTY."

Gov. Msg. No. 495, informing the Senate that on April 19, 2010, the Governor signed into law Senate Bill No. 2440, H.D. 2 as Act 37, entitled: "RELATING TO THE BOARDS OF WATER SUPPLY."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 583 to 597) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 583, informing the Senate that on April 19, 2010, H.B. No. 1900, S.D. 1, C.D. 1 passed Final Reading in the House of Representatives, was placed on file.

Hse. Com. No. 584, informing the Senate that on April 19, 2010, the House agreed to the amendments proposed by the Senate to H.C.R. No. 64, and H.C.R. No. 64, S.D. 1 was finally adopted in the House of Representatives, was placed on file.

Hse. Com. No. 585, informing the Senate that on April 19, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2016, and H.B. No. 2016, S.D. 1 passed Final Reading in the House of Representatives, was placed on file.

Hse. Com. No. 586, informing the Senate that on April 19, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2897, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 587, returning S.C.R. No. 78, S.D. 1, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 588, returning S.C.R. No. 79, S.D. 1, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 589, returning S.C.R. No. 99, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 590, returning S.C.R. No. 126, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 591, returning S.C.R. No. 167, S.D. 2, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 592, returning S.C.R. No. 179, S.D. 2, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 593, returning S.C.R. No. 194, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

Hse. Com. No. 594, returning S.C.R. No. 18, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 18, S.D. 1, (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE'S HANDLING OF THE STATE'S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES," was deferred until Wednesday, April 21, 2010.

Hse. Com. No. 595, returning S.C.R. No. 110, S.D. 2, as amended in H.D. 1, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 110, S.D. 2, (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was deferred until Wednesday, April 21, 2010.

Hse. Com. No. 596, returning S.C.R. No. 183, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 19, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 183, S.D. 1, (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was deferred until Wednesday, April 21, 2010.

Hse. Com. No. 597, informing the Senate that on April 19, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 2849, S.D. 2 (H.D. 1):

Representatives M. Oshiro, Rhoads, Co-Chairs; Yamashita, was placed on file.

#### CONFERENCE COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2077, H.D. 1, presented a report (Conf. Com. Rep. No. 9-10) recommending that H.B. No. 2077, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 9-10 and H.B. No. 2077, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2631, H.D. 2, presented a report (Conf. Com. Rep. No. 10-10) recommending that H.B. No. 2631, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 10-10 and H.B. No. 2631, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2533, H.D. 1, presented a report (Conf. Com. Rep. No. 11-10) recommending that H.B. No. 2533, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 11-10 and H.B. No. 2533, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2566, presented a report (Conf. Com. Rep. No. 58-10) recommending that S.B. No. 2566, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 58-10 and S.B. No. 2566, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3206) recommending that the Senate advise and consent to the nomination of RONALD I. HELLER to the Land Use Commission, in accordance with Gov. Msg. No. 340.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3206 and Gov. Msg. No. 340 was deferred until Wednesday, April 21, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3207) recommending that the Senate advise and consent to the nomination of RANSOM A.K. PILTZ to the Land Use Commission, in accordance with Gov. Msg. No. 341.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3207 and Gov. Msg. No. 341 was deferred until Wednesday, April 21, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3208) recommending that the Senate advise and consent to the nomination of DUANE KANUHA to the Land Use Commission, in accordance with Gov. Msg. No. 338.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3208 and Gov. Msg. No. 338 was deferred until Wednesday, April 21, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3209) recommending that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

DONALD THOMSON, in accordance with Gov. Msg. No. 414;

JUDITH CORYELL, in accordance with Gov. Msg. No. 447;

REGINA GOO, in accordance with Gov. Msg. No. 448;

GWEN L. KELIHOOMALU, in accordance with Gov. Msg. No. 449;

PINA S. LEMUSU, in accordance with Gov. Msg. No. 450;

HOWARD ALAN LESSER, in accordance with Gov. Msg. No. 451; and

ROBERT SCOTT WALL, in accordance with Gov. Msg. No. 452.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3209 and Gov. Msg. Nos. 414, 447, 448, 449, 450, 451, and 452 was deferred until Wednesday, April 21, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3210) recommending that the Senate advise and consent to the nomination of NORMAN KENICHI KATO II to the Hawai'i Labor Relations Board, in accordance with Gov. Msg. No. 422.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3210 and Gov. Msg. No. 422 was deferred until Wednesday, April 21, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3211) recommending that the Senate advise and consent to the nomination of JERRY RAUCKHORST to the Board of Trustees of the Employees' Retirement System (ERS), in accordance with Gov. Msg. No. 453.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3211 and Gov. Msg. No. 453 was deferred until Wednesday, April 21, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3212) recommending that H.C.R. No. 44 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3212 and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was deferred until Wednesday, April 21, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3213) recommending that S.R. No. 12, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3213 and S.R. No. 12, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE SERVICE PROJECT TO PLANT ONE MILLION TREES AND CLEAN BEACHES ACROSS THE STATE BY OCTOBER 2010, AS PART OF THE CHILDREN AND YOUTH MONTH CELEBRATION," was deferred until Wednesday, April 21, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM MONDAY, APRIL 19, 2010

S.C.R. No. 93, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 93, S.D. 1, seconded by Senator English.

Senator Sakamoto noted:

"The House had changed the resolution to have the HHFDC review and report back in lieu of the City, so we propose to agree to that."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 93, S.D. 1 and S.C.R. No. 93, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was placed on the calendar for Final Adoption on Wednesday, April 21, 2010.

S.C.R. No. 202, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 202, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055; SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was deferred until Wednesday, April 21, 2010.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3173 (Gov. Msg. Nos. 408, 429, 430, 431, and 432):

Senator Sakamoto moved that Stand. Com. Rep. No. 3173 be received and placed on file, seconded by Senator Kidani and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawai'i Teacher Standards Board of the following:

ALVIN NAAWAO PARKER, term to expire June 30, 2013 (Gov. Msg. No. 408);

GAIL H. AWAKUNI, term to expire June 30, 2013 (Gov. Msg. No. 429);

LEONARDO FLORES DELGADO, term to expire June 30, 2012 (Gov. Msg. No. 430);

JONATHAN D. KISSIDA, term to expire June 30, 2013 (Gov. Msg. No. 431); and

RUTH L. SILBERSTEIN, term to expire June 30, 2013 (Gov. Msg. No. 432),

seconded by Senator Kidani.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3174 (Gov. Msg. No. 383):

Senator Ige moved that Stand. Com. Rep. No. 3174 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of KARL P. ESPALDON to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3175 (Gov. Msg. No. 417):

Senator Ige moved that Stand. Com. Rep. No. 3175 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of ELLEN ALISSA HEID to the Mental Health and Substance Abuse, Oahu Service Area Board, term to expire June 30, 2014, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3176 (Gov. Msg. Nos. 348 and 349):

Senator Ige moved that Stand. Com. Rep. No. 3176 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

TIFFANY R. VARA, term to expire June 30, 2011 (Gov. Msg. No. 348); and

BARBARA A. IOLI, term to expire June 30, 2014 (Gov. Msg. No. 349),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3177 (Gov. Msg. No. 350):

Senator Ige moved that Stand. Com. Rep. No. 3177 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of COLLEEN O'SULLIVAN to the Mental Health and Substance Abuse, Hawai'i Service Area Board, term to expire June 30, 2011, seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3178 (Gov. Msg. Nos. 437, 438, 439, and 440):

Senator Ige moved that Stand. Com. Rep. No. 3178 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

RONALD G. HAY, term to expire June 30, 2012 (Gov. Msg. No. 437);

LEE A. MANSFIELD, term to expire June 30, 2014 (Gov. Msg. No. 438);

AUDREY K. UYEMA PAK, term to expire June 30, 2011 (Gov. Msg. No. 439); and

VIRGILIO A. VIERNES, term to expire June 30, 2013 (Gov. Msg. No. 440),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3179 (Gov. Msg. Nos. 441 and 442):

Senator Ige moved that Stand. Com. Rep. No. 3179 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Maui Service Area Board of the following:

ELOISE JOEY ENOS, term to expire June 30, 2014 (Gov. Msg. No. 441); and

PETER GONZALEZ, term to expire June 30, 2011 (Gov. Msg. No. 442),

seconded by Senator Green.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

Stand. Com. Rep. No. 3180 (Gov. Msg. Nos. 369 and 370):

Senator Takamine moved that Stand. Com. Rep. No. 3180 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

ALENA N. MEDEIROS, term to expire June 30, 2010 (Gov. Msg. No. 369); and

ALENA N. MEDEIROS, term to expire June 30, 2014 (Gov. Msg. No. 370),

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

### FINAL READING

S.B. No. 2323, H.D. 2:

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2323, and S.B. No. 2323, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Slom). Excused, 4 (Fukunaga, Hemmings, Ihara, Kim).

At this time, Senator Green rose on a point of personal privilege as follows:

"We're having a high-fat, high-sugar, high-cholesterol bake sale for tomorrow, and we have one vegan item for him. Thank you, Madam President."

At this time, the Chair made the following announcements:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

"Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon."

### APPOINTMENT OF CONFEREES

S.B. No. 2849, S.D. 2 (H.D. 1):

The President appointed Senator Kokubun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2849, S.D. 2.

### ADJOURNMENT

At 11:48 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 21, 2010.

## FIFTY-FOURTH DAY

Wednesday, April 21, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:44 a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Honorable Norman Sakamoto, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Hanabusa who was excused.

The Vice President announced that he had read and approved the Journal of the Fifty-Third Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 496 to 500) were read by the Clerk and were placed on file:

Gov. Msg. No. 496, informing the Senate that on April 20, 2010, the Governor signed into law House Bill No. 134, H.D. 2, S.D. 2 as Act 38, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Gov. Msg. No. 497, informing the Senate that on April 20, 2010, the Governor signed into law House Bill No. 2027, H.D. 1, S.D. 1 as Act 39, entitled: "RELATING TO DISHONORED CHECKS."

Gov. Msg. No. 498, informing the Senate that on April 20, 2010, the Governor signed into law House Bill No. 2383, H.D. 1, S.D. 2 as Act 40, entitled: "RELATING TO FLAGS."

Gov. Msg. No. 499, informing the Senate that on April 20, 2010, the Governor signed into law Senate Bill No. 2122, S.D. 1 as Act 41, entitled: "RELATING TO RESEARCH."

Gov. Msg. No. 500, informing the Senate that on April 20, 2010, the Governor signed into law Senate Bill No. 2389 as Act 42, entitled: "RELATING TO THE UNIVERSITY OF HAWAII."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 598 to 604) were read by the Clerk and were placed on file:

Hse. Com. No. 598, informing the Senate that on April 20, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2897, H.D. 1 and H.B. No. 2897, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives.

Hse. Com. No. 599, informing the Senate that on April 20, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2297, H.D. 2 (S.D. 2).

Hse. Com. No. 600, returning S.C.R. No. 108, S.D. 2, which was adopted by the House of Representatives on April 20, 2010.

Hse. Com. No. 601, returning S.C.R. No. 140, S.D. 1, which was adopted by the House of Representatives on April 20, 2010.

Hse. Com. No. 602, returning S.C.R. No. 195, S.D. 1, which was adopted by the House of Representatives on April 20, 2010.

Hse. Com. No. 603, returning S.C.R. No. 201, which was adopted by the House of Representatives on April 20, 2010.

Hse. Com. No. 604, informing the Senate that on April 20, 2010, the Speaker made the following changes to the conferees on the following bill:

S.B. No. 532, S.D. 1 (H.D. 1):

Discharged Representative Souki.

## CONFERENCE COMMITTEE REPORTS

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1190, H.D. 1, presented a report (Conf. Com. Rep. No. 12-10) recommending that H.B. No. 1190, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 12-10 and H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2020, H.D. 2, presented a report (Conf. Com. Rep. No. 13-10) recommending that H.B. No. 2020, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 13-10 and H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1854, presented a report (Conf. Com. Rep. No. 14-10) recommending that H.B. No. 1854, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 14-10 and H.B. No. 1854, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2676, H.D. 1, presented a report (Conf. Com. Rep. No. 15-10) recommending that H.B. No. 2676, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 15-10 and H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2239, presented a report (Conf. Com. Rep. No. 16-10) recommending that H.B. No. 2239, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 16-10 and H.B. No. 2239, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 950, S.D. 2, presented a report (Conf. Com. Rep. No. 59-10) recommending that S.B. No. 950, S.D. 2, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 59-10 and S.B. No. 950, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2449, presented a report (Conf. Com. Rep. No. 60-10) recommending that S.B. No. 2449, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 60-10 and S.B. No. 2449, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2019, S.D. 1, presented a report (Conf. Com. Rep. No. 61-10) recommending that S.B. No. 2019, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 61-10 and S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2817, S.D. 1, presented a report (Conf. Com. Rep. No. 62-10) recommending that S.B. No. 2817, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 62-10 and S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," was deferred for a period of 48 hours.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM TUESDAY, APRIL 20, 2010

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 a.m.

S.C.R. No. 202, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 202, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was deferred until Thursday, April 22, 2010.

S.C.R. No. 18, S.D. 1 (H.D. 1):

Senator Kim moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 18, S.D. 1, seconded by Senator Tsutsui.

Senator Kim noted:

"It's a good resolution. Thank you."

Senator Hee rose on a point of inquiry and said:

"How good? Maika'i loa or ano maika'i or...."

Senator Kim continued:

"This resolution establishes the Joint Legislative Investigating Committee to oversee the investigations of Department of Budget and Finance's handling of the State's investment in student loan auction rate securities. We just had some technical language changes that we agreed to, and with that, I believe that this is good to go. Thank you."

The motion as put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 18, S.D. 1 and S.C.R. No. 18, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE'S HANDLING OF THE STATE'S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES," was placed on the calendar for Final Adoption on Thursday, April 22, 2010.

At 11:52 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 a.m.

S.C.R. No. 110, S.D. 2 (H.D. 1):

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 110, S.D. 2, seconded by Senator Kim.

Senator Sakamoto noted:

"It is good—maika'i. The House added a member to the working group, and we agree to that change."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 110, S.D. 2 and S.C.R. No. 110, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA," was placed on the calendar for Final Adoption on Thursday, April 22, 2010.

S.C.R. No. 183, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 183, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was deferred until Thursday, April 22, 2010.

#### ADVISE AND CONSENT

At 11:54 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

At this time, the Chair made the following announcement:

"If there are no objections from the members, we will be taking advise and consent on Standing Committee Reports Nos. 3206, 3207, and 3208 separately."

Stand. Com. Rep. No. 3206 (Gov. Msg. No. 340):

Senator Hee moved that Stand. Com. Rep. No. 3206 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of RONALD I. HELLER to the Land Use Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

Senator Hee rose in support of the nomination as follows:

“Colleagues, I am the one that asked to have the three Land Use Commission advise and consent separately, and the reason is I intend to support the first and not support the second and the third. I am the one that was afforded the opportunity to list them in this order, and I did so by design.

“I want to share with you that your Committee took the advise and consent process very seriously, and in our initial questionnaire to the three members, I used the language of former Governor George Ariyoshi to provide a basis for responses. Let me read to you what was conveyed to all three and how they responded: Governor Ariyoshi had said:

At the beginning of statehood, our system of land management was the envy of other governmental jurisdictions. We were on the leading edge of land use planning. Delegations periodically arrived to study our land use law. We imagined that as other governments came to see the negative effects of unplanned development, they would emulate us.

Originally the job of the Land Use Commissioners was to serve the broad public interest over the long term. When I came into office, I appointed a representative of the League of Women Voters to the Commission because the league had worked hard on understanding land use decisions. I also appointed a young Hawaiian activist who spoke eloquently from a Hawaiian cultural point of view about the land; I felt her views needed to be represented.

Today the intent and functioning of the land use law has been extensively subverted. The commission membership prominently includes a realtor, a development lawyer, and a corporate lawyer. Members with large constituencies that are similarly tied to development...The Commission’s executive director previously held the Land Use Research Foundation Executive Directorship, a lobbying group for developers and large land owners.

Contrary to the original idea of the Land Use Law, the public is substantially shut out of the process...

The most widely embraced goal of the Land Use Law was the preservation of prime agricultural land. The 1978 Constitution Convention mandated the protection of agriculturally important lands, but this mandate has not been implemented.

“Mr. President and members, these questions were asked of Ronald I. Heller. I stand in support because this is how he responded:

I will do what the law requires. I understand the need to be impartial and fair. Although the Land Use Commission decides specific cases one at time similar to the court system, the Land Use Commission—and he underscored this word ‘is’—is supposed to consider the impact of its decisions on

the persons who may not be parties to the case. The Land Use Commission is required to consider, among other things, the preservation or maintenance of important natural systems or habitats; the maintenance of valued cultural, historical, and natural resources; the maintenance of other natural resources relevant to Hawaii’s economy, including agricultural resources.

Mr. Heller said:

The law defines the powers and duties of the Land Use Commission specifically sets forth ‘conserving and protecting agricultural lands,’ ‘promoting diversified agriculture,’ and ‘increasing agricultural self-sufficiency’ as important goals. Even more importantly, it is specifically set forth in the law ‘that there is a compelling State interest in conserving the State’s agricultural land resource base and assuring the long-term availability of agricultural lands for agricultural use.

“He closes by saying, ‘That is a clear and strong statement.’

“Mr. President and members, Mr. Heller is not up for reconfirmation. This is his first at bat. He is someone who obviously has given a lot of thought to his duties as a land use commissioner. I stand in support of him for those reasons. Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hanabusa).

Stand. Com. Rep. No. 3207 (Gov. Msg. No. 341):

Senator Hee moved that Stand. Com. Rep. No. 3207 be received and placed on file, seconded by Senator Tokuda.

Senator Hee then moved that the Senate advise and consent to the nomination of RANSOM A.K. PILTZ to the Land Use Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

Senator Hee rose in opposition to the nomination as follows:

“Let me say at the outset: The Committee recommended advise and consent, and let me tell you why. It was clear as the Chair of the Committee that at least one other member supported the nominee, and I respect that. It was my decision as Chair not to split the Committee, but rather to recommend an advise and consent. I believe it is clear to those members who participated that they knew of my strong reservations on the nominee.

“Let me say at the outset: This is not a personal issue with me. I frankly think he’s a very nice man. So, it is not about that. It is about the nominee’s voting record. As someone up for reconfirmation, all of you are given the benefit of a track record. Unlike the previous nominee who has set forth his goals, he has yet to be judged. On the other hand, this nominee has a track record. I will tell you without question we have every vote that this nominee has participated in.

“Before, however, going into how he voted, I want to share with you a comparison. As opposed to the previous nominee, who has yet to set foot in the Commission, his response to the Committee was nine pages. This nominee’s (who has been a commissioner for four years) response to the committee was four paragraphs, and the last paragraph was, ‘Mahalo for giving me the opportunity to serve the people of Hawai’i.’ It’s clear to me that he did not—it appears to me... Well, I have concluded that he did not nearly put any effort to take seriously the questionnaires provided each member. I will tell each of you that when I received the four paragraphs, I e-mailed him

immediately and asked him, 'Are you sure that this is your response?' I didn't get a response, so I presume he's sure.

"Members, this nominee, on every vote of which seven petitions were to develop A-list prime lands, voted 'yes' to develop all of those lands. On other lands that are not prime ag lands, he voted 'yes.' When asked about this in the Committee, one by one, he couldn't remember. It got to a point where I seriously gave thought to the question, 'Do you have a neurological issue, or is your memory one of convenience?' But I thought maybe we'd leave those questions to lay.

"On the island of O'ahu, on the leeward side of this island, there are 33,000 house units that have been approved to be built, but they're not being built. There is a development being planned on 1,500 acres in Kapolei on prime ag land for another 12,000 house lots. There is another development at Koa Ridge—to which is five percent prime ag lands that has irrigation—that envisions another 5,000 homes. Three thousand three hundred acres of prime ag land has been developed over the last two decades. This nominee has participated in some of those decisions.

"We cannot appoint the nominees to the Commission, but it is our duty to judge the qualities of the nominee. His record speaks for itself. If he is not re-nominated, it is my view he will vote for Koa Ridge. It is my view he will vote for Ho'opili. When asked about his record, he said, 'You have to find a balance.' So I asked him what was the balance, and he shrugged his shoulders. So, I wasn't sure what the balance was. He is a nice man, but he is not fit, as his record would show, to serve as a commissioner on the Land Use Commission.

"Here are what other people have said with regard to prime ag land: 'Mercifully, early in the 1900s,' these people are from Vancouver, Canada, 'the Vancouver city fathers dedicated a prime piece of land as designated "no build" area.' Evidently this place is called 'Stanley Park.' 'Despite the fact that is was in the heart of Vancouver and was sought after by several prominent individuals, businesses, and have since then have been steadfastly rejected, several highly organized attempts to pave over the area and turn the pristine beauty of the spot into homes for the wealthy.' This couple wrote to me about a bill but its message was very clear. He said of the bill, 2290, he said—but I want to focus on his comments on land preservation—'It's even more important to the residents of O'ahu since it deals with agricultural lands, and as such the area serves a very important secondary function, offering residents and visitors great spiritual and visual values as a respite from the built-up urban-suburban nature of where so many people live and work.'

"This nominee said to the panel, 'We need to have homes. Local people need to live in these homes.' So I asked him why is it then with the inventory of 33,000 homes already approved with Ho'opili before them, was it his idea in his mind's eye that local kids coming back from college would qualify to live in these homes. He shrugged his shoulders. Well, if that was the case, then you wouldn't have three generations under one roof now, would we?

"Let me close with two statements that were written in a commentary recently:

From the Governor on down, everyone agrees we should become less reliant on cars, more reliant on locally-grown food and energy. We voted to build a mass transit system to take cars off the road and focus growth on a dense urban core. As private investors, homeowners, and as a community, we're pouring billions into biofuel power plants, undersea electric cables, photovoltaics, wind farms, energy car charging stations, algae to energy research, and a

slew of other projects to promote a sustainable future.

"Members, given the voting record of this nominee, I am convinced that what I just read is not within his vision of the future. I urge my colleagues to consider a 'no' vote. Thank you."

Senator Tokuda rose in support of the nomination as follows:

"On March 31, your Committee on Water, Land, Agriculture, and Hawaiian Affairs voted four in favor, three excused, to confirm Mr. Ransom Piltz to another term on the Land Use Commission. Perhaps this is a procedural and philosophical difference that I have with the Chair, but I believe that if at all possible, the time and place to question, raise any damming points, and reject nominees is at the committee level, regardless of the potential to divide a committee.

"At our hearing, there was extensive discussion regarding land use policy and overall land use philosophy, as well as Mr. Piltz's voting record on the Commission and his possible future position on decisions that may come before the Commission. For myself and other members of the Committee, Mr. Piltz's responses, resume, and overall record was sufficient to support his reconfirmation in committee, and to then pass it on to the Senate floor for confirmation.

"Mr. Piltz is an established businessman who ran his own electrical consulting company on Maui for over 30 years. In addition to his leadership roles with the Maui Contractors Association that dates back to 1974, Mr. Piltz served on the County of Maui Planning Commission from 2000 to 2005, also serving as its chairperson from 2004 to 2005. Mr. Piltz currently serves as the Chairperson for the Land Use Commission.

"In my observations of Mr. Piltz during hearings, I found him to be fair and balanced in both his running of the hearings and the decisions that were made. While I share many of the concerns regarding overall land use policy for our state that the Chairperson has mentioned in his statements, I respectfully stand by my vote in committee to confirm this nominee. Thank you."

Senator Hee inquired:

"Mr. President, would you ask the previous speaker if she would yield to a question?"

The Chair asked Senator Tokuda if she would yield to a question, and Senator Tokuda indicated that she would consider it.

Senator Hee continued:

"Would you ask the previous speaker—she mentioned in her observations of the nominee as chair of the Land Use Commission—would you ask her how extensive is her observation and how many issues that came before the Commission she observed the nominee? And will you ask her, in her observation, how did the nominee vote when it became a question of rezoning ag land for more development?"

The Chair then asked Senator Tokuda if she would care to respond.

Senator Tokuda responded:

"In response to that question, I did observe Mr. Piltz in regards to the Hawaiian Memorial Park situation and case, which was a petition to change conservation land to urban, as well as an appeal on that decision in which it was a unanimous decision by all LUC members to reject the petition to rezone from conservation to urban, and also the appeal that the memorial park did put forward on this decision.

“Clearly, I am not as versed in his voting record as the Chairperson is, but again, as I stated, our Committee had the time and the place to deliberate these particular issues, and if the Chairperson really felt strongly that he should be rejected on those grounds, these types of issues, concerns should have been raised at the committee level and should have been discussed with the committee members as well. And that’s how I’ll respond. Thank you.”

Senator Hee rose and said:

“I would like to thank the previous speaker. I would like to note, though, that the previous speaker, as did I, supported the keeping of Hawaiian Memorial Park from re-designation. And I would note that Hawaiian Memorial Park is not zoned prime agricultural land; what we’re dealing with is conservation land. So thank you, Mr. President.”

At 12:19 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 p.m.

At this time, the Chair made the following announcement:

“If there are no objections from the members, we will defer both Governor’s Message Nos. 341 and 338 until Monday, April 26.”

By unanimous consent action on Stand. Com. Rep. No. 3207 and Gov. Msg. No. 341 was deferred until Monday, April 26, 2010.

Senator Slom rose on a point of information as follows:

“Since I am not on the Committee and did not have the opportunity to either listen to the testimony or hear the questions—and I do want to make a good and fair decision—I’d like to direct a question to the Chair of the Committee. I heard him briefly talk about this, but I’d like a clarification. Since he voted straight up in the Committee on this nomination and had the questions and the four paragraphs and all that, was there additional material that he learned after that Committee that made him take the position today? Thank you.”

The Chair then asked Senator Hee if he would care to respond.

Senator Hee responded:

“The answer is yes; I did learn more information. We’ve had our staff at work. Obviously, what I’ve spoken about the nominee couldn’t have been put together in any quick fashion.

“But let me speak to the concern of, ‘You’re going down now, but why did you go straight up?’ And the reason is because I was stupid. That’s the answer. I thought it was in the interest of the Committee to keep the Committee as a unit. The fact of the matter is after the discussion, and we went in recess for decision making, I leaned over to one of the senior members on the Committee and I said to that member, ‘Let’s go “down,”’ and the member said—this is my interpretation of what the member communicated to me—was, ‘No; go “up.”’ We had a short discussion, and I said a few things that to me had more than enough merit to go ‘down’ on him.

“The short end of the long story is that I decided to try to keep the Committee as a unit. I guess in retrospect maybe I could have turned to the vice chair of the Committee to say, ‘Move, we approve,’ and I vote ‘no,’ but I was the Chairman and I didn’t know if I should say, ‘Okay, we move to approve and I vote “no” as the Chair.’ It just did seem so awkward for me, but I’m still learning how this place works, so that’s the reason. Honestly, I did communicate that I was ‘down’ on this guy. So, that’s my response. Thank you.”

Stand. Com. Rep. No. 3208 (Gov. Msg. No. 338):

By unanimous consent, action on Stand. Com. Rep. No. 3208 and Gov. Msg. No. 338 was deferred until Monday, April 26, 2010.

Stand. Com. Rep. No. 3209 (Gov. Msg. Nos. 414, 447, 448, 449, 450, 451, and 452):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3209 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

DONALD THOMSON, term to expire June 30, 2013 (Gov. Msg. No. 414);

JUDITH CORYELL, term to expire June 30, 2013 (Gov. Msg. No. 447);

REGINA GOO, term to expire June 30, 2013 (Gov. Msg. No. 448);

GWEN L. KELIHOOMALU, term to expire June 30, 2013 (Gov. Msg. No. 449);

PINA S. LEMUSU, term to expire June 30, 2013 (Gov. Msg. No. 450);

HOWARD ALAN LESSER, term to expire June 30, 2013 (Gov. Msg. No. 451); and

ROBERT SCOTT WALL, term to expire June 30, 2013 (Gov. Msg. No. 452),

seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

Stand. Com. Rep. No. 3210 (Gov. Msg. No. 422):

Senator Takamine moved that Stand. Com. Rep. No. 3210 be received and placed on file, seconded by Senator Bunda and carried.

Senator Takamine then moved that the Senate advise and consent to the nomination of NORMAN KENICHI KATO II to the Hawai’i Labor Relations Board, term to expire June 30, 2011, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

Stand. Com. Rep. No. 3211 (Gov. Msg. No. 453):

Senator Takamine moved that Stand. Com. Rep. No. 3211 be received and placed on file, seconded by Senator Bunda and carried.

Senator Takamine then moved that the Senate advise and consent to the nomination of JERRY RAUCKHORST to the Board of Trustees of the Employees’ Retirement System (ERS), term to expire January 1, 2014, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

#### FINAL ADOPTION

S.C.R. No. 93, S.D. 1, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 93, S.D. 1 and S.C.R. No. 93, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was Finally Adopted.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM TUESDAY, APRIL 20, 2010

Stand. Com. Rep. No. 3212 (H.C.R. No. 44):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LAND AT KAALAEA, KOOLAUPOKO, OAHU, FOR PRIVATE PROPERTY PURPOSES," was adopted.

Stand. Com. Rep. No. 3213 (S.R. No. 12, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 12, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE SERVICE PROJECT TO PLANT ONE MILLION TREES AND CLEAN BEACHES ACROSS THE STATE BY OCTOBER 2010, AS PART OF THE CHILDREN AND YOUTH MONTH CELEBRATION," was adopted.

#### FINAL READING

Conf. Com. Rep. No. 8-10 (H.B. No. 1862, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Takamine, seconded by Senator Slom and carried, Conf. Com. Rep. No. 8-10 was adopted and H.B. No. 1862, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

Conf. Com. Rep. No. 55-10 (S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 55-10 be adopted and S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Galuteria.

Senator Ihara requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 55-10 was adopted and S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara). Noes, none. Excused, 2 (Hanabusa, Taniguchi).

Conf. Com. Rep. No. 56-10 (S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 56-10 be adopted and S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senator Hooser rose to speak in support of the measure and requested that remarks in support of the measure be entered into the Journal and the Chair so ordered.<sup>1</sup>

The motion was put by the Chair and carried, Conf. Com. Rep. No. 56-10 was adopted and S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

Conf. Com. Rep. No. 57-10 (S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 57-10 be adopted and S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Baker rose to speak in support of the measure as follows:

"Mr. President, I have some remarks in support of this measure I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB 2607.

"This measure will improve DCCA's enforcement of necessary business regulation between activity desks who book activities that visitors and others enjoy like whale watches, snorkel excursions and luau and the activity providers whose businesses provide them. One of the primary reasons that the activity industry lost millions of dollars in revenue in the last 20 years has been a lack of statutory clarity and ability to proactively enforce HRS 468-M regarding activity desks. During that same timeframe, the State of Hawaii also lost millions in unpaid excise and income taxes.

"SB 2607, CD1 establishes clear record-keeping and trust account requirements for client trust accounts held by activity desks. It clarifies that activity desks shall include registration numbers on all advertising materials and requires an activity desk to obtain full payment for activities prior to or at the time reservations are made, with certain exceptions. And finally this conference draft will require that sums paid to an activity desk shall be held in trust while increasing the required amount that activity desks for a bond or letter of credit from \$100,000 to \$250,000.

"This bill is positive legislation because it creates a level playing field between activity desks and activity providers; it protects the businesses and the consumers they serve.

"I urge all my colleagues to support this important measure. Mahalo.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 57-10 was adopted and S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

At this time, the following late introduction was made to the members of the Senate:

Senator Hooser introduced Ms. Keiko Bonk, who was instrumental in leading the charge to save monk seals and very involved in conservation projects around the state. Also recognized was Mr. Bill Chandler, Vice President for Government Affairs of the Marine Conservation Biology Institute.

<sup>1</sup> Request withdrawn at later date

## MISCELLANEOUS BUSINESS

## RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2523, S.D. 2 (H.D. 2):

Senator Hee moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2523, S.D. 2, seconded by Senator Kim and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2523, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 2 (Hee, Kim). Noes, none. Excused, 1 (Hemmings).

Senator Hee then moved that the Senate agree to the amendments made by the House to S.B. No. 2523, S.D. 2, seconded by Senator Kim.

Senator Hee noted:

“Yes, Mr. President. Senator Kim said to move to agree to the House amendments, and I did so. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2523, S.D. 2 and S.B. No. 2523, S.D. 2, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” was placed on the calendar for Final Reading on Thursday, April 22, 2010.

Senator Hee rose on a point of personal privilege as follows:

“You know, members, I guess we had somewhat of a good discussion on two nominees with the Land Use Commission. I wanted to make a few comments.

“I did not seek out to speak to any of you. I may have commented, but did not seek to lobby any of you, and there’s a reason for that. You know, I felt that on its face, the merits should stand where they are. I wanted to note that neither the nominee—nor the next nominee, who I also will speak against—has not called me and I presume has not called you because I think they presume they’re going to be appointed today. And I presume that now that the message will be given to the nominee from Maui and the other nominee from the Big Island that you folks may receive calls.

“So, while I yield to the leadership that we should caucus on these two and vote on Monday, I want to be clear that I felt strongly that on the merits of the discussion and on the merits of their voting record that all of you could make a decision based on the merits and not because the Chair had lobbied you, or the nominees, which I presume will begin the lobbying effort. Thank you, Mr. President.”

Senator Hemmings rose on a point of personal privilege as follows:

“What is being discussed here today on the nominees that have been deferred to Monday are very profound for the future of this island and for the State of Hawai’i. And I laud the Committee Chair not for his methodology, but for his vision for the future. A few lines that he uttered that bear so much consideration for our decision on Monday have to do with our future. Mr. President, you yourself chaired the sustainability conference. This nomination decision we’ll make Monday will have much to do not with one development in one particular area, but with the sustainability of this entire state in the future, most especially with the island of O’ahu. This decision will have to do with whether we do accommodate the demand for future growth in the urban core or if we spread out housing

developments throughout this entire island, paving over and building homes on some of our most precious agricultural land.

“This has indeed been a healthy discussion, and I especially laud the Committee Chair of Water-Land for his very candid response to what could be termed as ‘incisive’ questions. There seems to be a gift that we politicians have of sometimes evading questions and/or telling the asker of the questions what we believe they want to hear. I found the candid responses very refreshing.

“I missed the hearing on this particular nominee and the other one, but I understand, after listening to the Committee Chair, more clearly what is at stake. This has nothing to do with the individuals and their integrity and their personal beliefs. It has to do with what is best for the most, the long-term interests of this state, and all the people we serve, not just the people in our district.

“Therefore, I wanted to underscore the necessity for us to really take the time and search our souls in making these decisions on Monday, and I think this has been very healthy exercise in democracy. Thank you, Mr. President.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices this afternoon.

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.

“Tomorrow is the final decking deadline for all non-fiscal bills in conference. All conference committee meetings must conclude by 6:00 p.m. and the Senate will convene in session at 6:30 p.m.”

## RE-REFERRAL OF A HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.:	Re-referred to:
H.B. No. 1947, H.D. 1	Jointly to the Committee on Labor and the Committee on Ways and Means

## ADJOURNMENT

At 12:46 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 6:30 p.m., Thursday, April 22, 2010.

## FIFTY-FIFTH DAY

## Thursday, April 22, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 6:42 p.m. with the President in the Chair.

The Divine Blessing was invoked by Rabbi Peter B. Schaktman, Temple Emanu-El, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Ige who were excused.

The President announced that she had read and approved the Journal of the Fifty-Fourth Day.

At this time, the following introductions were made to members of the Senate:

Senator English introduced Mayor Charmaine Tavares from Maui County.

Senator Taniguchi introduced Washington State Representative Sharon Tomiko Santos who represents the 37<sup>th</sup> District of the Washington State House. Also recognized from the National Conference of State Legislatures were Irene Kawanabe, Director of Strategic Partnerships; and Linda Sikkema, Group Director.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 501 to 504) were read by the Clerk and were placed on file:

Gov. Msg. No. 501, informing the Senate that on April 21, 2010, the Governor signed into law House Bill No. 2136, S.D. 1 as Act 43, entitled: "RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS."

Gov. Msg. No. 502, informing the Senate that on April 21, 2010, the Governor signed into law House Bill No. 1927, H.D. 2, S.D. 1 as Act 44, entitled: "RELATING TO OWNER-BUILDERS."

Gov. Msg. No. 503, informing the Senate that on April 22, 2010, the Governor signed into law Senate Bill No. 2137, S.D. 1, H.D. 1 as Act 45, entitled: "RELATING TO HEALTH CLUBS."

Gov. Msg. No. 504, informing the Senate that on April 22, 2010, the Governor signed into law Senate Bill No. 2649, S.D. 2 as Act 46, entitled: "RELATING TO UNIVERSITY OF HAWAII PROJECTS."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 605 to 613) were read by the Clerk and were placed on file:

Hse. Com. No. 605, informing the Senate that on April 21, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2297, H.D. 2, and H.B. No. 2297, H.D. 2, S.D. 2 passed Final Reading in the House of Representatives.

Hse. Com. No. 606, informing the Senate that on April 21, 2010, the following bills passed Final Reading in the House of Representatives:

H.B. No. 1862, H.D. 1, S.D. 1, C.D. 1;  
S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1;  
S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1; and  
S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1.

Hse. Com. No. 607, returning S.C.R. No. 172, S.D. 1, which was adopted by the House of Representatives on April 21, 2010.

Hse. Com. No. 608, returning S.C.R. No. 180, S.D. 1, which was adopted by the House of Representatives on April 21, 2010.

Hse. Com. No. 609, returning S.C.R. No. 190, S.D. 1, which was adopted by the House of Representatives on April 21, 2010.

Hse. Com. No. 610, returning S.C.R. No. 191, S.D. 1, which was adopted by the House of Representatives on April 21, 2010.

Hse. Com. No. 611, returning S.C.R. No. 192, S.D. 1, which was adopted by the House of Representatives on April 21, 2010.

Hse. Com. No. 612, informing the Senate that on April 22, 2010, the Speaker made the following changes to the conferees on the following bill:

H.B. No. 1808, H.D. 3 (S.D. 1):

Representative Morita added as Co-Chair; Representative Yamashita discharged as a manager.

Hse. Com. No. 613, informing the Senate that on April 22, 2010, the House discharged all conferees to H.B. No. 2708, H.D. 1 (S.D. 1).

## CONFERENCE COMMITTEE REPORTS

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2266, H.D. 1, presented a report (Conf. Com. Rep. No. 17-10) recommending that H.B. No. 2266, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 17-10 and H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1987, H.D. 2, presented a report (Conf. Com. Rep. No. 18-10) recommending that H.B. No. 1987, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 18-10 and H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1684, H.D. 2, presented a report (Conf. Com. Rep. No. 19-10) recommending that H.B. No. 1684, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 19-10 and H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2289, H.D. 2, presented a report (Conf. Com. Rep. No. 20-10) recommending that H.B. No. 2289, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 20-10

and H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2283, H.D. 2, presented a report (Conf. Com. Rep. No. 21-10) recommending that H.B. No. 2283, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 21-10 and H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1863, H.D. 1, presented a report (Conf. Com. Rep. No. 22-10) recommending that H.B. No. 1863, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 22-10 and H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1992, H.D. 1, presented a report (Conf. Com. Rep. No. 23-10) recommending that H.B. No. 1992, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 23-10 and H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2595, H.D. 1, presented a report (Conf. Com. Rep. No. 24-10) recommending that H.B. No. 2595, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 24-10 and H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1818, H.D. 2, presented a report (Conf. Com. Rep. No. 25-10) recommending that H.B. No. 1818, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 25-10 and H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2288, H.D. 1, presented a report (Conf. Com. Rep. No. 26-10) recommending that H.B. No. 2288, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 26-10 and H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2497, presented a report (Conf. Com. Rep. No. 27-10) recommending that H.B. No. 2497, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 27-10 and H.B. No. 2497, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2150, presented a report (Conf. Com. Rep. No. 63-10) recommending that S.B. No. 2150, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 63-10 and S.B. No. 2150, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2257, S.D. 2, presented a report (Conf. Com. Rep. No. 64-10) recommending that S.B. No. 2257, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 64-10 and S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2256, S.D. 1, presented a report (Conf. Com. Rep. No. 65-10) recommending that S.B. No. 2256, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 65-10 and S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2169, S.D. 2, presented a report (Conf. Com. Rep. No. 66-10) recommending that S.B. No. 2169, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 66-10 and S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FINS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2020, presented a report (Conf. Com. Rep. No. 67-10) recommending that S.B. No. 2020, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 67-10 and S.B. No. 2020, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by

the House to S.B. No. 2545, S.D. 2, presented a report (Conf. Com. Rep. No. 68-10) recommending that S.B. No. 2545, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 68-10 and S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2646, S.D. 1, presented a report (Conf. Com. Rep. No. 69-10) recommending that S.B. No. 2646, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 69-10 and S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 633, S.D. 1, presented a report (Conf. Com. Rep. No. 70-10) recommending that S.B. No. 633, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 70-10 and S.B. No. 633, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," was deferred for a period of 48 hours.

Senator Espero, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1059, S.D. 2, presented a report (Conf. Com. Rep. No. 71-10) recommending that S.B. No. 1059, S.D. 2, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 71-10 and S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1105, S.D. 2, presented a report (Conf. Com. Rep. No. 72-10) recommending that S.B. No. 1105, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 72-10 and S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2154, S.D. 1, presented a report (Conf. Com. Rep. No. 73-10) recommending that S.B. No. 2154, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 73-10 and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2472, S.D. 2, presented a report (Conf.

Com. Rep. No. 74-10) recommending that S.B. No. 2472, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 74-10 and S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2643, S.D. 1, presented a report (Conf. Com. Rep. No. 75-10) recommending that S.B. No. 2643, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 75-10 and S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3214) recommending that the Senate advise and consent to the nomination of ALAN MUN LEONG YEE to the Board of Taxation Review, 1st Taxation District (Oahu), in accordance with Gov. Msg. No. 423.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3214 and Gov. Msg. No. 423 was deferred until Friday, April 23, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3215) recommending that the Senate advise and consent to the nomination of MICHAEL CHANG to the Board of Taxation Review, 3rd Taxation District (Hawaii), in accordance with Gov. Msg. No. 424.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3215 and Gov. Msg. No. 424 was deferred until Friday, April 23, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3216) recommending that the Senate advise and consent to the nomination of MICHELE A. KATO to the Board of Taxation Review, 2nd Taxation District (Maui), in accordance with Gov. Msg. No. 455.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3216 and Gov. Msg. No. 455 was deferred until Friday, April 23, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3217) recommending that the Senate advise and consent to the nomination of FAYE M. MURAYAMA to the Board of Taxation Review, 2nd Taxation District (Maui), in accordance with Gov. Msg. No. 456.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3217 and Gov. Msg. No. 456 was deferred until Friday, April 23, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3218) recommending that the Senate advise and consent to the nomination of MICHAEL T. MCENERNEY to the Tax Review Commission, in accordance with Gov. Msg. No. 457.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3218 and Gov. Msg. No. 457 was deferred until Friday, April 23, 2010.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3219) recommending that the Senate advise and consent to the nomination of GREGG M. TAKETA to the Tax Review Commission, in accordance with Gov. Msg. No. 458.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3219 and Gov. Msg. No. 458 was deferred until Friday, April 23, 2010.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 3220) recommending that H.C.R. No. 167, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3220 and H.C.R. No. 167, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was deferred until Friday, April 23, 2010.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 3221) recommending that H.C.R. No. 235, H.D. 2 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3221 and H.C.R. No. 235, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER IN THE UNITED STATES," was deferred until Friday, April 23, 2010.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3222) recommending that H.C.R. No. 216 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3222 and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAII TO PURSUE THE BID TO HOST THE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS," was deferred until Friday, April 23, 2010.

Senators Hee and Taniguchi, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, presented a joint report (Stand. Com. Rep. No. 3223) recommending that H.C.R. No. 289, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3223 and H.C.R. No. 289, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING MORE OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS," was deferred until Friday, April 23, 2010.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3224) recommending that the Senate advise and consent to the nomination of CLIFFORD P. KAPONO to the State Foundation on Culture and the Arts Commission, in accordance with Gov. Msg. No. 435.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3224 and Gov. Msg. No. 435 was deferred until Friday, April 23, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3225) recommending that the Senate advise and consent to the nomination of MATTHEW R. WILLIAMS to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 377.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3225 and Gov. Msg. No. 377 was deferred until Friday, April 23, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3226) recommending that the Senate advise and consent to the nomination of CHUCK Y. GEE to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 378.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3226 and Gov. Msg. No. 378 was deferred until Friday, April 23, 2010.

Senator Tokuda, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3227) recommending that the Senate not advise and consent to the nomination of RONALD D. MONTGOMERY to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 379.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3227 and Gov. Msg. No. 379 was deferred until Friday, April 23, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3228) recommending that H.C.R. No. 262, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3228 and H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was deferred until Friday, April 23, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3229) recommending that H.C.R. No. 123 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3229 and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was deferred until Friday, April 23, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3230) recommending that H.C.R. No. 139 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3230 and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE

SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL,” was deferred until Friday, April 23, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3231) recommending that H.C.R. No. 187 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3231 and H.C.R. No. 187, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM,” was deferred until Friday, April 23, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3232) recommending that H.C.R. No. 223, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3232 and H.C.R. No. 223, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST,” was deferred until Friday, April 23, 2010.

Senators Espero and English, for the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3233) recommending that H.C.R. No. 175 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3233 and H.C.R. No. 175, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION’S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY,” was deferred until Friday, April 23, 2010.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 21, 2010

S.C.R. No. 202, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 202, S.D. 1, seconded by Senator Kim.

Senator Hee noted:

“Your Committee reviewed the S.C.R., and upon review determined it was a terrific document.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 202, S.D. 1, and S.C.R. No. 202, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP

KEY: (2) 4-5-001:006,” was placed on the calendar for Final Adoption on Friday, April 23, 2010.

S.C.R. No. 183, S.D. 1 (H.D. 1):

Senator Gabbard moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 183, S.D. 1, seconded by Senator Sakamoto.

Senator Gabbard noted:

“Madam President, we’re agreeing to the House amendments which improved the measure by requiring the Legislative Noise Pollution Task Force to submit its findings to the LRB by November 1 to give them time to prepare the report for the Legislature that’s due 20 days prior to the 2011 session. Mahalo.”

The motion as put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 183, S.D. 1 and S.C.R. No. 183, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION,” was placed on the calendar for Final Adoption on Friday, April 23, 2010.

#### FINAL ADOPTION

S.C.R. No. 18, S.D. 1, H.D. 1:

Senator Sakamoto moved that the Senate adopt S.C.R. No. 18, S.D. 1, H.D. 1, seconded by Senator Slom.

Senator Slom requested that his vote be cast “no” and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 18, S.D. 1 and S.C.R. No. 18, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO OVERSEE THE INVESTIGATION OF THE DEPARTMENT OF BUDGET AND FINANCE’S HANDLING OF THE STATE’S INVESTMENT IN STUDENT LOAN AUCTION RATE SECURITIES,” was Finally Adopted with Senator Slom voting “No”.

S.C.R. No. 110, S.D. 2, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 110, S.D. 2 and S.C.R. No. 110, S.D. 2, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP A COMPREHENSIVE PLAN TO IMPROVE AWARENESS OF AND STRENGTHEN SUPPORT FOR PERSONS WITH DYSLEXIA,” was Finally Adopted.

#### FINAL READING

Conf. Com. Rep. No. 9-10 (H.B. No. 2077, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 9-10 was adopted and H.B. No. 2077, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Ige).

Conf. Com. Rep. No. 10-10 (H.B. No. 2631, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 10-10 was adopted and H.B. No. 2631, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Ige).

Conf. Com. Rep. No. 11-10 (H.B. No. 2533, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Takamine, seconded by Senator Kim and carried, Conf. Com. Rep. No. 11-10 was adopted and H.B. No. 2533, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Ige).

Conf. Com. Rep. No. 58-10 (S.B. No. 2566, H.D. 2, C.D. 1):

On motion by Senator Takamine, seconded by Senator Ige and carried, Conf. Com. Rep. No. 58-10 was adopted and S.B. No. 2566, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Bunda, Ige).

S.B. No. 2523, S.D. 2, H.D. 2:

On motion by Senator Hee, seconded by Senator Kim and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2523, S.D. 2, and S.B. No. 2523, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Ige).

#### MISCELLANEOUS BUSINESS

##### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2547, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate reconsider its action taken on April 7, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2547, S.D. 1, seconded by Senator Tokuda and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2547, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Hee, Hemmings). Noes, none. Excused, 1 (Bunda).

Senator Hee then moved that the Senate agree to the amendments made by the House to S.B. No. 2547, S.D. 1, seconded by Senator Tokuda.

Senator Hee noted:

"Madam President, your Committee on Water, Land, Ag, and Hawaiian Affairs reviewed this matter and concluded that this bill is among the best bills that has ever been written in the history of the State of Hawai'i. We are proud to agree to the House amendments. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B.

No. 2547, S.D. 1 and S.B. No. 2547, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," was placed on the calendar for Final Reading on Friday, April 23, 2010.

At this time, the Chair made the following announcements:

"Conference committee reports on non-fiscal bills must be filed in the Clerk's office by midnight tonight.

"Tomorrow is the final decking deadline for all fiscal bills in conference. All conference committee meetings must conclude by 6:00 p.m. and the Senate will convene at 6:30 p.m."

#### CONFERENCE COMMITTEE REPORTS

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 6:58 p.m., the Senate took the following actions:

Senator Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2919, H.D. 1, presented a report (Conf. Com. Rep. No. 28-10) recommending that H.B. No. 2919, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 28-10 and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2831, H.D. 2, presented a report (Conf. Com. Rep. No. 29-10) recommending that H.B. No. 2831, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 29-10 and H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1978, H.D. 2, presented a report (Conf. Com. Rep. No. 30-10) recommending that H.B. No. 1978, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 30-10 and H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2061, H.D. 1, presented a report (Conf. Com. Rep. No. 31-10) recommending that H.B. No. 2061, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 31-10 and H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Senator English, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 869, H.D. 1,

presented a report (Conf. Com. Rep. No. 32-10) recommending that H.B. No. 869, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 32-10 and H.B. No. 869, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2349, H.D. 1, presented a report (Conf. Com. Rep. No. 33-10) recommending that H.B. No. 2349, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 33-10 and H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2575, H.D. 2, presented a report (Conf. Com. Rep. No. 34-10) recommending that H.B. No. 2575, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 34-10 and H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2688, H.D. 1, presented a report (Conf. Com. Rep. No. 35-10) recommending that H.B. No. 2688, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 35-10 and H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2450, H.D. 1, presented a report (Conf. Com. Rep. No. 36-10) recommending that H.B. No. 2450, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 36-10 and H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2725, H.D. 1, presented a report (Conf. Com. Rep. No. 37-10) recommending that H.B. No. 2725, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 37-10 and H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2661, H.D. 2, presented a report (Conf.

Com. Rep. No. 38-10) recommending that H.B. No. 2661, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 38-10 and H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2397, H.D. 1, presented a report (Conf. Com. Rep. No. 39-10) recommending that H.B. No. 2397, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 39-10 and H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1212, H.D. 1, presented a report (Conf. Com. Rep. No. 40-10) recommending that H.B. No. 1212, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 40-10 and H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2231, S.D. 1, presented a report (Conf. Com. Rep. No. 76-10) recommending that S.B. No. 2231, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 76-10 and S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2859, S.D. 2, presented a report (Conf. Com. Rep. No. 77-10) recommending that S.B. No. 2859, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 77-10 and S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2697, S.D. 1, presented a report (Conf. Com. Rep. No. 78-10) recommending that S.B. No. 2697, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 78-10 and S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 506, S.D. 1, presented a report (Conf. Com. Rep. No. 79-10) recommending that S.B. No. 506, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 79-10 and S.B. No. 506, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2105, S.D. 2, presented a report (Conf. Com. Rep. No. 80-10) recommending that S.B. No. 2105, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 80-10 and S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2454, S.D. 2, presented a report (Conf. Com. Rep. No. 81-10) recommending that S.B. No. 2454, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 81-10 and S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2831, S.D. 1, presented a report (Conf. Com. Rep. No. 82-10) recommending that S.B. No. 2831, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 82-10 and S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2919, S.D. 1, presented a report (Conf. Com. Rep. No. 83-10) recommending that S.B. No. 2919, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 83-10 and S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2937, S.D. 1, presented a report (Conf. Com. Rep. No. 84-10) recommending that S.B. No. 2937, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 84-10 and S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2565, S.D. 1, presented a report (Conf. Com. Rep. No. 85-10) recommending that S.B. No. 2565, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 85-10

and S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2745, S.D. 2, presented a report (Conf. Com. Rep. No. 86-10) recommending that S.B. No. 2745, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 86-10 and S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1230, S.D. 2, presented a report (Conf. Com. Rep. No. 87-10) recommending that S.B. No. 1230, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 87-10 and S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2897, S.D. 2, presented a report (Conf. Com. Rep. No. 88-10) recommending that S.B. No. 2897, S.D. 2, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 88-10 and S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2346, S.D. 1, presented a report (Conf. Com. Rep. No. 89-10) recommending that S.B. No. 2346, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 89-10 and S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 466, S.D. 2, presented a report (Conf. Com. Rep. No. 90-10) recommending that S.B. No. 466, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 90-10 and S.B. No. 466, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 532, S.D. 1, presented a report (Conf. Com. Rep. No. 91-10) recommending that S.B. No. 532, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 91-10 and S.B. No. 532, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY,” was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2045, S.D. 1, presented a report (Conf. Com. Rep. No. 92-10) recommending that S.B. No. 2045, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai‘i, action on Conf. Com. Rep. No. 92-10 and S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIME,” was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2371, S.D. 2, presented a report (Conf. Com. Rep. No. 93-10) recommending that S.B. No. 2371, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai‘i, action on Conf. Com. Rep. No. 93-10 and S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE,” was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2811, S.D. 2, presented a report (Conf. Com. Rep. No. 94-10) recommending that S.B. No. 2811, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai‘i, action on Conf. Com. Rep. No. 94-10 and S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PHARMACIES,” was deferred for a period of 48 hours.

#### ADJOURNMENT

At 12:00 midnight, the Senate adjourned until 6:30 p.m., Friday, April 23, 2010.

FIFTY-SIXTH DAY

Friday, April 23, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 6:46 p.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Suzanne Marinelli, Legislative Reference Bureau Public Access Room, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that she had read and approved the Journal of the Fifty-Fifth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 505 to 512) were read by the Clerk and were placed on file:

Gov. Msg. No. 505, dated April 22, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2394, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
April 22, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2394

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2394, entitled 'A Bill for an Act Relating to the Board of Trustees of the Deferred Compensation Plan.'

The purpose of this bill is to delete the requirement that the Director of Human Resources Development be the Chairperson of the Deferred Compensation Plan Board of Trustees ('Board'), and to provide that the Director is an ex officio member. This bill also eliminates two appointed at-large members of the Board of Trustees, and replaces them with two state employee appointees. This bill is objectionable because it negatively impacts the State's supplemental retirement plan for over 28,000 government employees by changing the composition of the Plan's Board of Trustees.

First, this measure adversely impacts the Board of Trustee's ability to make sound investment decisions by removing two at-large member positions. The two at-large member positions are currently filled by non-government employees, including one with private sector finance and investment experience. Firsthand experience and working knowledge of banking and investment is helpful for a plan with \$1,400,000,000 in assets. Moreover, non-state members have the ability to provide a perspective on the management and performance of the plan that may not be available to state members. Given that five of the seven members currently on the Board are state employees, employee concerns are already adequately represented on the Board.

Secondly, this measure unnecessarily disrupts the administration of the Plan by removing the Director as the Chair of the Board. Currently, the Plan is administratively attached to

the Department of Human Resources Development ('Department'), which provides staff support and ensures the Plan is consistently administered along with all other employee benefits in the State's total compensation package. As part of those duties, the Department responds to inquiries by Plan participants, prepares information and fliers regarding the Plan for beneficiaries and oversees the Plan contractors. Removing the Department Director as the Chair of the Board will remove the administrative support and coordination provided by her office.

The Board has had the same statutory structure since 1981, and has carried out its fiduciary responsibilities in an appropriate manner.

I would note that since 2007, the Plan has received several nationally recognized awards. The Plan's most recent awards include the National Association of Government Defined Contribution Administrators' 2008 and 2009 'Leadership Recognition Awards'. Given the positive steps that the Board of Trustees has taken to improve the Plan, this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 2394 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 506, dated April 22, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2501, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
April 22, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2501

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2501, entitled 'A Bill for an Act Relating to Public Accountancy.'

The purpose of this bill is to require accounting firms that engage in attestation work to undergo peer review as a condition of obtaining a permit to practice in Hawaii. Specifically, the bill mandates that every accounting firm, including the Hawaii offices and Hawaii engagements of foreign or multi-state firms, undergo a peer review every three years on the firm's Hawaii audit, compilation of financial statements, government, and public company work and submit evidence of such a peer review at the time of the renewal of the firm's permit to practice.

Appropriately conducted peer reviews ensure the quality of work prepared by certified public accounts and help protect the interests of the public who rely of the financial statements, audits and similar work prepared by these firms.

However, this bill is objectionable because it would mandate office-specific peer reviews that may not be consistent with

current peer review standards set forth by the American Institute of Certified Public Accountants. Many multi-state and multinational firms practicing in Hawaii already participate in nationally recognized systems of peer review that include the engagements and work these firms do in our State.

No other state mandates office-specific reviews. Further, the proposed requirements in this bill would place a significant burden on the Hawaii Board of Public Accountancy that would be required to establish and administer a stand-alone peer review program not required elsewhere.

The additional requirement of office-specific peer reviews may discourage some firms from engaging in assignments in Hawaii, thereby limiting the choice of public accounting firms Hawaii companies can select when seeking accounting services. Additionally, small, local firms that have elected to not undergo voluntary peer review would now be mandated to assume the costs of going through this process in order to conduct attestation-type accounting activities.

For the foregoing reasons, I am returning Senate Bill No. 2501 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 507, dated April 22, 2010, transmitting the Governor's statement of objections to House Bill No. 1642, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 22, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1642

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1642, entitled 'A Bill for an Act Relating to the Purchases of Health and Human Services.'

The purpose of this bill is to require proposals for purchases of health and human services under chapter 103F, Hawaii Revised Statutes, to be submitted only by licensed providers. This bill also requires that these proposals include all costs, fees, and taxes, and that any award or contract shall be for the amount of the proposal. Finally, this bill prohibits any award or contract under chapter 103F from including any other payment, rebate, or direct or indirect consideration that is not included in the proposal.

This bill is objectionable because it adversely impacts health and human services contracts by limiting the pool of qualified providers, decreasing competition, and increasing costs.

Both the Department of Health and the Department of Human Services issue requests for proposals that do not require licensure at the time the proposal is submitted. The licensure process for providers of health and human services contracts can be expensive and time consuming, particularly for non-profit organizations. Applicants currently submit proposals with the expectation that licensure must be obtained to perform the contracted services if they win the bid. The inability of these providers to bid before they have the requisite license will

reduce the number of qualified providers that will submit proposals, thereby limiting the number of bidders available to provide valuable services to the disabled, sick, and low income families. Reducing the number of applicants that may bid on a request for proposals also reduces competition which can lead to higher bids and thus higher costs to the State. It is in the best interest of the public to allow the purchasing agent to decide at what point, upon proposal deadline or prior to award or contract commencement date, that licenses should be in place.

This bill is also objectionable because it requires any award or contract to be for the amount of the proposal. Under the current procurement process, the bidder proposes a dollar amount to provide the proposed services and the purchasing agency determines the amount of the award based on the availability of funds, the scope of services, and the quality of the proposal. Under this bill, the bidder dictates the award amount and the purchasing agency would no longer have the authority to adjust the award during contract negotiations, even in instances when there are legitimate budget constraints.

Furthermore, for some health and human services contracts, the total amount of the final contract cannot be determined in advance and, therefore, cannot be included in a bidder's proposal. As an example, payment under a contract for residential services may be based on the number of bed-days used times a set per-day rate. The number of days actually utilized is not known in advance. Therefore, the requests for proposals are structured to require bids that reflect the cost of units of service with the caveat that the exact number of units to be used may vary from estimates provided in the solicitation.

Consequently, the requirement in this bill that proposals include all costs, fees, and taxes, and that the resulting contract be for the amount of the proposal, would remove the ability of state agencies to implement rate schedules that are used for many health and human services.

If purchasing agencies must estimate the total quantity of services needed under a particular solicitation in order to comply with this measure, it is likely costs to the State would increase. In order to solicit a bid that includes all costs of the resulting contract, the State will have to generously estimate the total amount of services required, rather than structuring the solicitation and contract to allow the State to pay only for the services that are actually rendered. Alternatively, the State may specify in the solicitation a possible range of services that will be required under the contract and the bidders will be required to bid at the upper range of possible bid prices for the total quantity to ensure that they have not underbid.

Finally, it appears that the provisions of this bill relating to insurance premium or general tax rebates or waivers are unnecessary. The Legislature included them based on a misperception that the State should not be paying its contractors for these taxes or, in the case of Medicaid contracts, that the State would be unable to secure federal matching funds to pay those costs. In fact, these taxes are an accepted cost of doing business in the State, which purchasers, including State agencies, typically include in their contracts for goods and services. Moreover, the State may obtain federal reimbursement for such taxes to the same extent that it receives federal funds for other federally-reimbursed expenses.

For the foregoing reasons, I am returning House Bill No. 1642 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 508, dated April 22, 2010, transmitting the Governor's statement of objections to House Bill No. 2546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 22, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2546

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2546, entitled 'A Bill for an Act Relating to Restoration of Certain Forfeited Professional and Vocational Licenses.'

The purpose of this bill is to establish time limits to restore forfeited licenses of chiropractors and of real estate salespersons and brokers.

A companion measure, Senate Bill No. 2699, was also passed during the Regular Session of 2010. Because I approved Senate Bill No. 2699 as Act 11 of the Session Laws of Hawaii 2010, which accomplished the purpose of this bill, there is no need to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 2546 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 509, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2701, S.D. 1, H.D. 1 as Act 47, entitled: "RELATING TO CONSUMER PROTECTION."

Gov. Msg. No. 510, informing the Senate that on April 23, 2010, the Governor signed into law House Bill No. 2568, S.D. 1 as Act 48, entitled: "RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY."

Gov. Msg. No. 511, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2921, S.D. 1, H.D. 1 as Act 49, entitled: "RELATING TO ESCROW DEPOSITORIES."

Gov. Msg. No. 512, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2390, S.D. 2, H.D. 2 as Act 50, entitled: "RELATING TO PHARMACIST LICENSURE."

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 614 to 618) were read by the Clerk and were placed on file:

Hse. Com. No. 614, informing the Senate that on April 22, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 296 (S.D. 1):

Representatives McKelvey, Choy, Co-Chairs; Evans, Ward.

H.C.R. No. 297 (S.D. 1).

Representatives McKelvey, Choy, Co-Chairs; Evans, Ward.

Hse. Com. No. 615, informing the Senate that on April 22, 2010, the House reconsidered its action taken on April 1, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 840, H.D. 1 (S.D. 1).

Hse. Com. No. 616, informing the Senate that on April 22, 2010, the House reconsidered its action taken on April 8, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2003, H.D. 3 (S.D. 2).

Hse. Com. No. 617, informing the Senate that on April 22, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2083, H.D. 1 (S.D. 2).

Hse. Com. No. 618, informing the Senate that on April 22, 2010, the House reconsidered its action taken on March 29, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2721, H.D. 1 (S.D. 1).

**CONFERENCE COMMITTEE REPORTS**

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2644, H.D. 2, presented a report (Conf. Com. Rep. No. 41-10) recommending that H.B. No. 2644, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 41-10 and H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1665, H.D. 1, presented a report (Conf. Com. Rep. No. 42-10) recommending that H.B. No. 1665, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 42-10 and H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," was deferred for a period of 48 hours.

Senator Hee, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2610, presented a report (Conf. Com. Rep. No. 95-10) recommending that S.B. No. 2610, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 95-10 and S.B. No. 2610, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2806, S.D. 2, presented a report (Conf. Com. Rep. No. 96-10) recommending that S.B. No. 2806, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 96-10 and S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND

BUDGET RESERVE FUND," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 930, presented a report (Conf. Com. Rep. No. 97-10) recommending that S.B. No. 930, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 97-10 and S.B. No. 930, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2729, S.D. 2, presented a report (Conf. Com. Rep. No. 98-10) recommending that S.B. No. 2729, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 98-10 and S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred for a period of 48 hours.

#### ADVISE & CONSENT

Stand. Com. Rep. No. 3214 (Gov. Msg. No. 423):

Senator Kim moved that Stand. Com. Rep. No. 3214 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of ALAN MUN LEONG YEE to the Board of Taxation Review, 1st Taxation District (Oahu), term to expire June 30, 2014, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3215 (Gov. Msg. No. 424):

Senator Kim moved that Stand. Com. Rep. No. 3215 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of MICHAEL CHANG to the Board of Taxation Review, 3rd Taxation District (Hawaii), term to expire June 30, 2014, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3216 (Gov. Msg. No. 455):

Senator Kim moved that Stand. Com. Rep. No. 3216 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of MICHELE A. KATO to the Board of Taxation Review, 2nd Taxation District (Maui), term to expire June 30, 2014, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3217 (Gov. Msg. No. 456):

Senator Kim moved that Stand. Com. Rep. No. 3217 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of FAYE M. MURAYAMA to the Board of Taxation Review, 2nd Taxation District (Maui), term to expire June 30, 2012, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3218 (Gov. Msg. No. 457):

Senator Kim moved that Stand. Com. Rep. No. 3218 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of MICHAEL T. MCENERNEY to the Tax Review Commission, term to expire June 30, 2012, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3219 (Gov. Msg. No. 458):

Senator Kim moved that Stand. Com. Rep. No. 3219 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of GREGG M. TAKETA to the Tax Review Commission, term to expire June 30, 2012, seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3224 (Gov. Msg. No. 435):

Senator Fukunaga moved that Stand. Com. Rep. No. 3224 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of CLIFFORD P. KAPONO to the State Foundation on Culture and the Arts Commission, term to expire June 30, 2014, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3225 (Gov. Msg. No. 377):

Senator Tokuda moved that Stand. Com. Rep. No. 3225 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of MATTHEW R. WILLIAMS to the Board of Regents of the University of Hawaii, term to expire June 30, 2012, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3226 (Gov. Msg. No. 378):

Senator Tokuda moved that Stand. Com. Rep. No. 3226 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of CHUCK Y. GEE to the Board of Regents of the University of Hawaii, term to expire June 30, 2015, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

At this time, the President made the following announcement:

“Members, pursuant to Senate Rule 37(3), the final question on nominations made by the Governor which require the advice and consent of the Senate must be stated in the affirmative. Therefore, those casting Aye votes are voting to confirm, and those casting No votes are voting to reject the nomination.

“The recommendation of the Committee on Higher Education on Gov. Msg. No. 379 is that the Senate not advise and consent to the nomination of Ronald D. Montgomery to the Board of Regents of the University of Hawai‘i. Therefore, the Chair will first entertain a motion to file Standing Committee Report No. 3227, then we will move on to the final vote on this matter.”

Stand. Com. Rep. No. 3227 (Gov. Msg. No. 379):

Senator Sakamoto moved that Stand. Com. Rep. No. 3227 be received and placed on file, seconded by Senator Slom and carried.

Pursuant to Senate Rule 37(3), Senator Slom moved that the Senate advise and consent to the nomination of RONALD D. MONTGOMERY to the Board of Regents of the University of Hawaii, term to expire June 30, 2015, seconded by Senator Sakamoto.

Senator Tokuda rose in opposition to nomination and said:

“Before I go into the reasons why I cannot support the nominee, I want to thank Mr. Montgomery for his willingness to serve and for the time and effort he took to address the Committee and to respond to our questions. I have no doubt that he cares deeply for his community, and his advocacy on issues is commendable. That being said, there were a number of troubling factors that came to light during and after his confirmation which I cannot ignore. As a result, I cannot support his nomination to the Board of Regents.

“The Regents Candidate Advisory Council developed a description of the responsibilities and duties of the Board of Regents. They include such things as strategic planning; policy making; setting examples of integrity, inquiry, and service; serving as ambassadors to the community; and acting as a unit. I consider integrity and trustworthiness to be very important characteristics of a regent, and the working relationship I have with the Board is one based upon trust.

“Following our confirmation hearing, Mr. Montgomery misrepresented himself in an exchange he had with the current chair of the Board of Regents, conveying to a senator that the chair was pleased with his responses and was supportive of his nomination. The chair of the Board of Regents has stated that these assertions are absolutely not correct, and I find it very troubling that he would misstate the content and the meaning of his conversations in order to support his nomination. This action leads me to question his credibility and the integrity of his word, which would not be a good basis for a relationship of

trust with his fellow regents, allowing them to work together as a unit.

“Like a candidate for a judicial seat, a nominee’s temperament and conduct are also important when considering someone for the Board of Regents. If our regents are to serve as ambassadors to the community and set an example of integrity and service for the system, the way they carry themselves, especially in the face of disagreement, is a critical measure of their qualification for the position. As an outspoken advocate in the movement to build a private hospital on Maui, Mr. Montgomery had the opportunity to be a strong leader that could seek to unite the community to find a solution. Instead, Mr. Montgomery chose to throw fuel onto the fire and further divide the parties involved by resorting to petty name calling and making imprudent and divisive statements. He admitted to the Committee that his words and actions did not help to bring about a solution to the problem at hand, and that he tends to irritate people because his comments can be sarcastic.

“Colleagues, this has nothing to do with free speech. What it does do is provide us with insight with how Mr. Montgomery chooses to deal with disagreement and complicated emotionally-charged problems, situations not unlike those he would encounter as a regent, where expectations as to his temperament would be significantly higher than that which he displayed in the case of Malulani. When asked in the hearing, Mr. Montgomery agreed that as a regent, your words and your actions, regardless of if they relate to university business, can reflect on the system as a whole, which is why it is important to carry oneself with a certain level of decorum and seek to resolve disagreements in a civil and respectful manner. Unfortunately, in Mr. Montgomery’s case, this does not correspond with past practice, and I have major concerns as to the disruption and divisiveness these kinds of actions would cause on a board challenged with making critical decisions for our university system.

“In addition, while I appreciate Mr. Montgomery’s acknowledgment of a possible or perceived conflict of interest relating to his employment with a competing institution of higher learning, I cannot overlook the serious ramifications the conflict could have in regards to critical decisions made by the Board of Regents. Both university systems have overlapping disciplines and compete for the same subset of students. That being said, given the critical decisions made by the Board on a financial, strategic, and policy-making level, Mr. Montgomery would be in a position to make decisions that may directly impact his employer. Actions taken by the regents, such as tuition rates, enrollment qualifications, and the elimination or creation of programs could affect the University’s competitive stance with respect to private colleges serving Hawai‘i, including the University of Phoenix. Regardless of whether actual conflicts of interest exist, the mere perception of a conflict of interest may cast a cloud over the decisions made by the Board of Regents. If Mr. Montgomery had to recuse himself from participation in these votes because of a perceived or potential conflict, we are left to wonder to what extent he would be able to effectively serve as a regent at all.

“Finally, a regent must possess the knowledge and understanding of the system and the people that it serves. In his responses when asked to identify ideas for generating revenue for the University, he went immediately to tuition increases based on the campus and the academic track a student chooses. For example, if UH Hilo becomes one of the best astronomy degree programs in the country, the tuition should reflect this. I have no problem with responsible tuition adjustments and striving to be competitive and even better than our competition across the country and around the world. I do, however, have concern with pricing out our students from being able to pursue a degree of their choosing because tuition for one academic

track may be higher than another. I do have a concern that when asked why his written and verbal responses contain nothing in regards to accessibility for all of Hawaii's people, regardless of their socio-economic status, he felt that his support for distance learning sufficed. Our University of Hawaii'i system is the only option for many of our students, and a regent needs to be able to be empathetic to the communities that we serve. When questioned, Mr. Montgomery felt that he was being criticized for thinking creatively about ways that we can increase revenue. Raising tuition isn't new and is anything but creative, colleagues. In fact, had he done a little research, he would have found that we are already in the middle of a six-year tuition increase and that the actual tuition is twice as high as the amount he listed in his responses.

"Colleagues, there's a reason you don't see a stream of bills relating to the programming and governance of the University of Hawaii'i system streaming across the Senate floor tonight or the weeks to come for final reading. As a semi-autonomous entity, we largely rely on the Board of Regents to make decisions for our university. That is why these confirmation proceedings are so important: so that we can understand how nominees will carry themselves as regents, and the way that they will approach difficult decisions that they are faced with.

"While I appreciate his willingness to serve, I cannot support Mr. Montgomery's confirmation, and I would ask all of you to seriously consider the points that I raised when making your decision. Thank you."

Senator Slom rose in support of the nomination and said:

"I, too, attended the hearing, was there for the entire hearing. I had never met Mr. Montgomery before, but it just shows you how two people can have different reactions and responses to the same information being provided.

"First of all, for the record, let's show that there never was any challenge to Mr. Montgomery's qualifications or his academic experience. In fact, he has over seven years of teaching experience at various levels. He showed that he had a great knowledge of education and what the Board of Regents has to do, as well as the issues and the crises facing the University.

"More importantly, though, he has a broad and diversified background in addition to his teaching. He was Director of Marketing at Silicon Graphics, Silicon Valley, California; and brings a much-needed technology experience to the board. In addition to that, however, he has been involved in a number of community activities on the island of Maui. Now, it is true that some individuals, particularly in this room, had taken an opposite position on issues, such as an independent, private Maui Hospital financed not by the taxpayers of this state but by independent investors.

"When we talk about this not being an issue of free speech, I beg to disagree. What most of the criticism about this nominee has had to do with is his differences of opinions, whether it had to do with community issues or whether it had to do with creatively thinking about the problems facing the University of Hawaii'i, my alma mater. I'm very concerned about that.

"By the way, the actual opposition to Mr. Montgomery came from a representative of the Women's Caucus of the Democratic Party of Hawaii'i. There was also an objection from the University Professional Assembly, the union at the University. But it was really interesting because that objection was based on a letter to an editor written in Maui that allegedly was an anti-union letter. Now, asked about that, Mr. Montgomery recounted what the letter was about; it had to do with budgetary matters. He said he never mentioned unionization once in the letter or outside the letter, and no one produced any evidence to show that he was not telling the truth.

So, when we talk about his voracity and his ability to be trustworthy, if that's used as an example, that's not a good example. By the way, he was asked two more times, including by myself, why he wrote anti-union statements in a letter; and in both times he reiterated again he never wrote anti-union statements, telling us instead about the content of that letter.

"Now, about the e-mail, which has caused some people concern on the Committee: First, it should be noted clearly the e-mail came after the hearing was over; came either late Sunday or early Monday after the Friday hearing. Now, I have copies now; I did not have copies then. I requested them; did not have copies. The discussion was that the chair of the Board of Regents said that what Mr. Montgomery said about him and about his support was not true. I have the original e-mail that Mr. Montgomery wrote, and he said at the end of the hearing, 'The chair of the Board of Regents stood at the end of my questioning, shook my hand, and said he was pleased with my responses. I believe Mr. Carr would support my nomination.' Mr. Carr has denied that he said that he would support or that he thought that he would support that; and that's being used as something that the nominee had circulated to misinform the Committee. Again, I remind everyone that the Committee had already met, had already heard from him, had asked questions. All of the questions were answered, and that Committee—committee of which I'm a part of—voted four to one not to approve him. This was before any e-mail. I read the e-mail because I think that any reasonable and rational person could say, 'That was Mr. Montgomery's opinion, and maybe it was wrong.' Presumably it was wrong because Mr. Carr took the time to write and said he did not do that. But I don't see anything in that e-mail that is trying to unduly influence either members of the Committee or members of this Senate body.

"As far as intemperate or imprudent statements, yes; yes, the nominee admitted to that. And as a matter of fact, he gave an apology to a member of the Committee who was involved in that very contentious issue about the public hospital on the island of Maui. The Committee member graciously accepted that apology. He further indicated, upon other questioning, he would not do things like that again. He would not write those kind of letters; in fact, at one point he said he wasn't going to write any letters at all, to which I replied I was very disappointed. I don't want anybody to back down from writing letters or to express their point of view. But I'm just wondering: If we talk a lot about free speech and differences of opinion and diversity, and then we condemn somebody because they've had a difference of opinion and because they were active in issues that were not politically correct or prominently correct, is that going to be the test in which we utilize?

"Then there was the question about unions. Oh boy, the nominee flunked that test because he didn't know enough about unions in the State and at the University. Woe is us! We certainly should make sure that a nominee for any board or commission—and particularly the state University of Hawaii'i—should know about unions: their power, their influence, what they control, what areas, and all of that. In other words, it wasn't good enough that he knew about academics. It wasn't good enough that he was qualified. It wasn't good enough that he was experienced. He didn't know about the UPW and the HGEA—he did know about the UHPA—and because of that, he was thought to be insensitive and also to have and possess a lack of knowledge.

"The question of the nominee's temperament came up, and his conduct; and as I mentioned, the nominee did apologize for what had happened as a private citizen. Did say he would be more 'temperate' in the future. Indicated, as the good Chair of the Committee said, he did indicate he understood that when you are a regent, you are not only an ambassador, but you're a spokesperson for the University of Hawaii'i, and that is true of

all of us. There's one thing to make remarks as a private citizen; another thing if you are representing a company, an organization or even, for example, the State Senate—and yet, we are able to express our differences of opinion.

“On the issue of conflict of interest, that's most interesting to me because he's the one that volunteered that—that there might be, or could possibly be, a perceived conflict of interest because he is a professor at the University of Phoenix. And one of the members of the Committee even asked, ‘Why are you bringing this up? Why could that be thought of as a conflict?’ which is what I thought. But upon further questioning, some members of the Committee thought, ‘Aha! Maybe he could give secrets from the University of Hawai'i to the University of Phoenix, or help them with their academic or financial plan, or vice versa.’ Well, the major thing that the University of Hawai'i is credited with now is research. We are a great research university. So perhaps he could have given secrets about glowing mice or jellyfish or something to do with the telescope at Mauna Kea. It wasn't really reasonable and rational to talk about that; and as I say, he brought it up himself. He initiated it. How many times have we had nominations and nominees where certain members of this body said, ‘Aha! He didn't reveal this as a potential conflict of interest.’ Mr. Montgomery's position was he would rather lay it out all on the table, and he did. And every question that he was asked, I felt was answered. Did I agree with everything that he answered? No, I did not. Would I have answered some of the things or said some of the things that he said? No, I would not. But I go back to, first of all, that was the Governor's choice of a number of people that were submitted by a council. Secondly, that no one questioned his experience. No one questioned his ability. They were questioning positions that he took on issues that they did not agree with.

“Then the issue of tuition increases came up. Again, I was there with the other four members of the Committee, and I did not get the impression that this nominee, when he was talking about trying to be creatively think-out-of-the-box, said immediately, ‘We've got to raise tuition. That's the only thing that we should do.’ I didn't get that impression at all. I got the impression from what he said that first of all, the University and any good university can't be all things to all people. But then he said if we are going to increase excellence, if we're going to provide even better services and better instruction and better resources, then it's got to be paid for. Look, we spent the last 59 days, 58 days worrying about the budget and talking about where money is coming from. Nobody likes tuition increases, but then again the public better get used to gasoline increases, real property tax increases, conveyance tax increases, general excise tax increases, personal income tax increases, and everything else that this Legislature's about to do. Is it really too much to ask that if you increase services and qualities and experience that people will have to pay for that or expect to pay for that because you're not getting these additional resources or good people or good programs without an added cost? That was the point that he made—and what's wrong with that? As I say, we don't want to raise costs—or at least that's what we say—and yet costs are going up all around us. And it's like anything else. People will be willing to pay for something if they perceive that the value has increased and that customer service is provided. And I didn't know that the litmus test for a University regent was going to be on their position of whether or not they would support tuition increases. Again, I say, I did not get the impression from him that that was the first thing that he wanted to do, that it was the only thing that he wanted to do, and that was the extent of his creativity. He did speak about other things that the University could do and might consider. He did speak about long-distance learning. He did speak about the changes in technology. So it wasn't just a single note, and it wasn't just a single point.

“Was he the best qualified candidate for Board of Regents? Oh, probably not. Maybe we could get better qualified candidates, but we didn't have them then, and the Governor selected him. The Governor selected him again from the names and qualifications given her from the Selection Committee.

“So, I have a real problem with this: that if we're going to base our vote on whether or not somebody says they would consider tuition increases as a necessary part of the component of paying for the total cost of the University of Hawai'i, but only if there was improvement and only if there was something that is not existing now, and if we're going to base our opinions on positions that someone takes in the community, and if we're going to base our opinion and our confirmation on just how knowledgeable an individual for a Board of Regents is of the University unions and how they operate and what they're made of and all of that, then I think we're short-changing the University and this community.

“If there was any evidence, and particularly solid evidence, again about the man's qualifications or experience or things that would lead a reasonable and rational person to say, ‘Oh yeah, he was really trying to put one over on us. He can't be trusted.’ But we didn't see that. We didn't see that at all. Instead, we saw a man who is being honest, brutally honest. Now, he could have come before that Committee as some people do come before committees, and boy are they smooth. They say exactly the things that the majority of senators want to hear. They say it politically correctly. They don't do anything that could be thought of as divisive. They don't have anything in their past that is brought up. Everybody kind of just looks the other way, and we move along.

“So, I would ask my colleagues also to think about his nomination and, again, to decide whether or not you want to submit your vote for someone based on their experience, on their abilities, or on their freedom of speech even when they say, ‘I understand I was wrong in that circumstance under those conditions, but I wouldn't do it under conditions where I am representing an organization as important as the University.’ So colleagues, I urge you to think about the vote on this confirmation. Thank you.”

Senator Baker rose in opposition to the nomination and said:

“This nominee will fill a Maui seat on the Board of Regents, and so it's particularly important to me as a senator from Maui that we find the best possible candidate, one who can bring value to the workings of the board. For me, a candidate to the Board of Regents must be someone who understands the University system, the importance of our community colleges, the pivotal role of public higher education to our state and our residents, issues challenging the University, and be able to represent the diversity of place and perspective on the board.

“At the outset, let me say that I continue to be troubled by the lack of diversity found in gubernatorial nominees to important appointed positions in our state, including the UH Board of Regents. At a time when the majority of students in our university system are female, there is only one woman on the current Board of Regents, and I'm proud to say she's from Maui. Of the regents recently nominated, there were none. There have been a plethora of qualified, interested and outstanding—in my view—women candidates for the regent positions, yet not of them were selected. I certainly want more gender equity on the Board of Regents. This nominee does not represent equity, but that fact alone is not enough to persuade me to vote ‘no’ on this nomination.

“Madam President, colleagues, the nominee presented himself as an out-of-the-box thinker. However, that's not the perception that I took away from the hearing, and I had never met him until the hearing. This nominee's written and oral

statements indicated a limited understanding or knowledge about the University system as a whole, and even the offerings in Maui County. He seemed to have little knowledge of UH Maui's mission; the existence of the education centers on Moloka'i, Lāna'i, Hana, and Lahaina; or why the community colleges developed as they did and the importance of having a physical presence on the neighbor islands. My colleagues and I have worked closely with our community and the college to ensure that UH Maui has grown with the community, both in program offerings and facilities. The new baccalaureate programs, outreach centers, and offerings from UH Hilo and West O'ahu delivered on Maui bring higher education to students there who cannot leave home to further their education. After reading his responses and hearing his answers, I was not comfortable that he would be an effective advocate for the programs and resources needed for our communities. But here again: This concern by itself would not have been enough to persuade me to vote 'no' on this nomination.

"When the questions turned to system matters, again, the nominee's lack of understanding of the dynamic of the University setting was revealed. The importance of research and innovation throughout the UH system, the role of RCUH and how this unique institute could be utilized, engagement of the students in government and decisions affecting affordability of their university, the important question of access to higher education for residents, even the role of the faculty union—these were just a few of the matters raised with Mr. Montgomery for which his answers were troubling. In commenting on the UH fiscal challenge, he seemed to turn immediately to a tuition increase, suggesting that a key measure of excellence at a university was a size of the tuition. Perhaps he was unaware that there were additional scheduled increases in the offering, and unaware that we have sought to not price our residents out of the higher education market while recognizing that higher education is not immune to the rising costs of goods and services. Again, this lack of knowledge and limited perspective by itself would not have been enough to persuade me to vote 'no' on this nominee.

"However, when I put all of the concerns outlined together, coupled with the ones articulated in the committee report, I find that this nominee does not measure up. I do not believe he is qualified to be a regent. Madam President and colleagues, the term of this Governor's nominee is five years. Each regent plays a critical role in charting a path for the University now and into the future. It makes our confirmation process all the more important. We need the best candidates available who can truly add value to the board and move the University forward. I do not believe this nominee has the breadth and depth of knowledge, experience, and vision needed in a regent. Therefore, I will be voting 'no.' Mahalo."

Senator Hemmings rose in support of the nomination and said:

"It's been a good debate. I'd like to offer some comments and insights into some of the things that have been said for consideration for a positive vote for the nominee for Governor's Message 379.

"I'm always amused by debates when someone stands up and says, 'This is a nice man. I have nothing personally against him,' and spends the next five or ten minutes telling us why he's not nice or she's not nice. I don't know the man, whether or not he's nice or not, but that's not what we're talking about here today.

"We are talking about perception. I was heard mentioned several times the word 'temperament' and it's important to look at those two words and what they really mean and how they reflect on the character of a person and their abilities to get things done. I will share with you that, in my reading of

history, Benjamin Franklin was often called 'crude'. In my reading of history, the man who saved Great Britain in World War II, Winston Churchill, was called 'cantankerous'. In the great liberation of the American women, oftentimes Gloria Steinem was referred to being as 'less than delicate' and 'rather aggressive'. Here in Hawai'i, the late Frank Fasi was oftentimes called 'confrontational'. Neil Abercrombie: a 'firebrand'. So people who have a great passion sometimes are a little more aggressive than what some of us would like, but nevertheless, they have something to contribute and their passion oftentimes results in things that are good for all of us.

"I especially am heartened that the issue of Malulani Hospital came up on Maui because it's an issue near and dear to me. I won't give you the Malulani Hospital speech that I've been giving for the years since that was turned down, but I would tell you if Mr. Montgomery had been listened to on Maui, possibly we would not be spending \$30 or \$40 million subsidizing Maui Memorial, and possibly, oftentimes the very sick people on Maui would not have to fly to O'ahu for care.

"I heard mentioned in this debate against Mr. Montgomery how important it is to have autonomy in the UH as dictated by our constitution, but isn't it duplicity that on one hand we say we want the University Board of Regents to have autonomy but if one of them talks about the necessity of thinking 'out-of-the-box' and maybe considering further tuition increases or some other things that maybe could be done at the University that all of a sudden we as legislators say, 'Well, the heck with autonomy. You can't do that.' That sounds rather duplicitous.

"An issue that I always enjoy is this diversity issue: gender equity, racial equity, socio-economic equity. We certainly want more poor guys, less rich guys. We want more locals, less haoles; more Hawaiians, less Filipinos. I could even say there's not enough Portuguese. Where do we stop? Where do we stop? When do we start making decisions based on the content of the individual's character?

"I had not met the man, nor was I at the hearing, but I'm hoping that the perspective on some of the things that were mentioned on the floor today could really be thought out, and that this man could be dealt with as a nice guy, nicely and fairly, and with equity, and with respect. And I think if you would do so, and if you listened to the very systematic presentation by my colleague next to me, you will vote in the affirmative for Mr. Montgomery. Thank you, Madam President."

Senator Slom rose in rebuttal and said:

"I just wanted to share with my colleagues the answer to one of the questions submitted by Mr. Montgomery:

As a regent, what would be your top three priorities for the University?

Development of a "venture capital" environment for the University – This would be related to the Presidential Advisory Group of Experts' work and modeling a program based on best practices of universities and venture capital firms skilled in technology development and transfer.

Development of "the next generation" of distant learning [by] develop[ing] a proposal to leverage new technologies like the Apple iPad. Reduce student costs by having textbooks downloadable at a lower price than [hardcover] editions.... Use interactive technologies for collaborative work including face-to-face interaction with professors, TAs, and other students to maintain a "virtual" classroom.

[And finally] Participate in development of an "18-month rolling" strategic plan, includ[ing] benchmarking and metrics and utiliz[ing] process improvements to develop additional efficiencies.

"And if you read through all of the other answers to all of the questions, you would come away with the feeling that this is a man that is not knowledgeable? That is not experienced? That doesn't know how the system is working? You would come away with the idea that this is a man, in fact, who is very attuned to the technological changes. He quotes UH President Greenwood many times in terms of adopting the proposals that she has made for changes within the University system. So, to say that this man doesn't have the knowledge and doesn't know what's going on I think is ridiculous and demeaning.

"I do, however, apologize to my colleagues for the fact that Mr. Montgomery is not a woman. You know, we've had this issue of gender equity, and yet the colleagues that bring this up over and over again seem to forget that the present administration under Governor Linda Lingle has appointed more women to more important posts than any governor past, or thinking about it in the future—and yet we talk about gender equity. In fact, the opposition from the Democratic Party Women's Caucus, upon questioning by me, she said she never met the nominee, doesn't know anything about the nominee, didn't know anything other than he was a man and there should be a woman. I say, folks, we are getting to be very, very narrowly based in looking at people who volunteer for community service and leadership. So, I would just urge you to think about all of these things, and Madam President, I would request a Roll Call vote. (The Chair so ordered). Thank you."

Senator Hee rose in opposition to the nomination and said:

"I want to thank the previous speakers in helping me reaffirm my position in opposition. It's not so much that, as some have said before me, that there should be a woman, but if there should be a man, it should be a different man.

"One thing, as all of us know on this floor, is that when we write things, they stay forever and ever. And while I do not take issue with anyone on this floor's right to e-mail or publish or comment anything in writing, it does offer us a view into the author's mind. Why this individual may have chosen to take on the elected officials does not trouble me as much as the way it was done. Why this particular individual chose to name elected officials doesn't even bother me because that right allows us to focus and get a mind's eye view of the individual. However, when the individual wrote, 'Our Maui State Senators have been masters of sandbagging local empowerment on health care, schools, and environmental safety, but how can you argue against the quote "mahalo plenty to Senator Baker?"' There is at least a perception of a meanness. When the individual wrote, 'Senate Health Committee Chairman David Ige stated, "The process could become a model for health care planning statewide,"' and continued, 'It seems O'ahu will determine Maui's health care future; these f.o.l.k.s. (flaky O'ahu legislative kooks) need to be sent a message.' Well, the message has been delivered tonight. When the individual says, 'Only voters in Kihei and Lahaina can remove Senator Baker. Please find a candidate to run against her. Support the candidate,' that's all okay with me. 'Return honesty and commitment to government,' is not okay with me. It allows us a view of the content of his character.

"I don't take issue with the fact that he's a man because I'm sure women are perfectly capable of writing the same as I have read. However, we can look at history and evaluate the contributions made not only by men, but by women. The two women that come to my mind who have sat as members of the Board of Regents—one is not here, and that's Ah Quon McElrath. Her writings are significantly different. It doesn't

necessarily mean they're better than what I've read, but I will say they're significantly different in that her writings as a social worker, as a community activist, as someone who has suffered with others, and her commitment to end suffering for all, and her philosophy that 'when the tide comes in, all boats float,' are profoundly more meaningful to me than calling names to others regardless of the right to do so. The other regent that comes to mind is Amy Agbayani, who said, when asked about women and this Governor's appointments to the Board of Regents, 'It's about having everybody at the table. Not only is it fair, but you get better decisions that way.' She says, 'We've come a long way, and one marker of that is Patsy Mink.' Like the nominee, former regent Agbayani's writing will be a part of who she is forever. She did say, when asked about the Governor being a woman, she said that 'I did indicate that it was progress getting her there, but that was a technical issue,' as one of the previous speakers indicated—man versus woman. But she did continue: 'The expectations continue to be high. That doesn't excuse the lack of women now on the Board of Regents. You cannot hide behind "they didn't apply." That is not true of this particular nomination because there was at least one woman that I am aware of.' And as former regent Agbayani accurately continued, 'There are some incredibly competent women who are interested and were passed over.' As one of the previous speakers correctly indicated, of the 15 members of the Board of Regents, only 1 is a woman. Of the 13 members elected and selected by all of us to the Board of Education, 9 are women. Of the members of this body, who are selected by everyone who can vote, approximately one-third of the seats here are occupied by women. Just over one-third of the seats occupied across the aisle, 18 of 51 members, are women. Amy Agbayani, when asked, 'Why is wanting gender balance not the same as favoritism?' said, 'It is fair and a part of Americans' aspirations to try and give everyone an equal opportunity. The second thing why we do all these things is because it's smart. The results of the decisions usually are better and the studies would indicate that women and men, engaged in meaningful discussion, are likely to have better results.' And then she ended like this: 'By the way, it's men who also want women on the board. It's not just women who think this way. Some of my best allies are men because they have been impressed with the quality of our participation. Not only do you get good decisions, but you get buy-in when you include everyone.'

"You know, I read an article written on July 6, 2003, by two women and two men and it is entitled, 'University of Hawaii's Money Crisis: Dangerous Equations: President Evan Dohell has run UH's finances into the red with huge pay raises and empty promises,' written by Dr. Amy Agbayani, Senator Donna Mercado Kim, Dr. Ralph Moberly, and Rep. K. Mark Takai. I'm not sure that I agree with everything that the four authors concluded, but I am absolutely certain that the data that was a part of the article here is accurate. It created a good discussion of a particular point of view. There was nothing mean, in my opinion, by the writings of these four. There is nothing mean about the responses of Amy Agbayani or Ah Quon McElrath, but the window provided us in the e-mails of the nominee are not funny and are regrettable.

"Madam President and members, for these reasons, I will not support this particular individual. Thank you."

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 2. Noes, 22 (Baker, Chun Oakland, English, Espero, Fukunaga, Gabbard, Galuteria, Green, Hanabusa, Hee, Hooser, Ige, Ihara, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda, Tsutsui). Excused, 1 (Bunda).

**FINAL ADOPTION**

S.C.R. No. 183, S.D. 1, H.D. 1:

On motion by Sakamoto, seconded by Senator Slom and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 183, S.D. 1, and S.C.R. No. 183, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A LEGISLATIVE NOISE POLLUTION TASK FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN REDUCING URBAN NOISE POLLUTION," was Finally Adopted.

S.C.R. No. 202, S.D. 1, H.D. 1:

On motion by Sakamoto, seconded by Senator Slom and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 202, S.D. 1, and S.C.R. No. 202, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055; SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was Finally Adopted.

**ADOPTION OF RESOLUTIONS****MATTERS DEFERRED FROM THURSDAY, APRIL 22, 2010**

Stand. Com. Rep. No. 3220 (H.C.R. No. 167, H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 167, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY FOR THE INTEGRATION OF A PEDAGOGY OF ALOHA IN PUBLIC SCHOOLS FOR IMPROVED LEARNING IN THE 21ST CENTURY," was adopted.

Stand. Com. Rep. No. 3221 (H.C.R. No. 235, H.D. 2):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 235, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PHASE OUT OF PRODUCTION AND IMPORTATION OF DECABROMODIPHENYL ETHER IN THE UNITED STATES," was adopted.

Stand. Com. Rep. No. 3222 (H.C.R. No. 216):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAII TO PURSUE THE BID TO HOST THE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE WORLD CONSERVATION CONGRESS," was adopted.

Stand. Com. Rep. No. 3223 (H.C.R. No. 289, H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 289, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE PUBLIC ENTITIES TO COMMIT TO HEALTHIER AND MORE NUTRITIOUS MEALS IN THEIR PROGRAMS BY SPENDING MORE OF THEIR FOOD DOLLARS FOR LOCALLY-PRODUCED PRODUCE OR OTHER HAWAII AGRICULTURAL PRODUCTS," was adopted.

Stand. Com. Rep. No. 3228 (H.C.R. No. 262, H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS," was adopted.

Stand. Com. Rep. No. 3229 (H.C.R. No. 123):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE," was adopted.

Stand. Com. Rep. No. 3230 (H.C.R. No. 139):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL," was adopted.

Stand. Com. Rep. No. 3231 (H.C.R. No. 187):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE PAROLE PILOT PROGRAM," was adopted.

Stand. Com. Rep. No. 3232 (H.C.R. No. 223, H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO CONDUCT A STUDY ON THE FEASIBILITY OF USING LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON THE LEEWARD COAST," was adopted.

Stand. Com. Rep. No. 3233 (H.C.R. No. 175):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO

HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was adopted.

#### FINAL READING

#### MATTERS DEFERRED FROM THURSDAY, APRIL 22, 2010

Conf. Com. Rep. No. 12-10 (H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 12-10 and H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 13-10 (H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-10 and H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 14-10 (H.B. No. 1854, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 14-10 and H.B. No. 1854, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 15-10 (H.B. No. 2676, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 15-10 and H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOLA'OLAWE ISLAND RESERVE COMMISSION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 16-10 (H.B. No. 2239, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 16-10 and H.B. No. 2239, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 59-10 (S.B. No. 950, S.D. 2, H.D. 3, C.D. 1):

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 59-10 and S.B. No. 950, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 60-10 (S.B. No. 2449, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 60-10 and S.B. No. 2449, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 61-10 (S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 61-10 and S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 62-10 (S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Com. Rep. No. 62-10 and S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," was deferred until Tuesday, April 27, 2010.

S.B. No. 2547, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2547, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," was deferred until Tuesday, April 27, 2010.

At this time, the Chair made the following announcement:

"Conference committee reports on fiscal bills must be filed in the Clerk's office by midnight tonight."

#### CONFERENCE COMMITTEE REPORTS

On motion by Senator Sakamoto, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 7:48 p.m., the Senate took the following actions:

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2604, H.D. 2, presented a report (Conf. Com. Rep. No. 43-10) recommending that H.B. No. 2604, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 43-10 and H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 865, H.D. 1, presented a report (Conf. Com. Rep. No. 44-10) recommending that H.B. No. 865, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 44-10 and H.B. No. 865, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 415, H.D. 2, presented a report (Conf. Com. Rep. No. 45-10) recommending that H.B. No. 415, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 45-10 and H.B. No. 415, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2692, H.D. 1, presented a report (Conf. Com. Rep. No. 46-10) recommending that H.B. No. 2692, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 46-10 and H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2505, H.D. 1, presented a report (Conf. Com. Rep. No. 47-10) recommending that H.B. No. 2505, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 47-10 and H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2157, H.D. 1, presented a report (Conf. Com. Rep. No. 48-10) recommending that H.B. No. 2157, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 48-10 and H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 979, H.D. 1, presented a report (Conf. Com. Rep. No. 49-10) recommending that H.B. No. 979, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 49-10 and H.B. No. 979, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2084, H.D. 1, presented a report (Conf. Com. Rep. No. 50-10) recommending that H.B. No. 2084, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 50-10 and H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2473, S.D. 1, presented a report (Conf. Com. Rep. No. 99-10) recommending that S.B. No. 2473, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 99-10 and S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2220, S.D. 1, presented a report (Conf. Com. Rep. No. 100-10) recommending that S.B. No. 2220, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 100-10 and S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2399, S.D. 1, presented a report (Conf. Com. Rep. No. 101-10) recommending that S.B. No. 2399, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 101-10 and S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2601, S.D. 1, presented a report (Conf. Com. Rep. No. 102-10) recommending that S.B. No. 2601, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 102-10 and S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2842, S.D. 2, presented a report (Conf. Com. Rep. No. 103-10) recommending that S.B. No. 2842, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 103-10 and S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2116, S.D. 2, presented a report (Conf. Com. Rep. No. 104-10) recommending that S.B. No. 2116, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 104-10 and S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1062, S.D. 1, presented a report (Conf. Com. Rep. No. 105-10) recommending that S.B. No. 1062, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 105-10 and S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2883, S.D. 1, presented a report (Conf. Com. Rep. No. 106-10) recommending that S.B. No. 2883, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 106-10 and S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 910, S.D. 1, presented a report (Conf. Com. Rep. No. 107-10) recommending that S.B. No. 910, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 107-10 and S.B. No. 910, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2165, S.D. 1, presented a report (Conf. Com. Rep. No. 108-10) recommending that S.B. No. 2165, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 108-10 and S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2563, S.D. 1, presented a report (Conf. Com. Rep. No. 109-10) recommending that S.B. No. 2563, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 109-10 and S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2599, S.D. 2, presented a report (Conf. Com. Rep. No. 110-10) recommending that S.B. No. 2599, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 110-10 and S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2702, S.D. 2, presented a report (Conf. Com. Rep. No. 111-10) recommending that S.B. No. 2702, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 111-10 and S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2716, S.D. 2, presented a report (Conf. Com. Rep. No. 112-10) recommending that S.B. No. 2716, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 112-10 and S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by

the House to S.B. No. 2825, S.D. 1, presented a report (Conf. Com. Rep. No. 113-10) recommending that S.B. No. 2825, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 113-10 and S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2828, S.D. 1, presented a report (Conf. Com. Rep. No. 114-10) recommending that S.B. No. 2828, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 114-10 and S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2324, S.D. 2, presented a report (Conf. Com. Rep. No. 115-10) recommending that S.B. No. 2324, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 115-10 and S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2691, S.D. 1, presented a report (Conf. Com. Rep. No. 116-10) recommending that S.B. No. 2691, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 116-10 and S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2054, S.D. 2, presented a report (Conf. Com. Rep. No. 117-10) recommending that S.B. No. 2054, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 117-10 and S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2386, presented a report (Conf. Com. Rep. No. 118-10) recommending that S.B. No. 2386, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 118-10 and S.B. No. 2386, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2400, S.D. 1, presented a report (Conf. Com. Rep. No. 119-10) recommending that S.B. No. 2400, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 119-10 and S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2603, S.D. 2, presented a report (Conf. Com. Rep. No. 120-10) recommending that S.B. No. 2603, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 120-10 and S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2661, S.D. 2, presented a report (Conf. Com. Rep. No. 121-10) recommending that S.B. No. 2661, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 121-10 and S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2809, S.D. 2, presented a report (Conf. Com. Rep. No. 122-10) recommending that S.B. No. 2809, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 122-10 and S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2395, S.D. 2, presented a report (Conf. Com. Rep. No. 123-10) recommending that S.B. No. 2395, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 123-10 and S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2461, S.D. 2, presented a report (Conf. Com. Rep. No. 124-10) recommending that S.B. No. 2461, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 124-10 and S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2548, S.D. 2, presented a report (Conf. Com. Rep. No. 125-10) recommending that S.B. No. 2548, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 125-10 and S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2534, S.D. 2, presented a report (Conf. Com. Rep. No. 126-10) recommending that S.B. No. 2534, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126-10 and S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2385, S.D. 1, presented a report (Conf. Com. Rep. No. 127-10) recommending that S.B. No. 2385, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 127-10 and S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2068, S.D. 2, presented a report (Conf. Com. Rep. No. 128-10) recommending that S.B. No. 2068, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 128-10 and S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2115, S.D. 1, presented a report (Conf. Com. Rep. No. 129-10) recommending that S.B. No. 2115, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 129-10 and S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2434, S.D. 1, presented a report (Conf. Com. Rep. No. 130-10) recommending that S.B. No. 2434, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 130-10 and S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by

the House to S.B. No. 2885, S.D. 2, presented a report (Conf. Com. Rep. No. 131-10) recommending that S.B. No. 2885, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 131-10 and S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2491, S.D. 2, presented a report (Conf. Com. Rep. No. 132-10) recommending that S.B. No. 2491, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 132-10 and S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2951, S.D. 2, presented a report (Conf. Com. Rep. No. 133-10) recommending that S.B. No. 2951, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 133-10 and S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2600, S.D. 2, presented a report (Conf. Com. Rep. No. 134-10) recommending that S.B. No. 2600, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 134-10 and S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2173, S.D. 1, presented a report (Conf. Com. Rep. No. 135-10) recommending that S.B. No. 2173, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 135-10 and S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2775, H.D. 2, presented a report (Conf. Com. Rep. No. 136-10) recommending that H.B. No. 2775, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 136-10 and H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2503, H.D. 1, presented a report (Conf. Com. Rep. No. 137-10) recommending that H.B. No. 2503, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 137-10 and H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2832, H.D. 1, presented a report (Conf. Com. Rep. No. 138-10) recommending that H.B. No. 2832, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 138-10 and H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1948, H.D. 1, presented a report (Conf. Com. Rep. No. 139-10) recommending that H.B. No. 1948, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 139-10 and H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2594, H.D. 2, presented a report (Conf. Com. Rep. No. 140-10) recommending that H.B. No. 2594, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 140-10 and H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2583, presented a report (Conf. Com. Rep. No. 141-10) recommending that H.B. No. 2583, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 141-10 and H.B. No. 2583, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2845, H.D. 1, presented a report (Conf. Com. Rep. No. 142-10) recommending that H.B. No. 2845, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 142-10 and H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2441, H.D. 2, presented a report (Conf. Com. Rep. No. 143-10) recommending that H.B. No. 2441, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 143-10

and H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2133, H.D. 1, presented a report (Conf. Com. Rep. No. 144-10) recommending that H.B. No. 2133, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 144-10 and H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1808, H.D. 3, presented a report (Conf. Com. Rep. No. 145-10) recommending that H.B. No. 1808, H.D. 3, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 145-10 and H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 347, H.D. 2, presented a report (Conf. Com. Rep. No. 146-10) recommending that H.B. No. 347, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 146-10 and H.B. No. 347, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2486, H.D. 2, presented a report (Conf. Com. Rep. No. 147-10) recommending that H.B. No. 2486, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 147-10 and H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2542, H.D. 1, presented a report (Conf. Com. Rep. No. 148-10) recommending that H.B. No. 2542, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 148-10 and H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2318, H.D. 2, presented a report (Conf. Com. Rep. No. 149-10) recommending that H.B. No. 2318, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 149-10 and H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2000, H.D. 2, presented a report (Conf. Com. Rep. No. 150-10) recommending that H.B. No. 2000, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 150-10 and H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2200, H.D. 1, presented a report (Conf. Com. Rep. No. 151-10) recommending that H.B. No. 2200, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 151-10 and H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2698, H.D. 2, presented a report (Conf. Com. Rep. No. 152-10) recommending that H.B. No. 2698, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 152-10 and H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Senator Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2849, S.D. 2, presented a report (Conf. Com. Rep. No. 153-10) recommending that S.B. No. 2849, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 153-10 and S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred for a period of 48 hours.

#### ADJOURNMENT

At 12:00 midnight, the Senate adjourned until 9:00 a.m., Monday, April 26, 2010.

#### OTHER COMMUNICATION

The following statement was read by Senate President Colleen Hanabusa at 12:08 a.m., Saturday, April 24, 2010, in Conference Room 309:

"Prior to the convening of the 2010 session, the House Speaker and I prepared an internal legislative timetable, setting April 23, 2010 as the last day to file fiscal bills to deck for Final Reading. A few weeks ago, the Speaker and I signed the Conference Committee Guidelines that provides in paragraph 11(c) that all Conference Committee reports shall be filed by 11:30 p.m. on Friday, April 23<sup>rd</sup>.

"As you know, several measures were being negotiated throughout the evening. Several Conference Committees, even though they had reached agreement on the substance of these measures, did not have the time to prepare and adequately review the reports and the final form of the Conference drafts prior to the filing deadline.

“Therefore, the Speaker and I are exercising our powers under Rule 13 of the Conference Committee Guidelines to make an exception to this deadline for the bills that were agreed to and voted upon this evening.

“The Speaker and I are granting this exception to provide the Conference members with an opportunity to ensure that the Conference Committee reports and the Conference drafts reflect the agreements reached on the evening of May 1<sup>st</sup>.

“The Speaker and I felt that since the Conferees had reached timely agreement on these bills, allowing these bills to die based on an internal procedural deadline for filing paperwork with the Clerks’ offices is not in the best interest of the people of Hawaii.

“For the bills agreed to and voted on this evening, the Clerks of the respective Chambers shall accept Conference drafts between 12:00 noon and 1:00 p.m. tomorrow, Saturday, April 24<sup>th</sup>.

“We wish to emphasize that previous Legislatures, when facing similar problems in past years, have followed the same procedure we will follow with this measures.”

## FIFTY-SEVENTH DAY

Monday, April 26, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:27 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Pacific Buddhist Academy, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Ihara who were excused.

The President announced that she had read and approved the Journal of the Fifty-Sixth Day.

At this time, the following introductions were made to members of the Senate:

Senator Chun Oakland introduced a group of 5<sup>th</sup> grade students and teachers from Ma'ema'e Elementary School.

Senator Chun Oakland also introduced Philip Wong, Director General of Taiwan, who would be leaving after five years of service in Hawai'i. Accompanying Mr. Wong was Director Oliver Wang.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 513 to 516) were read by the Clerk and were placed on file:

Gov. Msg. No. 513, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2770, S.D. 1, H.D. 2 as Act 51, entitled: "RELATING TO REMOTE DISPENSING PHARMACY."

Gov. Msg. No. 514, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2597, H.D. 1 as Act 52, entitled: "RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Gov. Msg. No. 515, informing the Senate that on April 23, 2010, the Governor signed into law House Bill No. 2197, H.D. 1, S.D. 1 as Act 53, entitled: "RELATING TO CONDOMINIUMS."

Gov. Msg. No. 516, informing the Senate that on April 23, 2010, the Governor signed into law Senate Bill No. 2898, S.D. 1, H.D. 1 as Act 54, entitled: "RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 619 to 624) were read by the Clerk and were placed on file:

Hse. Com. No. 619, informing the Senate that on April 23, 2010, the House reconsidered its action taken on March 16, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2708, H.D. 1 (S.D. 1).

Hse. Com. No. 620, informing the Senate that on April 23, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2129, H.D. 1 (S.D. 1).

Hse. Com. No. 621, informing the Senate that on April 23, 2010, the House disagreed to the amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 50, H.D. 2 (S.D. 1);  
H.C.R. No. 284 (S.D. 1); and

H.C.R. No. 292, H.D. 1 (S.D. 1).

Hse. Com. No. 622, informing the Senate that on April 23, 2010, the Speaker appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 50, H.D. 2 (S.D. 1):

Representatives Ito, Tokioka, Co-Chairs; Har, Ching.

H.C.R. No. 284 (S.D. 1):

Representatives Manahan, Tokioka, Co-Chairs; Finnegan.

H.C.R. No. 292, H.D. 1 (S.D. 1):

Representatives Ito, Har, Co-Chairs; Thielen.

Hse. Com. No. 623, returning S.C.R. No. 150, which was adopted by the House of Representatives on April 23, 2010.

Hse. Com. No. 624, informing the Senate that on April 22, 2010, the House disagreed to the amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 296 (S.D. 1); and  
H.C.R. No. 297 (S.D. 1).

## CONFERENCE COMMITTEE REPORTS

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1015, H.D. 1, presented a report (Conf. Com. Rep. No. 154-10) recommending that H.B. No. 1015, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 154-10 and H.B. No. 1015, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2377, H.D. 3, presented a report (Conf. Com. Rep. No. 155-10) recommending that H.B. No. 2377, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 155-10 and H.B. No. 2377, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2589, S.D. 2, presented a report (Conf. Com. Rep. No. 156-10) recommending that S.B. No. 2589, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 156-10 and S.B. No. 2589, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2124, S.D. 2, presented a report (Conf. Com. Rep. No. 157-10) recommending that S.B. No. 2124, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 157-10 and S.B. No. 2124, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2469, S.D. 2, presented a report (Conf. Com. Rep. No. 158-10) recommending that S.B. No. 2469, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 158-10 and S.B. No. 2469, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2774, H.D. 2, presented a report (Conf. Com. Rep. No. 159-10) recommending that H.B. No. 2774, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 159-10 and H.B. No. 2774, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORT

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3234) recommending that H.B. No. 2094 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3234 and H.B. No. 2094, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH," was deferred until Tuesday, April 27, 2010.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 21, 2010

Stand. Com. Rep. No. 3207 (Gov. Msg. No. 341):

By unanimous consent, Stand. Com. Rep. No. 3207 was received and placed on file.

Senator Hee moved that the Senate advise and consent to the nomination of RANSOM A.K. PILTZ to the Land Use Commission, term to expire June 30, 2014, seconded by Senator Tokuda.

Senator Hee rose in opposition to the nomination and said:

"You know, this isn't something that's personal. I don't know the individual. This is all about the nominee's voting record. This is all about the nominee's seriousness in the advise and consent process. This is all about the nominee's evident lack of understanding of issues broader than quasi-judicial proceeding.

"As I said last week, the nominee's response as an indicator of the seriousness in which the Committee asked two questions regarding the future of Hawai'i, specifically to prime ag, and asked each of the four nominees to please limit yourself to 300 words per question. The nominee was so serious about the job; the nominee took the process of advise and consent so serious as a returning member of the Land Use Commission—

not a first guy up to bat, but someone who had sat as a member of the Land Use Commission, not for four years, for five years, five years. The nominee took the advise and consent process so seriously that his answers for two questions, not one, were four paragraphs; and let me read you the last paragraph (I know it by heart): 'Mahalo for the opportunity to serve.' That's paragraph four.

"This is a nominee who will sit in judgment over the future of prime ag lands; and as someone told me recently, he never met a developer he never liked. This is a nominee whose voting record is clear: He never met a developer he never liked when it came to prime ag lands.

"From the caucus, we learned he had some personal issues. I feel bad for him. I don't know why that was brought up, but let the record show I feel bad for him. I feel bad for all of you if you have personal issues; all of you.

"This nominee was asked numerous times on every vote he took, and on several occasions, he couldn't remember. He couldn't recall. He didn't know. He forgot. You folks have it in your DVD. He shrugged his shoulders; and on two occasions, he flat-out lied. And this is the nominee that is up for consideration to continue as a member of the Land Use Commission?

"I think enough has been said about this person. Nice man. Probably good guy to sit on a picnic bench and chalangalang with, but that's not what this is: a picnic bench to chalangalang. This is about someone who will sit in judgment over additional homes of 33,000 already approved on West O'ahu, of 12,000 or 14 percent of prime ag that's up to bat at Ho'opili, of 5,000 at Koa Ridge. Is there anyone who thinks, based on his voting record, that this nominee will turn his back to the developers and stand in support of the future generations of the State of Hawai'i? Is there anyone who thinks that if the people whom all of us represent understood how this nominee votes, that the people would say, 'Send him back. We need him; and when we disagree, don't worry. He won't remember. Send him back.'

"We had the luxury of extra time to look in the *2008 Data Book*. We spent some time in caucus talking about the quasi-judicial process. Well, let's talk about non-quasi-judicial issues. Let's talk about people issues. Let's talk about, according to the *Data Book*, that adding 3,500 homes will add 5,339 cars to the road. Adding 12,000 homes will add 18,360 cars on the road. Adding 15,000 homes will add 23,715 cars. Adding 15,500 homes would be like doubling the traffic coming from the Mililani master planned community, which has 16,000 homes, and an estimated 16,000 homes and 24,000 cars.

"This nominee may not have sat in judgment for Mililani Mauka, but this nominee will sit in judgment for Ho'opili. This nominee will sit in judgment for Koa Ridge. This nominee will vote for these projects despite the Department of Ag testifying in opposition to Ho'opili, despite the Department of Transportation testifying in opposition, despite the Office of State Planning testifying in opposition. This Land Use Commission is not balanced. This Land Use Commission believes on the presumption that if you own the land, you can develop the land; as opposed to the rudimentary discussion that if you own the land, you must prove that it is in the best interest of all the people of Hawai'i why you wish to do what with the land. And when it's prime ag in developable condition, fully irrigated, this nominee should be asked the question: How is it that prime ag takes a back seat to more cars, more oil, more non-sustainable issues, more than 90 percent of the goods imported to Hawai'i?

"This nominee has proved by his record of votes that he does not bring balance and is not consistent with the people, the people we represent, because at no time could he defend his

positions and his votes in Committee. But then again, when your response is one page, four paragraphs, of which the last paragraph is 'mahalo,' how could you expect anything less from a nominee like this? I will vote 'no.'"

Senator Kokubun rose in support of the nomination and said:

"I think a number of very good issues have been brought up by the previous speaker and I think those are primarily policy issues with regard to how we treat our agricultural lands. As we have passed legislation regarding the designation of important agricultural lands that has been mandated by our constitution for close to 30 years before anything was finally done, I think it is a statement that this body, this Legislature as a whole, is now willing to take a closer look at those kinds of policy decisions. This session, we did have a bill that Senator Hee sponsored that talked about protecting our A and B lands to a higher degree, primarily by imposing a supermajority vote of the Land Use Commission to approve any development on A and B lands. Unfortunately, that bill did not pass, but I think these are the areas that we should be exploring to provide more clarification about our policy on agricultural lands. And while on that subject, by the way, I think that the 'A and B lands' designated as prime ag lands, really was based on a study of soil conditions only that was conducted many, many years ago by the Land Study Bureau, and certainly that needs to be reviewed today given better research and information. I'll give you a personal example: On the Big Island, we have very little A and B lands; in fact, there are no A lands and very, very little B lands. Most of our lands are C, D, and E, but people recognize that there is huge potential for agriculture on the Big Island. And for those reasons, I think it's important that some kind of review, hopefully by the Office of State Planning, can be done on all of our agricultural lands given the input about the technological changes that have occurred in the industry and how production has been altered primarily from sugar and pine to more diversified crops. So, I think these issues are very important to talk about.

"The Land Use Commission, as established in law, does operate in a different manner in terms of their decision making. The quasi-judicial designation is very, very different than what we are typically dealing with, the quasi-legislative process. So this quasi-judicial decision making process is imposed to ensure that the rights of those who are most directly affected are accorded due process before an action is taken. In addition to the petitioner, the Office of Planning and the respective county planning departments are mandatory parties to the proceedings. Individuals or organizations may intervene to demonstrate why their interests are particularly affected or distinguishable from those of the general public; and that policy has been very liberally construed by the Land Use Commission. There have been very, very few denials of intervenor status for people who feel that they have certain rights with respect to that certain parcel of land; and also that all participants in the proceedings may be represented through an attorney because this is a quasi-judicial process.

"The important thing about this that I think distinguishes it from other decision making processes is that after the testimony and exhibits have all been received by the Land Use Commission, all parties then submit specific documents called 'findings of fact, conclusions of law, and decision and order,' and these are drawn strictly from the record and proposed to the Land Use Commission; and that is what the Land Use Commission and its staff utilize to come up with their decision. So this is very, very important, particularly when you know that the decision is directly appealable to the Circuit Court.

"Now, how are these decisions made by the Land Use Commission? I think the decision making criteria is very, very important. The Land Use law requires the Commission to specifically consider the following criteria in review of any

petition for a boundary amendment: conformity to the goals, objectives, and policies of the Hawai'i State Plan, Chapter 226, and the functional plans adopted pursuant to the State Plan. Now this is something that we have been trying to amend particularly through our sustainability initiative, but nevertheless there already exists the State Plan and there is some guidance in that. So the Land Use Commission, must base their decision on that first criteria.

"The second criteria is the extent to which the proposed reclassification conforms to the applicable district standards, the impacts on the following state concerns (and this is what's important in my opinion): preservation or maintenance of important natural systems or habitats; maintenance of valued cultural, historical, or natural resources; maintenance of other natural resources relevant to Hawaii's economy, including but not limited to agricultural resources; commitment of state funds and resources; provision for employment opportunities and economic development; and provision for housing opportunities for all income groups, particularly the low-, low-moderate, and gap groups. What is relevant to this discussion and where the Legislature should certainly consider clarifying our policy is with respect to that criteria regarding 'maintenance of other natural resources relevant to Hawaii's economy, including but not limited to agricultural resources.' In my mind, that does not give enough significance to the importance of agricultural resources. The whole discussion about self-sufficiency, both in food security as well as energy security, is something that has really come to the forefront within the last few years; and within that context, it would be important to re-look at our policies regarding agricultural lands.

"The other issue that needs to be clarified, in terms of A and B lands in particular, is the fact that there also is the 15 acre rule. That's where the Legislature—I believe it was back in the early 80's—delegated to the counties the ability to change the district classifications on 15 acres or less. This was not limited in any way to non-A and B lands; so the counties, if they so chose, do have the decision making authority over 15 acres or less on a petition to change land use designation that would come forward for all lands, including A and B lands included. So this inconsistency, again, is something that if the intent of the Legislature is really to protect our best agricultural lands (for good reason and I totally support that), then I think that all of these areas of the law need to be looked at.

"Another issue I want to emphasize is the role of the Office of Planning, as well as the respective county planning departments. The Office of Planning is supposed to be the advocate for state policy, so they should have influence in front of the Land Use Commission. And the county planning departments also advocate for compliance with their county general plans and subsets of those plans, like community development plans, etc. This is an important component that the Land Use Commission must take into consideration in their decisions. And again, please keep in mind that any and all decisions are appealable to the Circuit Court.

"The other policy issue that I think we need to revisit is that in the law now, there is a mandatory five year boundary review process that should be undertaken by the Office of Planning. This is something that was imposed by the Legislature in its wisdom to re-look at all of the classifications as they currently stand because we know that nothing is static. We know that things change and needs change, as I have mentioned previously about our greater desire to be less dependent on imports. And so, this five year boundary review is very critical in looking at all the land designations, not just agricultural lands, but rural lands as well. And if you recall, we did pass a bill (I think it was three sessions ago) that asked the Office of Planning to report back to us with recommendations on how to better utilize the rural designation because we felt that by

having rural designations included in a more prominent way, it would be a good step towards protecting our agricultural lands. Well, the truth of the matter is that the last boundary review was conducted in 1992, and that is certainly not acceptable, and I think it's something that we should be demanding of the Office of Planning. Similarly, the report regarding better utilization of the rural designation has also not been submitted to us.

"Now, the two specific projects that have been mentioned by the previous speaker include Ho'opili and Koa Ridge; and as you know, the decisions on those are pending, particularly Koa Ridge, which is still before the Land Use Commission. Ho'opili was remanded, in a sense, back so that additional considerations would be given prior to any vote. So, in my opinion, speculating on how any commissioner would vote on either of those cases or on any case, frankly, is just that—pure speculation. And so, I would rely on the fact that this nominee in particular has quite an extensive background in planning. He served as the chairman of the Maui County Planning Commission and has been an advocate for Maui issues, because that's the way the Land Use Commission is intended to function with a member from each county represented on the Land Use Commission.

"And so for those reasons, colleagues, I really feel that Mr. Piltz, based on what we know about him and what we know of him as an advocate, is a very worthy nominee and should continue as a land use commissioner. Thank you."

Senator Hooser rose in opposition to the nomination and said:

"I'll keep my remarks very, very brief. I had not planned on speaking, but, you know, it's important issues and I share both the previous speakers' feeling and values, in terms of the protection of ag lands. And serving four years on the Kaua'i County Council, watching planning commissions throughout our state, watching the Land Use Commission, I have come to the conclusion that what's really important, Madam President and colleagues, is not the rule book. It's not the process and procedures. It's the people. And we need balance. Desperately, we need balance because it's the people who make these decisions, and it's the people who often ignore the criteria, the policies, and the procedures; people that will vote against the recommendation from the Department of Agriculture, vote against the recommendations from the Department of Planning and the Department of Transportation, and vote consistently over and over and over again in support of developments, and rarely, if ever (and in this case, I don't think 'ever' from the record I've heard), will vote to deny developers the authority to move forward to develop on agricultural lands.

"Madam President, I understand this is a quasi-judicial process, and I understand that the people have the power and right to appeal to the courts, but I also understand that in many cases, year after year after year the people will go to the Land Use Commission and ask for support and be told over and over again, 'No.' And if they have enough money, if they have enough time, if they have enough energy, if they can get together the attorneys to do so, they will take it to the courts; and it's been demonstrated recently the courts will support the people, but it's only after years and years and years sometimes and much energy. And it's really the people that vote—the Land Use commissioners themselves who make these decisions. And we need balance. We need to draw a line in the sand at some point to say what's important to us. And I could not say it any better than the Chair of the Water-Land Committee. I could not say it with more passion. I could not say it with more eloquence. I could not say it with more substance and fact than the Chair of the Water-Land Committee, but I do share that passion. I share those values; and I will be voting 'no' also on the nominee. Thank you."

Senator Hee rose in rebuttal and said:

"You know, I appreciate the previous two speakers. I would like to offer some comments. I will try to be a little more dispassionate if the members will indulge me in my effort.

"You know, one of the previous speakers talked about, 'Well, there's a IAL. There's a process; and we still need to go here, and we still need to go there, and we need to look at new laws.' And I agree with all of that. We don't have the luxury of time to do these things because it doesn't mean the rest of the world stops until we're done with our work, because our work is never done.

"The Vice President spoke about the qualifications—former planning commissioner or planning director, whatever. How about just a regular person? How about someone from the League of Women Voters? How about someone from the University of Hawai'i Law School? How about just someone? If we put all planning commissioners or planning directors, why have a Land Use Commission?

"The Vice President used the word 'advocate' to describe this nominee. I agree with that; never met a developer he never liked. And I will tell you this: But for lack of time, we would have dug into the projects that he voted upon to see if his electrical contracting business was a subcontractor on any jobs. We did not have the time, but don't anyone think for one second that assertion hasn't been made to this Committee.

"The last thing is that this idea that, 'Oh, don't worry about it; you can appeal it to the courts.' As if there's enough money in my pocket to appeal it to the court. That's justification for these decisions? 'Oh, don't worry, regular people; you can appeal it to the court.' Well, what happened when it was appealed to the court? The Supreme Court just came out with a decision which requires a resort on the North Shore of this island to get a new EIS. That's what happened when it was appealed to the court 30 years later. 'Don't worry; you can appeal it to the court.' As if any one of us has the resources and time available to each of us to hire a lawyer, hire another lawyer, keep paying the bills, and appeal it to the court. Wow, what a concept. And if you succeed at the Circuit Court, get ready. You're going to appeal it to the Supreme Court. And 30 years later, ho, ho, ho, the EIS is outdated. We needed a court to tell us after 30 years the traffic has changed, the population has changed, the consumption of water has changed. We need that? No. The Land Use commissioners need to understand that. That's the issue here.

"This is what a legislator wrote. He wrote it on September 3, 2009. 'It is important to realize that today, Hawai'i imports nearly 90 percent of our food. This dependency siphons billions from our economy each year, and as the costs of oil and shipping continue to rise, so too will prices at the grocery store.' He's not a land use commissioner; he's a legislator. 'So it's concerning that 11,750 new homes would be built over 14 percent of Oahu's best ag lands, which is a major contributor to our local food economy and critical to a viable ag industry.' He continues: 'Back in 1997 when the plan for more homes,' (and this is where planning commissions are so important) 'when the plan for more homes in 'Ewa was originally developed, it may have been good policy at that time. However, since then available farm land in Hawai'i has declined by more than 22 percent and the cost of shipping food to the islands has skyrocketed. As a result, in the last decade there has been a paradigm shift in public policy with a new focus on diversifying our economy and redeveloping local agriculture.' He's a freshman. A freshman wrote this, not some old hack who'd been through it all over and over and over again.

“And this is my last comment and I will sit: From the Governor on down, everyone agrees we should become less reliant on cars, more reliant on locally grown food and energy. We voted to build a mass transit system to take cars off the road and focus growth around a dense urban core. As private investors, homeowners, and as a community, we’re pouring billions into biofuel power plants, undersea electric cables, photovoltaics, wind farms, electrical car charging stations, algae-to-energy research, and a slew of other projects to promote a sustainable future.

“This nominee is out of step with a sustainable future. Thank you.”

Senator Hemmings rose in opposition to the nomination and said:

“I wish to make a disclaimer first and foremost that I’m suffering from a grievous personal issue: I’m a Republican, and I will further illuminate to this body that I wholeheartedly endorsed this nominee in previous advise and consent.

“Having said that, there’s some very interesting issues that address the very essence of why we are here. Oftentimes in land use, there are great lawsuits regarding takings. Someone who has a vested right has them taken away from them because of legislative action. Very seldom do we hear much about the opposite, which, for lack of better terms, I would call ‘givings,’ where a developer, in this case by the simple purchasing of lands at a deflated rate because of its use as agriculture, then turns and through political manipulation, friendships, or whatever the reasons may be (possibly perfectly good ones) they receive what I would call ‘givings.’ All of a sudden agricultural land is turned into residential land and ups or triples and quadruples its value.

“These are issues we have to look at. I don’t necessarily agree that private land always has to be utilized in what’s best for all the people. I do believe that private landowners have vested rights. But I also believe that in the case of ‘givings,’ the public has vested rights to utilize that land as it was originally designated; in this case, agriculture versus growth.

“The good news for everyone making a decision here today—I know you all discussed it in caucus at great length—is that this nominee, we’re not speculating on. The good senator who heads Water-Land has illuminated this individual’s voting record, and it’s clearly, clearly, pro-development, even development of what should be ‘important agricultural lands.’ I hope your caucus discussed quite extensively Ho‘opili and Koa Ridge because there’s an undeniable huge impact on the quality of life on this island. I’m not holding my breath until the multi-billion dollar boondoggle rail gets built. So the undeniable truth is if we put thousands or more homes on the urban plain, it will have a tremendous impact on the quality of life of all of us. We’re all headed towards gridlock already. What’s really sad is there is an alternative. There is smart growth. We can have density in the urban core and not need to subsidize massive rail systems and transit. So to say that we need the housing is probably true; to say that we need it on important agricultural lands is not true because there is a sustainable alternative.

“And let’s talk about sustainability. I served on the 2050 Commission, as I previously stated, and I believe that there is a real argument to be made about self-sufficiency and sustainability. I don’t think the winter solstice of 2012 is upon us yet, but I do believe that we no longer live in insular economies. How vulnerable are we here in Hawai‘i? I would say extremely so. So, sustainability is more than just a word having to do with conservation of the environment. I think it has a lot to do with conservation of life as we know it in these islands. If gasoline does go to \$5, \$6, \$7 a gallon as it could, and tourists don’t fly here, how do we sustain? But more

importantly, if our important agricultural lands are built upon, in the future if something of great importance affects us, can we say, ‘Well, all right, we can go back to those lands and promote sustainability?’ No, we can’t because there will be private homes built on what would have been land to sustain these islands.

“There are some other issues here. There were some strong accusations made. I’d like to know: Did the nominee lie? I don’t know, but certainly those questions should be answered. Is there imbalance in the Land Use Commission? I’d say from what I’ve seen in the record, their record, I would say ‘yes.’ The question I think the Majority has to ask themselves today—and as we do in the Minority caucus, and it was an interesting debate in our caucus. Sam, I think we were split on it, right? We decided to come out here and listen to the debate, and I think the debate has reinforced my position. Where do we draw the line for the future of this state, for the preservation of important agricultural lands, and for the well being of the people that may yet be unborn? I believe we do need to have a balanced Land Use Commission that’s going to make decisions that really will promote smart growth, sustainability, preservation of important agricultural lands, and our lifestyle as we know it.

“I would urge the Majority caucus to think long and hard about this and vote ‘no’ against this nominee in hopes that we can achieve what I know we’re all trying to legislate. Now is the time to draw the line. Thank you, Madam President.”

Senator Hee rose to request a Roll Call vote, and the Chair so ordered.

The motion was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 13; Ayes with Reservations (Espero, Fukunaga, Gabbard, Nishihara, Taniguchi, Tsutsui). Noes, 10 (Chun Oakland, Galuteria, Green, Hee, Hemmings, Hooser, Ige, Kidani, Kim, Slom). Excused, 2 (Bunda, Ihara).

Stand. Com. Rep. No. 3208 (Gov. Msg. No. 338):

By unanimous consent, Stand. Com. Rep. No. 3208 was received and placed on file.

Senator Hee moved that the Senate advise and consent to the nomination of DUANE KANUHA to the Land Use Commission, term to expire June 30, 2013, seconded by Senator Tokuda.

Senator Hee rose in opposition to the nomination and said:

“I don’t speak against him because he’s a rubber stamp, which he is. That’s not the issue. I don’t rise to speak against him because he’s a former planning commissioner or director of planning, which he is. That’s not the issue.

“The issue is the law; and regardless how anyone wishes to couch the law, the law is the law. In our caucus, a bill introduced by the Senate President required ‘that one member shall have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices.’ It doesn’t say ‘the next member.’ It doesn’t say ‘when you get around to it.’ It doesn’t say ‘the Legislature shall enforce.’ It says, ‘One member shall be appointed from each of the counties and the remainder shall be appointed at large, provided that one member shall have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices.’ That’s what the law says; regardless of what we may have intended or what we may have hoped, this is what the law says.

“Whether the nominee likes it or not, he is the designee. Whether that designation came from God himself or herself, he is the designee provided by the Governor through Dan Davidson to this Committee. You folks have the DVDs. When the nominee was asked is he the designee, his answer was, ‘No, I’m not.’ My response was, ‘Yes, you are.’ His response back was, ‘Not me.’ And my response was, ‘Well, let me read it to you.’ And his response was, ‘Not me.’ Well, if it’s not you, then the executive director, could he be wrong? Or the Governor? Or the Governor’s appointing authority? Who should we blame? Because at the end of the day, all we know is what we’re provided, and what we were provided is: He, the nominee, is the Hawaiian expert. And with all due respect to the nominee, he is no Hawaiian expert in my book. He is someone like me, who grew up to get a good education to get a good job so you can have two cars in the garage, and get along to go along. And he climbed that political ladder as the previous nominee. It’s time to get serious.

“If you were here in ’06—and that includes most of us but the senator from Mililani, the senator from Kapolei, the senator from Waikīkī—you voted ‘yes.’ Even if you were in the House at the time, you voted ‘yes’; 49 aye, 0 no, 2 excused. You voted ‘yes.’ So all of us but three voted ‘yes’ to construct the law—not enforce the law, construct the law—that one member, whoever they designate, shall be—not ‘may’ be—shall be the Hawaiian cultural expert.

“Pukui has a definition, an ‘ōlelo no‘eau: ‘he Hawai‘i ‘ualakahiki,’ an Irish potato Hawaiian, a term of derision applied to a native Hawaiian who apes the ways of the whites instead of appreciating the culture of his own people; also said to one who is absolutely ignorant of his own culture. ‘He Hawai‘i ‘ualakahiki.’ To save the nominee embarrassment, which I regret today given the discussion in the caucus, I would have asked him, ‘Do you speak the language of your ancestors?’ I know the answer, and that’s why I didn’t ask him. I would have asked him, ‘To what is the definition of ‘āina,’ but I know what he would have said: ‘Land.’ ‘Āina is not ‘land’ in our culture. ‘Āina—‘ai ana: to ‘ai, to eat. Ana: the process of eating. ‘Ai ana ‘āina. That’s where ‘āina comes from—not the land. It is that which sustains you. If I asked the nominee, ‘What is ‘wai?’ ‘Water.’ No; wealth. The wai is what brings to life all things in our culture. ‘Waiwai’ as in ‘kanaka waiwai’: the man who has riches. Kānāwai: law. Kānāwai: law. If I asked the nominee, ‘Tell me the difference, or is there a difference as Hawaiian people to ask where are you from?’ ‘Aia hea ‘oe? Or should it be ‘auhea ‘oe? Or should it be no hea mai ‘oe: to which land do you belong—no hea mai ‘oe. Not ‘aia i hea. Not ‘auhea ‘oe. No hea mai ‘oe. And that applies to all of us. Before my Chinese grandfather died, he went home to China because that’s the land in his heart where he belonged. It is no different than all of us who go back home to the Philippines, go back home to Japan, go back home to where you come from because that is a gap in your life that needs fulfillment. And that is the gap in native Hawaiians in their homeland: the vacuum of who we are. No hea mai ‘oe: to which land do you belong? No Waipi‘o. Immediately, the asker knows he belongs to Waipi‘o. He belongs to ‘Umi-a-liloa. He belongs to Paka‘alana. No hea mai ‘oe: to which land do you belong? How could it be expected of this Hawai‘i ‘ualakahiki to know? It would be asking too much. Cultural expert? Not to me. Planning director? Shoots, brah; you got that puka filled.

“So who then? Well, how about Mapuana de Silva? No planning experience but she get the ‘i‘o; she know her people. How about Brother Hewett? Not a planner there. How about Auntie Aggie? How about Auntie Aggie? Ah, she’s old. She don’t know; probably no mo’ B.A., but she get honorary Ph.D. How about Gladys Brandt, if she was still alive? How about Chinky Mahoe? How about Nainoa Thompson? About Uncle

Harry Kunihi Mitchell? How about Walter Ritte? How about Emmett Aluli? How about Glenn Davis? How about Joyce Kainoa? Nah, but they not planners, and you gotta be one planner to be in this little club, this enclave of quasi-judicial processors. How about Clara Ku? How about Auntie Harriet May? How Auntie Esther Lynn Kee? About Auntie Lani Kapuni? How about Auntie Rachel Pu‘ilihao?

“Somebody is going to get up and say, ‘The committee report said the next person was supposed to be. That’s what the committee report said because that’s the intent of the law.’ All of us here been long enough here to understand convenience. The intent of the law is clear: ‘one member shall be.’ We don’t pick who shall be, not one of us on this floor, regardless that we voted for the law. That’s not our job. Our job is to enforce the law. So, no matter what the razzmatazz is coming up next, this individual—probably one good guy that can sit with the previous guy who got confirmed, 13-12, thank you very much. We can all sit around and chalangalang and have a good time, knowing that he doesn’t meet the law, lawmakers who voted unanimsly to construct the law. That’s the issue here. He doesn’t meet the law, pure and simple. Thank you.”

Senator Kokubun rose in support of the nomination and said:

“You know, with respect to all of the individuals who were named by the previous speaker as having tremendous knowledge about the native Hawaiian culture, I would certainly agree with him on all of those suggestions. As we know, the process, however, is that individuals are nominated by the Governor and submitted to us as her selection. And so, regardless of, I think, the list of extraordinary individuals that the previous speaker alluded to, I think those would have tremendous influence if they were nominated by the Governor. Now, I think what that points out to me is perhaps that we need to be a bit more specific in our nomination process, or perhaps in the selection process, to fill this role that has been included in our statute ‘that one member shall have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices.’

“I would also point out to our members that part of the Act, not just in the committee report, but part of the Act of the bill, Senate Bill 2929, C.D. 1, is that in section 3 it states: ‘This Act shall take effect upon its approval, and shall apply to the land use commission upon its next vacancy.’ Now if you’ll recall, this was done in 2006. I think the Governor approved the law in July of 2006, and hence the next set of nominees came forward to us in 2007; and included in that list of nominees we approved were Normand Lezy, an attorney; Kyle Chock, who is with PRP; and Vladimir Devens, who is an attorney also practicing here in Hawai‘i. So, the process in my mind was that the Governor, if she followed the law, would have picked one of those nominees to fulfill this role. In whatever the fumbling that went on with the Land Use Commission, they were not clear in who was the actual designee. At that time, Mr. Kanuha already sat on the Commission. So obviously, the way the law was constructed would indicate that he was not going to be considered to fill this role. So, in my opinion, I think a lot of the confusion comes at the administrative level with respect to who was named.

“I want to also point out that what’s important on the Land Use Commission is that each county should be represented, and I think that’s very important because as in the previous discussion, we all know how unique the different counties are. We all know how different land use issues affect the different counties in a different way. And so, I think it was smart on the part of the Legislature when they first adopted the Land Use Commission back in 1961, I believe, that they designated a representative from each island because it was important to have that kind of perspective. Now, Mr. Kanuha is the representative from the Big Island, and I think that would again

provide some good expertise on his part. If you'll look at his background, he has served in numerous ways with land use planning, both at the county level and the private sector. He also worked for Hamakua Sugar Company in terms of trying to determine the kuleana lands that were within their purview and also in North Kohala. So, his background is very diverse in land use and in planning, and I think that bodes well for the Commission in terms of its decisions, particularly in the integration of the planning hierarchies between the state and the counties.

"At the hearing he was asked specifically about one case called PASH (that's the acronym for Public Access Shoreline Hawai'i), which is something that was a landmark case on behalf of the Supreme Court; and it talked about access to the shoreline and it, in fact, set that up as a requirement for any kind of land use development. And that occurred on the Big Island in Kona, as a matter of fact. By relationship, there was also another Supreme Court decision in *Pele Defense Fund v. Paty*, who was the DLNR chief at that time, and that also expanded gathering rights for native Hawaiians; and in particular was a parcel called Wao Kele 'O Puna on the Big Island. These were all occurring at the time that Mr. Kanuha was involved in living and working on the Big Island. I'm not sure what his exact role or occupation was at that time, but if you're from the Big Island and these cases come up, these are very, very important for us to understand, and of course they have ramifications for all of Hawai'i.

"The other issue that he talked about at the hearing when asked about any knowledge or experience he had with cultural practices and traditional land use, he talked about the fact that there is a very significant navigational heiau on part of the lands that he manages now on behalf of a company in North Kohala, Surety Kohala, and that they have gone to great ends to provide that as a means for students to study navigation, to protect the area, to interpret the area so that it can be a resource for future generations. And I mention this only because I think just from an understanding of the cultural significance, not just of sites, but of practice and how it will impact future generations of learners, I think this is very, very important. And lastly, we learned about through our Legacy Lands Program that there was a very significant heiau called Kukuipahu in North Kohala that was purchased by the State and the Trust for Public Lands from Kohala Surety because this was again something that the company, through the leadership of Mr. Kanuha, felt that this was very, very important to future generations. This heiau in particular is significant because some of the petroglyphs found on the stones there actually go very far back.

"And so, you know, I think he does have knowledge. I'm not sure if he speaks the language. You know, I think if those questions were asked of him in the committee hearing, as would be appropriate, then he would have had the opportunity to respond, but they were not; and therefore, I think it's hard for us to imagine what he would have said or thought in expressing himself on those issues.

"So colleagues, all I'm saying is that I believe this gentleman can and will fulfill his role. I think we need to clarify the selection process with the administration, and I would ask that you all support him. Thank you."

Senator Hee rose in rebuttal and said:

"You know, if the previous speaker wishes to redo this nominee's confirmation, I'm all for it. I'm all for it. I'm all for sitting across from him and saying, 'Hiki au 'oe ke 'olelo kō ma kuahine 'olelo mae,' and see what he says to me. I'm all for it.

"You know, I didn't want to get into his votes as a planning commissioner because that's not at issue here. I disagree with his votes. He is the previous person reincarnated on his votes.

He is the guy who said to me that he believes state plans have a life span of ten years and county have a life span of five years. He said that. And he is the same guy on a motion to dismiss the petitioner on Turtle Bay 30 years later, dismissed the petition by Defend O'ahu Coalition to assert for a new EIS, who voted 'dismiss the petitioner.' What's up with that? What is up with that? Here's a guy who says state plans are worth 10 years and the same guy who voted to dismiss the petitioner after 30 years. Duh! I didn't want to get into that because he has every right to do that, regardless that I disagree, regardless that he got caught. His voting record speaks for itself. He is the previous person, only a younger version.

"The previous speaker talked about the law says 'a future appointment.' Yippie yi yo! So, the Governor never follow the law? I don't think so. She appointed the next person, and the executive director appointed this nominee. The law doesn't say, 'Oh, all of the ones that are sitting at the time of the construction of the law cannot be.' The law says, 'The next person; then you're going to appoint.' The next person came on, the appointment was made, and this is what he said to my question: 'What are you expert in besides being Hawaiian?' This was his answer: 'Besides being Hawaiian?' So I said to him, 'I do not mean to offend you. I'm interested why you are the Hawaiian expert, as opposed to Kyle Chock or, you know, someone else? I mean, what makes you the expert, you know, because obviously you know where my line of questioning is going?' And this is what he said: 'Right; I wasn't aware that I was the expert. I wasn't aware.' Well, whose fault is that? Our fault? Give him a pass because he wasn't aware? 'I didn't know if any one of us was designated.' Duh! Well, I said to him, 'Evidently, you're the designated Hawaiian expert,' and he said, 'Okay.' And I said, 'The law requires a Hawaiian expert on the Commission,' and he said, 'Okay.' And then I said, 'What are you expert in? Or is that designation misplaced?' And he said, 'In my situation, I think it's misplaced. I mean, I wasn't aware of it until now.'

"You know, there's plenty ways to answer that question. 'Mr. Chairman, I didn't know I was the expert, but I am expert in being Hawaiian. After all, I'm one blalah.' U ao no kanuha. Kanuha: the angry one. Kanuha. And it's easy. You don't have to be an expert. All you have to do is care about your people. That if the chairman says, 'What have you done as an expert on these decisions before your Commission?' He could have easily said, 'Well, on the ones in Kapolei or the ones at Waimānalo Dump or the ones at Nānākuli, I sought out the kupuna because that's what you do when you Hawaiian.' He didn't say that. He had no idea. And that's being Hawaiian. Kupu. Kupu: to feed. Feed. Kupu. Kupu. Kupu ana: the act of feeding. Kupuna: he or she that feeds. Kupuna. Kupuna. Real simple. Real simple, but too complicated for this nominee.

"He did talk about a navigational heiau. He did talk about Makali'i. What he said was, 'I work for a company,' I *work* for a company, 'that supported the Makali'i and we did this navigational heiau and we restored it.' He didn't talk about the value of restoration, and he was given every opportunity. You know, he works for a company that extends itself to Kohala. Lei i Kohala kānuku o nā kānaka: Kohala is the place where all kānaka come from. He didn't talk about that. So if he was the expert, why hide it? Give that blalah asking the questions the razzmatazz. Let the Committee know that: 'I didn't know I was the expert, but since I am the expert, let me tell you about being an expert.' That wasn't him. In fact it was, 'I'm not the expert.'

"And regardless that this Legislature may have meant the next, we already had the next and the next and the next, and the Commission appointed him after the next. Thank you."

Senator Hooser rose to speak in opposition to the nomination and indicated that he would be voting 'no' and also requested that written remarks in opposition to the measure be entered into the Journal and the Chair so ordered.<sup>1</sup>

Senator Takamine rose in support of the nomination and said:

"I respect the Chair of the subject matter committee, and I respect the points that he has raised on the floor today. Yet, from what I understood in the discussion in caucus, as well as on the floor, it appears to me that there seems to be some question as to who is the appropriate designee of knowing the cultural practices and knowledge of land use in this matter. Because of what I feel are questions raised about that issue, I would like to share some information with my colleagues before their vote on Duane Kanuha, the nominee.

"I am personally familiar with the nominee because I have had a chance to work with him. As my Big Island colleague indicated, he is from the Big Island. Moreover, as indicated earlier in the discussion, he has served as head of the planning department and that gives a person some background and expertise.

"I would like to share information about his work, not in the public sector, but in the private sector while he was working for Hamakua Sugar, while he was working for Frannie Morgan. At that time, Frannie Morgan was going through that phase of Hamakua Sugar just before it closed its doors for the final time. There was a lot of effort made to see what plans, what steps could be taken to not only have Hamakua Sugar continue operating, but to preserve the jobs of over 600 sugar workers and what that meant to the families who lived along the Hamakua coastline. In the course of that work, I saw part of the character of this nominee, and I saw his ability to be sensitive to those kinds of considerations.

"Several years later, I had a further opportunity because while serving in the House, Kohala was part of my district; and what was earlier referred to as Chalon which then became Kohala Surety was where Duane Kanuha the nominee also found employment opportunities. I had a chance to work with him there because Chalon, as one of the largest landowners in the North Kohala area of the Big Island, engaged in a process with the North Kohala community to develop a community plan; and again I saw the leadership role that this nominee played in being sensitive to that kind of input, in being sensitive to those kinds of concerns.

"And therefore, while this part of Duane Kanuha may not be the part that many of my colleagues make their determination on this Governor's Message, I wanted at least to offer that as further information which did not come up during the public hearing, but is part of this nominee's background. Thank you."

Senator Kokubun rose in rebuttal and said:

"You know, I think there is lots of discussion going on, and rightfully so, about the designation process; and just for everyone's edification, I wanted to read from the committee report on Senate Bill No. 2929, which became this part of this law about having an individual with expertise in native Hawaiian culture and land use practices. The committee report, through the discussion at the hearing, did state that 'this process does not preclude the nomination of any individual with unique qualifications, such as substantial experience or expertise in traditional Hawaiian land uses or knowledge of cultural land practices. However, there are no individuals with these specific qualifications currently serving on the Commission and no requirement that there be anyone with such qualifications.' So, I think it goes back to the fact that Mr. Kanuha was sitting on the Commission at that time; that the onus of having the selection process fall on the Governor in terms of asking and

designating who was going to be their cultural expert I think is very clear based on the committee report. So I think Mr. Kanuha was being honest in his responses to the Chair with respect to his surprise that he was actually named based on the committee report and those practices. Thank you, Madam Chair."

Senator Hemmings rose in opposition to the nomination and said:

"Through it all in all of the discussion, one clear factor cannot be denied: We passed a law requiring a cultural practitioner. The Governor has not followed it. This nominee, by his own admission, is not a cultural practitioner. We have no choice but to vote 'no' in order to stay compliant with the law as it is written and, more importantly, with the moral integrity of this body to stay consistent with what we voted for. I urge my colleagues. This is not a political vote. This is not a vote against the Governor. This is not a vote certainly against the individual. This is a vote that goes to the very heart of the integrity of this body to stay consistent with the very laws we wrote and applied. It's come back to us. The Governor nominates. We give advice and consent. We ratify it to make it legal. The board is illegally constituted. This nominee, by his own admission, is not the cultural practitioner. Therefore, I find it incredible that anyone could consider or stand and rise and speak in defense of this nomination. I'll be voting 'no', and would like to ask for a Roll Call vote." (The Chair so ordered.)

Senator Sakamoto rose on a point of inquiry as follows:

"I guess when I read the Governor's message, it refers to 'in accordance with provisions of Article V, Section 6, of the Constitution.' I guess a question for somebody: In that message, in that provision of the constitution, is this specific slot for Mr. Kanuha that provision that people are talking about? Because if it is not, then it would seem that it is in compliance with the Governor's message rather than being that specific slot that much of the elocution has been about. But I'm not sure who would be able to clarify if indeed it's in compliance with the Governor's message versus who people think this person should be and it just so happens he has a Hawaiian last name. I don't think we're voting on nationality or ethnicity. I think we're voting on qualification per the message."

The Chair responded:

"Senator Sakamoto, to the extent that you've addressed that question to the Chair, I will say that that provision of the Constitution does not incorporate the provision that is being discussed."

Senator Sakamoto replied:

"If that's the case, Madam President, I shall be voting in favor of this nomination."

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 9; Ayes with Reservations (Gabbard, Green, Taniguchi). Noes, 14 (Baker, Chun Oakland, English, Espero, Fukunaga, Galuteria, Hee, Hemmings, Hooser, Ige, Kidani, Kim, Slom, Tsutsui). Excused, 2 (Bunda, Ihara).

#### FINAL READING

Conf. Com. Rep. No. 17-10 (H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 17-10 and H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, April 27, 2010.

<sup>1</sup> Request withdrawn at later date

Conf. Com. Rep. No. 18-10 (H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 18-10 and H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 19-10 (H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 19-10 and H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 20-10 (H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20-10 and H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 21-10 (H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 21-10 and H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 22-10 (H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 22-10 and H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 23-10 (H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23-10 and H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 24-10 (H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24-10 and H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 25-10 (H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 25-10 and H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 26-10 (H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 26-10 and H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 27-10 (H.B. No. 2497, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27-10 and H.B. No. 2497, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 28-10 (H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28-10 and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 29-10 (H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 29-10 and H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 30-10 (H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30-10 and H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 31-10 (H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 31-10 and H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 32-10 (H.B. No. 869, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-10 and H.B. No. 869, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 33-10 (H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33-10 and H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 34-10 (H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 34-10 and H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 35-10 (H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 35-10 and H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 36-10 (H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 36-10 and H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 37-10 (H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-10 and H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 38-10 (H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-10 and H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 39-10 (H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-10 and H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 40-10 (H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40-10 and H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 41-10 (H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 41-10 and H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 42-10 (H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 42-10 and H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 43-10 (H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-10 and H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 44-10 (H.B. No. 865, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 44-10 and H.B. No. 865, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 45-10 (H.B. No. 415, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 45-10 and H.B. No. 415, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 46-10 (H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 46-10 and H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 47-10 (H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 47-10 and H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 48-10 (H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 48-10 and H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 49-10 (H.B. No. 979, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 49-10 and H.B. No. 979, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 50-10 (H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 50-10 and H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 63-10 (S.B. No. 2150, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 63-10 and S.B. No. 2150, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 64-10 (S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 64-10 and S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 65-10 (S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-10 and S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 66-10 (S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66-10 and S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FINS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 67-10 (S.B. No. 2020, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-10 and S.B. No. 2020, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 68-10 (S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68-10 and S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 69-10 (S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69-10 and S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 70-10 (S.B. No. 633, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70-10 and S.B. No. 633, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 71-10 (S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71-10 and S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 72-10 (S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72-10 and S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 73-10 (S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73-10 and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 74-10 (S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 74-10 and S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 75-10 (S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75-10 and S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 76-10 (S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 76-10 and S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 77-10 (S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 77-10 and S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 78-10 (S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 78-10 and S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 79-10 (S.B. No. 506, S.D. 1, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 79-10 and S.B. No. 506, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 80-10 (S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 80-10 and S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 81-10 (S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 81-10 and S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 82-10 (S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 82-10 and S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 83-10 (S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 83-10 and S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 84-10 (S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 84-10 and S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 85-10 (S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 85-10 and S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 86-10 (S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 86-10 and S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 87-10 (S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-10 and S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 88-10 (S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 88-10 and S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 89-10 (S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 89-10 and S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 90-10 (S.B. No. 466, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 90-10 and S.B. No. 466, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 91-10 (S.B. No. 532, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-10 and S.B. No. 532, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 92-10 (S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 92-10 and S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 93-10 (S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 93-10 and S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 94-10 (S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 94-10 and S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 95-10 (S.B. No. 2610, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 95-10 and S.B. No. 2610, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 96-10 (S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 96-10 and S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 97-10 (S.B. No. 930, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 97-10 and S.B. No. 930, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 98-10 (S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 98-10 and S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 99-10 (S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 99-10 and S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 100-10 (S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 100-10 and S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 101-10 (S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 101-10 and S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 102-10 (S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 102-10 and S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 103-10 (S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 103-10 and S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 104-10 (S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 104-10 and S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 105-10 (S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 105-10 and S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 106-10 (S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 106-10 and S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 107-10 (S.B. No. 910, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 107-10 and S.B. No. 910, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 108-10 (S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 108-10 and S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE GUARDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 109-10 (S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 109-10 and S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 110-10 (S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 110-10 and S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 111-10 (S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 111-10 and S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 112-10 (S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 112-10 and S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 113-10 (S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 113-10 and S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 114-10 (S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 114-10 and S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 115-10 (S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 115-10 and S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 116-10 (S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 116-10 and S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 117-10 (S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 117-10 and S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 118-10 (S.B. No. 2386, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 118-10 and S.B. No. 2386, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 119-10 (S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 119-10 and S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 120-10 (S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 120-10 and S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 121-10 (S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 121-10 and S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 122-10 (S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 122-10 and S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 123-10 (S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 123-10 and S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 124-10 (S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 124-10 and S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 125-10 (S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 125-10 and S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 126-10 (S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 126-10 and S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 127-10 (S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 127-10 and S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 128-10 (S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 128-10 and S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 129-10 (S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 129-10 and S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR

PROPOSED PAYMENTS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 130-10 (S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 130-10 and S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 131-10 (S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 131-10 and S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 132-10 (S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 132-10 and S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 133-10 (S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 133-10 and S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 134-10 (S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 134-10 and S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 135-10 (S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 135-10 and S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 136-10 (H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 136-10 and H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 137-10 (H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 137-10 and H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 138-10 (H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 138-10 and H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 139-10 (H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 139-10 and H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 140-10 (H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 140-10 and H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 141-10 (H.B. No. 2583, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 141-10 and H.B. No. 2583, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 142-10 (H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 142-10 and H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 143-10 (H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 143-10 and H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 144-10 (H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 144-10 and H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 145-10 (H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 14-10 and H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 146-10 (H.B. No. 347, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 14-10 and H.B. No. 347, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 147-10 (H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 147-10 and H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 148-10 (H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 14-10 and H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 149-10 (H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 149-10 and H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 150-10 (H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 150-10 and H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 151-10 (H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 151-10 and H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 152-10 (H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 152-10 and H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, April 27, 2010.

Conf. Com. Rep. No. 153-10 (S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 15-10 and S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, April 27, 2010.

#### MISCELLANEOUS BUSINESS

##### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2172 S.D. 2 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2172, S.D. 2, seconded by Senator Kim and carried.

Senator Sakamoto then moved that the Senate agree to amendments proposed by the House to S.B. No. 2172, S.D. 2, seconded by Senator Kim.

Senator Sakamoto noted:

"The House version has corrected the date, so it's an effective date."

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2172, S.D. 2, and S.B. No. 2172, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," was placed on the calendar for Final Reading on Tuesday, April 27, 2010.

At this time, the Chair made the following announcements:

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.

“Re-referrals may be made in accordance with the Supplemental Order of the Day to be distributed to your offices later this afternoon.

“Requests to place bills on the Ordinary Calendar for tomorrow’s agenda should be submitted to the Senate Clerk’s office no later than 4:00 p.m. today.”

**APPOINTMENT OF CONFEREES**

H.C.R. No. 284 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.C.R. No. 284, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Ige, Slom as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 11:01 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 9:00 a.m., Tuesday, April 27, 2010.

## FIFTY-EIGHTH DAY

Tuesday, April 27, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:24 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Anne Findlay-Chamberlain, Manoa Valley Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fifty-Seventh Day.

At this time, the following introductions were made to members of the Senate:

Senator Sakamoto introduced a group of 4<sup>th</sup> grade students from Aliamanu Elementary who were accompanied by their teacher Jennifer Teruya and chaperones Rosa Fries, Cindy Ogata, and Kristi Kamiya.

Senator Hee introduced former first lady Vicky Cayetano, her sister Ginny Tiu, Inga Gibson from the Hawaii Humane Society, and Stephanie Brendle from Hawaii Shark Encounters, who were the principal movers on the shark finning bill. Also recognized was Matthew Wong from Senator Hee's office who was responsible for doing research on the bill.

At 9:28 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:14 a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 517 to 521) were read by the Clerk and were placed on file:

Gov. Msg. No. 517, informing the Senate that on April 24, 2010, the Governor signed into law Senate Bill No. 2611, S.D. 2, H.D. 2 as Act 55, entitled: "RELATING TO VITAL STATISTICS."

Gov. Msg. No. 518, informing the Senate that on April 24, 2010, the Governor signed into law House Bill No. 2561, S.D. 1 as Act 56, entitled: "RELATING TO LANDS CONTROLLED BY THE STATE."

Gov. Msg. No. 519, informing the Senate that on April 24, 2010, the Governor signed into law Senate Bill No. 2163, S.D. 2, H.D. 1 as Act 57, entitled: "RELATING TO THE PRACTICE OF NURSING."

Gov. Msg. No. 520, dated April 25, 2010, informing the Senate that on April 26, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2803, S.D. 1, H.D. 1 as Act 58, entitled: "RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2803 SD 1 HD1

On April 26, 2010, I intend to allow Senate Bill No. 2803, entitled 'A Bill for an Act Relating to The Regents Candidate Advisory Council' to become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish a seven-member student advisory group to recruit, evaluate, and recommend to the Regents Candidate Advisory Council who are the 'most

qualified' candidates to fill the Board of Regents student position. The bill further precludes certain persons from serving on the Regents Candidate Advisory Council including persons on the All Campus Faculty Senate and the Executive Council of the University Student Caucus.

I continue to believe that the creation of the Regents Candidate Advisory Council established a narrowly prescribed process, not answerable to the public, with the intent to limit the choices a Governor has in appointing Regents. This bill is an attempt by a group of dissatisfied students to address the narrow interests of the Regent Advisory Council by setting up another mechanism to involve more students in the determination of who should be a student regent.

However, in trying to address the shortcomings of the Advisory Council law, this bill further blurs the lines of responsibility and transparency for holding a Governor accountable for the performance of the Regent Board. Rather than disbanding the Advisory Council or broadening the number of candidate names it must submit to a sitting Governor, the bill sets up yet another group that both shadows and second-guesses the work of the current Council. There is nothing in this bill that will lead to a wider choice of candidates for a Governor's consideration. Nor is there anything in this bill that allows the public to better understand and participate in the selection of those individuals who are responsible for setting the policies that guide our State university.

As I stated in my 2007 veto message, the current process exempts the selection of regents from public scrutiny, narrowly defines the number of candidate names that a Governor can consider, and fails to ensure that the Board is composed of members who reflect the best interests of the entire university and the State. This bill makes a small but ineffective effort to address some of these fundamental flaws.

For the foregoing reasons, I intend to allow Senate Bill No. 2803 to become law as Act 58, effective April 26, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 521, dated April 25, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2840, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 25, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2840

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2840, entitled 'A Bill for an Act Relating to Public Procurement.'

The purpose of this bill is to require contractors awarded public works construction contracts to employ a workforce consisting of at least eighty percent Hawaii residents, and provides sanctions for noncompliance including temporary

suspension of contract work, payment withholding, disqualification from the project, recovery of contract payments, and disbarment or suspension.

I support the creation of local jobs for local residents. However, this measure does not create jobs, because it does not incentivize any new economic activity. Unfortunately, the bill will likely discourage some job creation activities by increasing the costs of public works construction in the State of Hawaii.

It establishes an ill-defined, ambiguous, and complex compliance structure for contractors and state and county agencies. For example, the bill fails to indicate whether a contractor must maintain the ratio of Hawaii and non-Hawaii resident workers every day the project is underway, every month, or over the entire duration of the project. Furthermore, the bill fails to specify if the quota applies only to jobsite staff or all contractor staff including administrative and managerial personnel.

It will be difficult for a contractor to determine at the outset, prior to the commencement of the contract, the total number of workers and the total number of worker hours required for the duration of the contract. The contractor's flexibility to maintain a workforce that is responsive to changing needs of the project likely would be impaired if the contractor were required to maintain a quota within its workforce at all times during the contract. The eighty percent residency requirement would exacerbate the contractor's need to continually juggle its workforce, adding and deleting individuals, so as not to violate the quota requirement at any time during the contract. Further, it would also be difficult for contractors to determine which of their workers are state residents based on the criteria of the bill, as the contractor would have to glean the workers' intent to establish residency in Hawaii.

Additionally, the eighty percent requirement applies to the contractor's subcontracts that are priced at \$50,000 or more. Under this measure, the contractor would be responsible not only to maintain the composition its own workforce, but also the workforces of its subcontractors, over whom the contractor has limited authority.

State and county agencies would be similarly burdened to enforce the requirements of this measure, and will have to find the resources and staff to do so. In sum, the monitoring, enforcement and compliance that this bill requires are difficult, burdensome, and expensive for both contractors and public government agencies.

This measure's requirements are also likely to provide additional grounds for contractor protests, delaying projects at the expense of taxpayers and impeding the ability of the State and counties to carry out public works initiatives.

Finally, the courts are divided as to the validity of state statutes that require the employment of state residents in the construction of public works. The legislature may not have created a record with the necessary requirements to overcome a constitutional challenge, thereby subjecting the State to protracted and costly litigation.

For the foregoing reason, I am returning Senate Bill No. 2840 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 625 and 626) were read by the Clerk and were placed on file:

Hse. Com. No. 625, informing the Senate that on April 26, 2010, the Speaker made the following changes to the conferees on the following measure:

H.C.R. No. 296 (S.D. 1):

Added Representative Manahan as Co-Chair.

Hse. Com. No. 626, informing the Senate that on April 26, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2152, H.D. 1 (S.D. 1).

#### STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3235) recommending that H.C.R. No. 86 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3235 and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUAI TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was deferred until Wednesday, April 28, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3236) recommending that H.C.R. No. 174 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3236 and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was deferred until Wednesday, April 28, 2010.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3237) recommending that H.C.R. No. 282, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3237 and H.C.R. No. 282, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH," was deferred until Wednesday, April 28, 2010.

#### ORDER OF THE DAY

#### FINAL READING

#### MATTERS DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 123-10 (S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 123-10 be adopted and S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Kidani then offered the following amendment (Floor Amendment No. 12) to S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1:

"SECTION 1. Senate Bill No. 2395, S.D. 2, H.D. 1, C.D. 1, is amended to provide for a smoother transition of public school teachers and their dependents from the voluntary employees'

beneficiary association trust to the Hawaii employer-union health benefits trust fund by extending the sunset date of the voluntary employee's beneficiary association trust from six months to twelve months (June 30, 2011) as follows:

1. By amending the second sentence of the second paragraph of Section 1 (at page 1, lines 12-13) to read:

"The legislature declares that it does not intend to make the enabling law permanent, but will extend the sunset date for the existing pilot testing period."

2. By amending paragraph (1) of Section 1 (at page 2, lines 7-10) to read:

"(1) Extend the enabling law for the voluntary employees' beneficiary association trust for twelve months to provide for a smoother transition to the Hawaii employer-union health benefits trust fund;"

3. By amending Section 2 (at page 3, lines 1-15) to read:

"SECTION 2. Act 245, Session Laws of Hawaii 2005, section 8, as amended by Act 294, Session Laws of Hawaii 2007, section 2, as amended by Act 16, Session Laws of Hawaii 2008, section 18, as amended by Act 5, First Special Session Laws of Hawaii 2008, section 1, is amended to read as follows:

"SECTION 8. This Act shall take effect upon its approval, for the purpose of establishing a voluntary employees' beneficiary association trust pilot program in March, 2006 and shall be repealed on ~~July 1, 2010;~~ June 30, 2011; provided that sections 89-2, 89-3, 89-6, and 89-9, Hawaii Revised Statutes, are reenacted in the form in which they read on the day before the effective date of this Act; and provided further that the amendments made to section 89-6, Hawaii Revised Statutes, by Act 202, Session Laws of Hawaii 2005, shall not be repealed when that section is reenacted on ~~July 1, 2009;~~ July 1, 2010."

Senator Kidani moved that Floor Amendment No. 12 be adopted, seconded by Senator Tsutsui.

Senator Kidani rose in support of the measure as follows:

"This amendment extends the VEBA Trust Fund from 6 months to 12 months to sunset on June 30, 2011, rather than on December 31 of this year. EUTF cannot handle another 13,000 plus members at this time. They currently do not respond to letters, phone calls, e-mails. My staff has had family disenrolled from plans. I have a retiree who wants to fly here from San Francisco to personally go to EUTF because in the five months she has been trying, she has yet to receive a call back. The administrator and deputy retired at end of December last year; have not been replaced. Don't set EUTF up for further failure. This effort is not only a concern for the HSTA VEBA members, but is also a concern for the current EUTF members. So, my proposal is to, as our good senator from Salt Lake-Moanalua said, 'Why throw the koi into the murky pond? Let's clean the pond first.' So colleagues, I hope you'll support me on this issue. Mahalo."

The motion to adopt Floor Amendment No. 12 was put by the Chair and carried.

Senator Kidani then moved that Conf. Com. Rep. No. 123-10 be received and placed on file, seconded by Senator Tsutsui and carried.

By unanimous consent, S.B. No. 2395, S.D. 2, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was placed on the calendar for Final Reading on Wednesday, April 28, 2010.

At this time, the Clerk made the following announcement:

"We are skipping Conf. Com. Rep. No. 147-10 on H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1 and moving to Conf. Com. Rep. No. 69-10, Final Reading of S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1."

Conf. Com. Rep. No. 69-10 (S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 69-10 be adopted and S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 14) to S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1:

"SECTION 1. S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1, is amended by amending sections 1 and 2 as follows:

1. By amending paragraph (1) of section 1 (page 1, lines 12-15), be deleting the terms "recreational" and "competitive" and to read:

"(1) Formal worldwide recognition of the designated surfing site as an area that has quality surf and significant cultural, historical, and sports value;"

2. By amending the first paragraph (3) of section 1 (page 2, lines 1-3) to read:

"(3) Promotion of the long-term preservation of Hawaii surfing reserves."

3. By amending the last paragraph of section 1 to delete the reference to Makaha Bay and to read:

"The purpose of this Act is to designate the surf breaks:

- (1) From the Ala Wai to the Waikiki War Memorial Natatorium on the island of Oahu; and
- (2) From Haleiwa to Sunset beach on the island of Oahu, as Hawaii surfing reserves."

4. By amending section 6E- (a), Hawaii Revised Statutes, in section 2 to delete the reference to Makaha Bay and to read:

"(a) There is established:

- (1) The Waikiki Hawaii surfing reserve, which shall include all surf breaks off the area of Oahu bounded by the Ala Wai and the Waikiki War Memorial Natatorium; and
- (2) The north shore Hawaii surfing reserve, which shall include all surf breaks off the area of Oahu from Alii beach in Haleiwa to Sunset beach.

Each Hawaii surfing reserve shall extend from the high water mark and include all surf breaks within the defined reserve."

Senator Fukunaga moved that Floor Amendment No. 14 be adopted, seconded by Senator Hee.

Senator Fukunaga rose in support of the measure as follows:

"The purpose of this amendment is to remove the designation of Makaha as one of the initial surfing reserves. We do want to note that, in some of our discussions, there was not adequate opportunity for the community to participate. We certainly want to incorporate community participation. For those reasons, we are deleting those sections."

The motion to adopt Floor Amendment No. 14 was put by the Chair and carried.

Senator Fukunaga then moved that Conf. Com. Rep. No. 69-10 be received and placed on file, seconded by Senator Hee and carried.

By unanimous consent, S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was placed on the calendar for Final Reading on Wednesday, April 28, 2010.

#### FINAL READING

#### MATTER DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 151-10 (H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 151-10 be adopted and H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Chun Oakland.

Senator Hemmings rose in support of the measure as follows:

"Probably history will record this budget is one of the most vexing and challenging in certainly the history of the State, if not longer. In addressing the budget, I would truthfully say that for the most part it does sustain the formula that got us here.

"But I think something that's extremely germane and pertinent to this budget is how it came to be; and in speaking on that, I believe that the Senate and I know I accept full responsibility for not doing a better job of defending the Chairman of the Ways and Means Committee on a threat she received. Much to my dismay, she was threatened and none of us rose to defend her, individually or collectively. The words that were mentioned are a matter of record, and words that strong and that fearsome are always taken by the recipient very seriously. She may be too young and others here may be too young, but there was once a senator who was shot in the course of his duties as a senator. I am stunned that the individual made that callous remark, and I'm even more stunned that the union, UPW, had the audacity to send the good senator, Chairman of the Ways and Means Committee, a letter demanding her apology.

"So in voting 'yes' on this budget, I'm voting in favor of the Chairman and asking that all of us stand together and support her right and responsibility to do what she was trying to do—which is to provide the most cost-effective and balanced budget possible—and though I may not agree with the outcome of certain aspects of the budget, I'll certainly defend her in her courage in attempting to do what is being done. Thank you, Madam President."

Senator Slom rose in opposition to the measure as follows:

"While I certainly do agree with my good colleague about supporting individuals, particularly against threats and bullying, the issue at hand is whether or not we will accept the budget which will increase spending; increase taxes; lower the standard of living for individuals, families, and small businesses within this state; and bottom line, will it correct the problems that brought us to this fiscal crisis now? My answer is that it will not. We have a responsibility to be fiscally sound and accurate in the projections and the numbers that we provide and that we agree to. This budget is above the estimates and the calls from the Governor; and while there are cuts and reductions in certain areas—and we've had individuals and organizations come to us and tell us that their program, their personnel, are the priorities—this is the opportunity that we have to make systemic changes within our spending patterns, and this budget really does not reflect those changes.

"The WAM Chairman and I absolutely agree that one of the ways that we got to this condition was because of overspending and expansive programs during times when we had a lot more money and a lot more resources, but now there's been a desperate attempt by some to try to preserve their standard of living at the expense of everyone else. This budget—which

must be, by law, balanced—is balanced on the backs of those that are going to be called upon to pay even more taxes, more fees, more surcharges, and still do without services. We have not learned how to prioritize. Every individual, every family, every small business has to do that, has done that. And while sometimes in this building we have cried crocodile tears for those public employees and unions that have in fact been impacted, nobody seems to shed a tear for the more than 60,000 people in our community in the private sector who have lost their jobs and whose families and households have been thrown into financial turmoil. For us to approve a budget that exacerbates this problem to protect certain classes within our political community is not doing our job; and so we have to separate out the emotional support for individuals and talk about the fiscal impact for everyone in our community.

"And more importantly, not now but in the future, because this budget and our deliberations and the bills that we're going to debate today that this budget is based upon—additional tax increases, additional raiding from so-called special funds—does not solve the problem. It simply puts it off to another day and another Legislature. So, I would urge my colleagues to seriously consider the budget on its merits and what it will do to the people, to the businesses, to the economy of this state, and particularly to the future. Thank you, Madam President."

Senator Kim rose in support of the measure as follows:

"Madam President, this budget is not about me; and while I thank the words of my colleague from the Windward side, again this budget is not about me. It's not about the WAM Chair. It is not even about the Senate. This budget is about the State. This budget is the Legislature.

"On one hand, the recent speaker, the last speaker, talked about taxes and what this bill does. It does not increase the general excise tax; and while some of my other colleagues may have wanted it to include the GET tax, again, it does not include a broad-based tax. It is a little bit of everything. We had to balance by agreeing to many of the Governor's cuts. We had to look for revenues to balance; and so both sides don't like the budget. So maybe we do have a good budget. Do I like everything in this budget? No. Am I happy that we had to do some of the things we had to do? No. But that's reality and that's life. We don't all get everything. Government cannot be everything to all people. And I believe that we looked at our immediate needs, we looked at the long-term viability of our state's economy, and we did it without raising the GET tax. But, no doubt, we will be faced with this again next year, and we may have to come in next year with a broad-based tax.

"But right now I believe that we can be proud of what we've done. We've balanced the budget. We did it with the minimum amount of pain. We were able to make sure that the priorities of this body, the priorities of the Senate, were looked after in the budget. We restored moneys for our libraries, which we said was important, especially in this time when many of our people would have to go to the libraries and utilize their services. We tried to take care of our education. We reallocated funding from categorical programs so that we could increase the student weighted formula by \$22.6 million. We maintained funding in ensuring that charter schools, with their projected 19.4 percent enrollment increase, would have a comparable general fund support as non-charter school students by adding \$5.3 million. We restored and added funding for defense, including financial, cemetery, and staff positions to those who provide services to those who serve our country. In health, we added \$4.5 million in general funds for emergency medical services, \$2 million in special funds for community health centers, and added \$300,000 in general funds for disability and communication access board. In human services, we restored 440 positions—247 of them general funded—and \$5.5 million in general funds. And in agriculture, 45 general

funded positions—half of which are plant quarantine inspectors—and \$2 million in general funds.

“And while my colleagues may say we didn’t cut enough, we cut, but we tried to make sure that the areas in which we cut would not impact the services, and we added. We added in the areas that we felt were priority, that we felt we needed, and we believed that is going to serve the general public. And so, Madam President, I urge my colleagues to support this budget. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 151-10 was adopted and H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 10:33 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:49 a.m.

At this time, the following late introduction was made to the members of the Senate:

Senator Sakamoto recognized additional students from Aliamanu Elementary who were accompanied by their teacher Sharon Kotoshirota; substitute teacher Norma Mantro; and chaperones Justin Kawamura, Robert Start, Melissa Wise, Katherine Abunime, and Joy Lyons.

**FINAL READING**  
**MATTERS DEFERRED FROM**  
**FRIDAY, APRIL 23, 2010**  
**AND**  
**MONDAY, APRIL 26, 2010**

At this time, the Clerk made the following announcement:

“We were acting on measures on the non-fiscal consent calendar, with the exception of Conf. Com. Rep. No. 66-10 on S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1.”

Conf. Com. Rep. No. 12-10 (H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 12-10 was adopted and H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13-10 (H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 13-10 was adopted and H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17-10 (H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 17-10 was adopted and H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19-10 (H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 19-10 was adopted and H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22-10 (H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 22-10 was adopted and H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROSTITUTION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23-10 (H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 23-10 was adopted and H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25-10 (H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Hee and carried, Conf. Com. Rep. No. 25-10 was adopted and H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 26-10 (H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 26-10 be adopted and H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Baker rose to speak in support of the measure as follows:

“Madam President, may I request that remarks in support of H.B. 2288 be inserted into the Journal?”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madam President, I rise in support HB 2288, CD1.

“This measure would prohibit deed restrictions or covenants that require a transferee of real property to pay transfer fees. Except for limited exemptions, this restriction is an inappropriate restraint on the transfer of real property. Because this private transfer fee is paid every time that property is transferred, the private party imposing this restriction is retaining a part of the fee simple interest in the real property. These restrictions run with the land, and may not disclose to subsequent buyers until the closing of a property sale.

“Presently, there is no regulation over the imposition of PTFs; there is no limitation on the application of the fees; and

there is no accountability or oversight of the recipients of the fees. Left unregulated, PTFs can be misused, and may create significant financial barriers to homeownership. Because PTFs are funds due at closing, they can be a substantial burden on real property buyers, who are already financially committed to the costs of down payments, appraisals, title insurance, surveys, recording costs, mortgage points, attorney's fees, conveyance taxes, and other taxes and fees.

"When these transfer fees are not properly disclosed, the buyer may find his or her land subject to a lien for a fee or penalty that cannot be collected from the seller. Sometimes the developer is dissolved. In that case, the property may be rendered unmarketable because there is no surviving entity to which the fees may be paid to satisfy the covenant. Most of these covenants are designed to create a perpetual income stream for the developer or other entity which bears no fair relation to the value added to the property by the developer. The net effect of these covenants devalues the property and they may render the title unmarketable.

"Exemptions contained in this bill will enable the assessment of legitimate charges that arise from the transfer of real property, such as the legitimate transfer fees associated with the stewardship of conservation interests in certain real property, pursuant to adjudicated settlements and for affordable housing programs. The bill also provides an exemption for certain usual and customary fees, assessments, or charges encompassed in various real property transactions.

"Madam President, colleagues, PTFs decrease housing affordability, serve no public purpose, and provide no benefit to property purchasers or the community. H.B. 2288, CD1 protects against inappropriate or unscrupulous transfer fees that are attached as covenants and triggered upon future land sales.

"We, as a legislative body, have a responsibility protect the public's interest on balance with private and conservation interests.

"I therefore support HB 2288. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 26-10 was adopted and H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29-10 (H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 29-10 was adopted and H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30-10 (H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Baker and carried, Conf. Com. Rep. No. 30-10 was adopted and H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34-10 (H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 34-10 was adopted and H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37-10 (H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 37-10 was adopted and H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38-10 (H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 38-10 was adopted and H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39-10 (H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 39-10 was adopted and H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59-10 (S.B. No. 950, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Espero, seconded by Senator Hee and carried, Conf. Com. Rep. No. 59-10 was adopted and S.B. No. 950, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60-10 (S.B. No. 2449, H.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 60-10 was adopted and S.B. No. 2449, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61-10 (S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hee and carried, Conf. Com. Rep. No. 61-10 was adopted and S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63-10 (S.B. No. 2150, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 63-10 was adopted and S.B. No. 2150, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64-10 (S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 64-10 was adopted and S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65-10 (S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 65-10 was adopted and S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67-10 (S.B. No. 2020, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 67-10 was adopted and S.B. No. 2020, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68-10 (S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Baker and carried, Conf. Com. Rep. No. 68-10 was adopted and S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 70-10 (S.B. No. 633, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 70-10 was adopted and S.B. No. 633, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72-10 (S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kim and carried, Conf. Com. Rep. No. 72-10 was adopted and S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73-10 (S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 73-10 was adopted and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74-10 (S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 74-10 was adopted and S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75-10 (S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 75-10 was adopted and S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78-10 (S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 78-10 was adopted and S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79-10 (S.B. No. 506, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 79-10 was adopted and S.B. No. 506, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80-10 (S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator English and carried, Conf. Com. Rep. No. 80-10 was adopted and S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82-10 (S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 82-10 was adopted and S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 85-10 (S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 85-10 was adopted and S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88-10 (S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 88-10 was adopted and S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89-10 (S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 89-10 was adopted and S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91-10 (S.B. No. 532, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 91-10 was adopted and S.B. No. 532, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93-10 (S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 93-10 was adopted and S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 94-10 (S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 94-10 was adopted and S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2547, S.D. 1, H.D. 1:

On motion by Senator Hee, seconded by Senator Tokuda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2547, S.D. 1, and S.B. No. 2547, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

## FINAL READING

### MATTER DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 66-10 (S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 66-10 be adopted and S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Hee rose in support of the measure as follows:

"I would like to, before I begin, acknowledge so many people from the international community who have participated in the debate over this historic measure. I would like to acknowledge the Humane Society of the United States and Inga Gibson. I would like to acknowledge Stefanie Brendl from Shark Allies, and would like to acknowledge the local community that have also been very effective in their non-ending support of this measure. I believe very strongly that without their support we would likely not be here today to act upon a measure that sets Hawai'i apart from the rest of the United States and, indeed—with the exception of Palau—the rest of the international world. Palau has established the first shark sanctuary in its waters.

"With the passage of this bill, Hawai'i will become the first shark conservation area and sanctuary in the United States. Hawai'i will have accomplished what the United States Congress is trying to do, and more. The Shark Conservation Act of 2009 was passed by the United States Senate Commerce, Science, and Transportation Committee on November 19, 2009. This Act would end the barbaric practice of finning sharks in U.S. waters. This Act is presently being evaluated and discussed and debated by the United States House of Representatives. Hawai'i, by this Act, will send a strong message to Washington, D.C., and indeed the world, on its position of ending the barbaric practice of finning sharks locally. It has been testified before this committee by the Hawai'i Institute of Marine Biology at Coconut Island that as many as 89 million sharks are finned globally each year—89 million. Not 89,000, 890,000 or 8.9 million—89 million. All for the indulgent status of eating a bowl of soup, not unlike the indulgent practice of killing elephants for the ivory or dehorning rhinoceroses for its status. Eighty-nine million sharks. This practice is not sustainable either as sharks reproduce late in life and have low reproduction rates.

"I would like to read into the record an e-mail I received from a young woman who is part-Hawaiian who speaks more of the personal issues that she believes as a young Hawaiian woman. She says:

The sacredness and power of the manō (the shark) is found in mele (songs), mo'olelo (stories), and in the mo'o kū'auhau (genealogical lines) of numerous Hawaiian families. Manō are 'aumākua (personal family gods) for many Hawaiian families. It is believed the spirit of a family member who dies can possess a manō or turn into a manō. 'Aumākua protect and watch over their family for generations. Manō were taken by Hawaiians for use in our culture. For example, the teeth of the manō were used in war implements. The skins of the manō were used for the tops of drums; and woven into some of the patterns of nā ali'i 'ahu'ula (the royal capes) are symbols representing the teeth of the manō. Always respect and revere in reverence for the gifts of what

the manō could give, and that is why we respect them.

Shark finning is completely disrespectful to Hawaiian spiritual and cultural beliefs. I am writing today in strong support of S.B. No. 2169, 'Relating to shark fins,' which makes it unlawful for any person in the state to possess, to sell, to offer for sale, to trade, or distribute shark fins in Hawai'i. The horrific practice of shark finning must end, but not only because of the stated cultural reasons, but because it is inhumane and unconscionable how these sacred and beautiful creatures are brutally handled and killed in shark finning. The manō are captured, their fins are sliced off to sell or trade, and then their bodies are dumped back into the ocean, often while they are still alive, like discarded rubbish. It is unfathomable to think this can happen. This horrible practice also negatively impacts our ocean ecosystem. Respect the manō. Protect the manō, as manō are guardians for numerous Hawaiian families in the sea. I ask you to become their guardians on the land by passing this measure.

"I would only add, in closing, that the manō in its reverence to this culture of the native people is no different than the reverence of all native cultures in Oceania. Members, we rarely have opportunities to impact and send an international message. We have that opportunity at hand today. I ask all of you to stand and pass this bill and send a very strong message to the international community. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 66-10 was adopted and S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FINNS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Baker requested that remarks in support of H.B. No. 2288, H.D. 2, S.D. 1, C.D. 1 be entered into the Journal, and the Chair so ordered.

#### FINAL READING

#### MATTER DEFERRED FROM WEDNESDAY, APRIL 14, 2010

Conf. Com. Rep. No. 2-10 (H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 2-10 be adopted and H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure as follows:

"Madam President, we might describe this bill and a number of other bills that are going to come up before us today as the 'taxpayer finning' bills because what it does is separate out more of the resources from taxpayers to give to the State. This bill puts a cap and limitations on itemized deductions for all classes of taxpayers, and also makes it retroactive to January 1 of this year, and ends the capital goods excise tax credit (makes it a non-refundable credit), again retroactively from January 1 of this year. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 2-10 was adopted and H.B. No. 1907, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16; Ayes with Reservations (Espero). Noes, 9 (Baker, Bunda, Fukunaga, Hemmings, Hooser, Ige, Ihara, Sakamoto, Slom).

#### FINAL READING

#### MATTER DEFERRED FROM FRIDAY, APRIL 16, 2010

Conf. Com. Rep. No. 7-10 (H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 7-10 be adopted and H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Galuteria rose in support of the measure as follows:

"Colleagues, this year has been particularly eye-opening concerning the accountability, or lack thereof, for our children's education. The current status of our system and accompanying exasperation didn't happen overnight. Looking back at audits done over the years, accountability has been consistently pointed to and specifically cited from the Audit Report No. 73-1 *Management Audit of the DOE* that I hold in my hand. Colleagues, this is the last full management audit done of the Department of Education back in 1973. All we need to do is to change the cover to read 2010, and we can start again. But I digress. One of the ways we can address the accountability issue is by passing this measure. The audit, for example, cites—and if you'll indulge me—in chapter 4, Executive's Relationship with the Board of Education: 'While the legislative role is unquestioned, the respective responsibilities of the executive and the Board of Education are not entirely clear. There is uncertainty, confusion, and conflict regarding the respective responsibilities. The nature of the confusion,' and I continue, 'by virtue of being elected, the Board of Education is constitutionally accountable to the general public. On the other hand, by virtue of existing statutes which grant to the governor supervisory powers over all executive branches, the department is accountable to the governor. The latter in effect circumscribes the former, that is, the exercise by the governor of his or her statutory power limits the ability of the board to fully and directly account to the public for the public education system.' It also notes that 'the constitutional change to an elected board,' and this is back in 1973, 'gives rise to the governor and Board of Education's relationship which may aptly be described as anomalous.' It seems that the relationship has not improved in the ensuing years. As a matter of fact, as early as this morning's newspaper, we see the same operatives pointing the blame at each other, kind of like a firing squad standing in a circle.

"This measure prescribes to institute a system that lends itself towards accountability, and I am especially pleased that this measure includes the check and balance provision of advice and consent. Nominees will be chosen from pools of qualified candidates presented to the governor by a Board of Education Candidate Nomination Commission as to be provided by law. That is just the first layer of safeguard. Subsequently, our body will, as is customary with advice and consent, systematically determine qualification of candidates. In due course, there shall be direct accountability to the governor because the board will be comprised of members nominated by the executive and fully vetted by this body. And lastly, the people of the state will have the ultimate say when this measure is put on the ballot for their consideration. I urge all members to support H.B. 2376. Mahalo, Madam President."

Senators Taniguchi, Baker, and Chun Oakland requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 7-10 was adopted and H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Chun Oakland, Taniguchi). Noes, none.

#### FINAL READING

##### MATTERS DEFERRED FROM FRIDAY, APRIL 23, 2010

Conf. Com. Rep. No. 15-10 (H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 15-10 be adopted and H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"This is one of a series of bills we're going to be discussing this morning that have to do with the state procurement code and seeking exemptions. I will be speaking on all of them.

"In the hearing, the Kaho'olawe Reserve Commission had sought an exemption because they were having difficulty in getting food and fuel supplies. They had applied for an exemption from the State Procurement Office. They were granted an exemption. The problem is administrative; it's not legislative. As a matter of fact, I asked the State Procurement Officer how many exemptions had been requested during the past fiscal year. His response was between 70 and 100 because that is a provision of the law. I asked how many of those exemptions had been granted. He said the vast majority of them.

"So, it is something that we don't need to do legislatively. It's already in the law. It's already being taken care of; and as I say, there should be a difference between administrative problems and legislative problems. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 15-10 was adopted and H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 16-10 (H.B. No. 2239, S.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 16-10 be adopted and H.B. No. 2239, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

"You know, I'm really troubled by this bill. This is not a beverage deposit program; it is a tax. It's been a tax for a number of years now on the consumers and families and businesses of the community, raising a great deal of money for the purchase of beverages—water and sodas and juices. And this bill, initially, this year really troubled me because it sought to add a tax on alcoholic beverages and dietary supplements. Well, thank goodness that my colleagues came to their senses and exempted the alcoholic beverages because without alcoholic beverages we would have difficulty in moving legislation. But the dietary supplements are still now going to be taxed; and I'm wondering, Madam President, aren't we trying to get everybody slimmer? Aren't we trying to end obesity? And now we're going to punish those people that want dietary supplements by adding the tax to them. What's next—

mother's milk? I ask you, Madam President, this is a slippery slope we're going on, and I urge my colleagues, don't, don't tax the dietary supplements, and for God's sakes, in the future don't tax alcoholic beverages. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 16-10 was adopted and H.B. No. 2239, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

#### FINAL READING

##### MATTERS DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 18-10 (H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 18-10 be adopted and H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Espero rose in support of the measure as follows:

"Madam President, colleagues, as you know, this is the first of two bills that the Legislature is addressing this year regarding the illegal firework activity that we have seen increase in the last two years. This measure, H.B. 1987, will subject individuals to the nuisance abatement law. It has teeth in terms of possible business closure and property forfeiture. This is the measure that will hopefully help our law enforcement, help our prosecutors, and make our citizens and residents who are violating our fireworks law to think twice. Thank you, Madam President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 18-10 was adopted and H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20-10 (H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 20-10 be adopted and H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Espero.

Senator Slom rose in opposition to the measure as follows:

"This bill further extends gift certificates, which is fine except that when a person gets a certificate and there is a due date on there, an expiration date—which the Legislature has previously expanded—that should be good enough. But the real problem that I have with this bill is that it authorizes now an issuance fee, so that people that are selling the gift certificates now can charge people an additional fee for that. The gift certificates have been very profitable for the industry because a lot of people either lose them, misplace them, or don't use them fully; and to add an additional fee, I think, adds insult to injury. Thank you."

Senator Baker rose in support of the measure as follows:

"Perhaps the good senator does not realize that there is a federal law recently enacted on gift certificates. This measure conforms Hawaii law with regard to the length of time that gift certificates must be valid before they expire. And while I share the senator's concerns about activation fees, the Committee was made aware that there are a number of products that are unavailable to residents in our state because we do not allow a small activation fee. This was the smallest of the ones

presented to your Committee. It's 10 percent of the face value or no more than \$5; and I would also note that many of the kinds of gift cards or cards like you would get at Starbucks or Borders can be refilled and are exempt from this provision. In addition, there are lots of stores that offer gift cards for which an activation fee is not required. So, I think this measure just opens Hawai'i to the kind of commerce that other places have. We still have options—people can still get gift cards without any activation fee because this market is very competitive and for some businesses it will be advantageous not to charge an activation fee on their cards. So I encourage my colleagues to vote in favor of this measure.”

Senator Slom rose in rebuttal and said:

“The good senator is aware of federal law. The good senator from Hawai'i Kai, however, believes that states are still independent and still have a right to do things differently. And as far as the activation fee and the lack of materials that we can purchase from Hawai'i, I think that that gap has been narrowed every day. In fact, that's one of the reasons for the streamlining tax because Hawai'i residents have shown the ability and the creativity to go outside to get just about everything they want. So, to say that an activation fee is going to help consumers, I think, is disingenuous. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 20-10 was adopted and H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Kim, Slom).

Conf. Com. Rep. No. 21-10 (H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 21-10 be adopted and H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Nishihara.

Senator Slom rose in opposition to the measure as follows:

“This is the second of the procurement bills, and it's really interesting because it requires ‘ethical’ procurement. I think that, hopefully, ethics should be the foundation of everything that we do, particularly our state laws and procurement; and it's something that, again, the procurement officer said we do not need in the law. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21-10 was adopted and H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 24-10 (H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 24-10 be adopted and H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senators Baker and Ige requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 24-10 was adopted and H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Baker, Ige). Noes, none.

Conf. Com. Rep. No. 28-10 (H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 28-10 be adopted and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill carves out a special addition for sewer workers. My understanding from the hearing is that there are only seven employees that would now be covered. They are supervisory employees. The problem is that it does carve out a special exemption from the law, and the Employees' Retirement System testified against this, saying it would add to their costs and to their record keeping. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 28-10 was adopted and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 31-10 (H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 31-10 was adopted and H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILDREN,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:18 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:19 a.m.

Conf. Com. Rep. No. 32-10 (H.B. No. 869, H.D. 1, S.D. 1, C.D. 1):

At this time, the Chair made the following announcement:

“If there are no objections from the members, this measure will be recommitted to the Conference Committee.”

By unanimous consent, Conf. Com. Rep. No. 32-10 and H.B. No. 869, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES,” was recommitted to the Committee on Conference.

Conf. Com. Rep. No. 33-10 (H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 33-10 be adopted and H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

“I certainly support the security and protection of health care personnel, as well as lifeguards, as well as everyone else, and I think that's been the problem here. We've had more violence against individuals, but what our answer has been, instead of enforcing the law or making tougher penalties, what we've done is carved out exemptions for different classes of people. And so, while I'm not, as I say, in any way opposed to protecting these people, I want all of our people protected and I want the laws enforced and people that commit the crimes punished. Thank you.”

Senator Green rose in support of the measure as follows:

“The purpose for this bill, from my standpoint, is that if you're working in emergency medical services, you have an

additional exposure. Two years ago, there was an individual that repeatedly said, 'It's easy to kill an emergency room physician,' which was directed at me. And when you're seeing a patient, whether you're a physician or a medic or whomever, you want to be able to go in and take care of an individual no matter what. And a lot of times when medics go in to see patients in the home, some people feel like their personal space is being violated. A lot of time it's because they're high on drugs or because they've just recently beaten their spouse into submission or what have you, and the medic is responding because a child has called. So there's a lot of violence in these environments, and that's the reason to spell it out specifically in this bill. Thank you, Madam President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 33-10 was adopted and H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 36-10 (H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 36-10 was adopted and H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 40-10 (H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 40-10 be adopted and H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom requested that his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Baker rose to speak in opposition to the measure as follows:

"Madam President, I have some remarks in opposition to this measure I'd like to have inserted into the Journal. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in Opposition to HB 1212

"This measure would bar the public from seeing a listing of complaints against persons or businesses licensed under Title 25 unless or until the complaint was resolved against the person or business. This bill redacts a major feature of our consumer protection laws – the public's right to know.

"I know the chair of the Judiciary Committee struggled long and hard with this bill. He was hoping to strike a balance between that right to know and a licensee's desire not to have 'frivolous' complaints and unsubstantiated slurs on the website for an indeterminate amount of time. I appreciate his efforts but unfortunately this bill does not strike that balance. I cannot see how anyone but a few licensees who want to hide their complaints from public view will be served by this measure.

"Since the adoption of the Uniform Information Practices Act, challenges have resulted in the conclusion that any individual granted any type of license in the State does not have a significant privacy interest in 'the record of complaints including all dispositions' so that the UIPA's privacy exception

provided in section 92F-13(1) of the Hawaii Revised Statutes could not apply to exempt such records from public disclosure. Therefore, under the UIPA, the public has access to complaint records about any and all licensees.

"This information is valuable to the public. Website usage data from the DCCA shows that the RICO/OCPC complaints history database was viewed nearly **half** a million (450,855) times in fiscal year 2008. In addition to that, nearly 30,000 (29,578) RICO telephone complaint history inquiries were made in fiscal year 2008.

"HB 1212 would seriously cripple the public's ability to make informed choices about state-licensed service providers. And its passage might raise state liability in these licensed areas. This measure, however, was not referred to your committee on Commerce and Consumer Protection.

"We, as a legislative body, have a responsibility protect the public's interest in information. It is mandated under the Uniform Information Practices Act and we should not be going backwards.

"This legislation does not serve the public interest. It supposedly rights a perceived wrong done to single licensed dentist -- a narrow special interest -- and in the long run will tip the balance against the consumer and in favor of those small number of unscrupulous business practitioners.

"I urge all my colleagues to oppose this bill."

Senator Hooser requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 40-10 was adopted and H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Hooser, Slom). Noes, 7 (Baker, Espero, Fukunaga, Gabbard, Green, Ige, Ihara).

#### FINAL READING

#### MATTER DEFERRED FROM FRIDAY, APRIL 16, 2010

Conf. Com. Rep. No. 54-10 (S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kim, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 54-10 was adopted and S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

#### FINAL READING

#### MATTER DEFERRED FROM FRIDAY, APRIL 23, 2010

Conf. Com. Rep. No. 62-10 (S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 62-10 be adopted and S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Gabbard rose to speak in support of the measure as follows:

"Madam President, will you please direct the Clerk to enter my remarks in support of this measure into the record? Mahalo."

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madam President, I rise in support of SB 2817 CD1. This is a common sense measure that will remove one of the last roadblocks for homeowners in associations to take the positive step of installing solar energy devices on their homes. As you know, distributed generation is a key component in our state's ambitious efforts to ramp up our use of renewable energy sources in our quest to get off foreign oil. Distributed generation is great for families who are able to both do something good for our environment and also greatly reduce their electric bills. We've made great strides in this area. You might be surprised that a recent report from the Solar Energy Industries Association found that Hawaii ranks 6<sup>th</sup> in the nation in the amount of solar power we produce and 4<sup>th</sup> in the nation in solar water heaters. But we have to do more if we're really going to make a difference. That's why each homeowner who chooses solar gets us one step closer to our energy efficiency goals. Colleagues, I ask you to join me in voting in favor of this very important 'clean energy' bill. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 62-10 was adopted and S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTERS DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 71-10 (S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 71-10 be adopted and S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Espero rose in support of the measure as follows:

"This, colleagues, is the second of the two bills I mentioned earlier regarding fireworks, S.B. 1059. This is a carryover from last year, and unfortunately it didn't get through conference.

"The first part of this, of course, looks at a task force into the illegal smuggling and how all of these fireworks are entering our state. I firmly believe it is a homeland security issue, as well as a regular, recreational-entertainment issue for our residents, especially when you look at the possibility of a dirty bomb or any other major explosive being imported or smuggled in and what that effect would be on our island economy. You think it's bad now; imagine if something like that happens. So the first part of this is the task force.

"The second part is to allow the counties the discretion to pass tougher law than state law, and what this bill will do will allow the counties to ban fireworks if they so desire. So, lacking the ability to pass a statewide ban, this is a good compromise which puts the matter into the separate jurisdictions, and I urge you to pass this. Thank you."

Senator Slom rose in opposition to the measure as follows:

"I had supported the previous fireworks bill, and I'm sure I, like most of my colleagues, have gotten a lot of responses from our constituents who had advocated a ban on fireworks.

"This bill is very confusing to me. I don't think it's really going to do anything at all. Another task force? I have seen several of the task forces that we've had previously. They have resulted in nothing new, except now we're going to have legislators sit on these task forces.

"What we really need to do is enforce the laws that we've got, and we don't do that. We talk about 'illegal' fireworks, we talk about 'illegal' aerials, and we don't seem to have a way of enforcing the many laws that we have covering this.

"As far as the counties, one county has already, to my understanding, banned fireworks. The counties believe that they have this ability to do this, so I'm wondering again what this bill will actually do because the public wants action and we're not providing action.

"Finally, my confusion comes in when we're talking about federal law and federal homeland security, and I'm not sure exactly what fireworks have to do with dirty bombs and terrorists and all of that.

"So, I think that, again, when we pass laws, we should pass them and they should be very clear. They should address a problem. They should provide a solution for the problem. Thank you."

Senator Espero rose rebuttal and said:

"Just to provide clarification for the speaker before me: A firework is an explosive. Terrorists deal with explosives. That's the connection, senator. And with explosives being smuggled in, illegally brought to Hawai'i for the purpose of either profit or whatever other reason, there is a likelihood that someone with evil intentions could look at our island economy, look at our military presence, look at the home of the President of the United States, and smuggle in a dirty bomb. And they may use the same method that illegal aerials or other explosives are coming in because they are not been detected currently. And if you look at the illegal aerials in the last two years, I think it's safe to say these are not being smuggled in via UPS or FedEx. I believe they are either container loads or other ways that they are entering our state. Thank you, Madam President."

Senator Green rose in opposition to the measure as follows:

"I did want to say I commend the Chairman's focus on public safety; I absolutely agree with that. I also thought his position, which I know was full bent, to be noble.

"I was just concerned about giving it to the counties because I think that two things: Number 1, I don't think they're up to the challenge on the cultural matters. I think that will get a disparate feel for this bill across different county lines; and I think probably it's better that the State have full control. But I did want to commend the Chair for his work on this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 71-10 was adopted and S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Green, Slom).

Conf. Com. Rep. No. 76-10 (S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 76-10 was adopted and S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77-10 (S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 77-10 be adopted and S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Baker rose to speak in support of the measure as follows:

“Madam President, I have remarks in support of this measure I’d like to have inserted into the Journal.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madam President, I rise in support of this measure.

“We are all well aware of the effects the economic downturn has had on the automobile industry. We’ve seen dealerships close in our state and livelihoods lost as a result. The closing of automobile manufacturers and auto dealerships nationally have been both caused by the financial downturn and a contributor to it. This disruption in an industry that affects us all has demonstrated a need to update our regulation of this industry in our state and we’ve done so in concert with changes being made in legislatures across the country.

“Madam President, your Committee on Commerce and Consumer Protection has worked throughout the session and into Conference with representative of auto dealers, distributors and manufacturers as well as the Department of Commerce and Consumer Affairs Regulated Industries Complaint Office (RICO). It has been a remarkable testament to collaboration and the good result that can occur when all parties want to find a resolution and craft language that works for all. We believe it is in the best interest of our state to provide proper provisions to help protect the industry and safeguard the consumers who rely on the dealerships to provide them with safe and economical options when purchasing vehicles.

“SB 2859, CD1 amends Chapter 437 of the Hawaii Revised Statutes by creating a new part II to create fair compensation and level the transaction field amongst the parties; it provides transparency and protects businesses as well as consumer. There has been a lot of healthy discussion between the manufacturers, distributors and the dealers throughout the process, and although we acknowledge that this bill may need some additional tweaks next session, there’s a willingness by all parties to continue working together as new issues arise. I’m told our collaboration is unprecedented in other states. The bill before this body provides important guidelines and standards for the business affairs between the manufacturers and the local dealerships here in Hawaii. In addition, RICO has assisted us in developing the appropriate standards for a dispute resolution process which is an important feature of the bill. The manufacture, distribution and sale of motor vehicles in the state affect the general economy, the commerce in our state as well as individual car owners. Considering the geographical location of Hawaii, it is in our best interest to assure that we can obtain quality vehicles, parts and services here and this measure intends to provide for continued service and safety. Colleagues, I urge your favorable vote on this bill. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 77-10 was adopted and S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81-10 (S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 81-10 be adopted and S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill would add fees set by the Judiciary for important public records, which now should be available to the public without cost since they’re already paying for that in their taxes. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 81-10 was adopted and S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 83-10 (S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Espero and carried, Conf. Com. Rep. No. 83-10 was adopted and S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 84-10 (S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 84-10 be adopted and S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Nishihara.

Senator Slom rose in opposition to the measure as follows:

“This is the infamous ‘vexatious requestor’ bill, and this is the bill that came out of the creative thinking of the Department of Health, specifically because of all of the requests that they have gotten, the so-called ‘birther’ requests, asking for a clear definition of the President of the United States birth certificate. There have been other instances, however, and other people and other agencies who have requested information and have not gotten that information from State agencies.

“I think this is really a terrible bill when we tell our citizens that they cannot get information from a public agency because if you agree with this and think that it’s fine because it only involves the birth certificate of President Obama, then be forewarned that anyone can be described as a vexatious requestor in the future. And for anyone that is not in elected office that has tried to go through a State agency—oh, let’s take one. Let’s take the Department of Education, for example. Try to get information from them. Try to get an answer, a coherent answer. Try to get an accurate and factual answer. They’ll give you an answer, but it won’t be factual and in many cases it won’t be truthful. And that’s what this bill is all about because it says if somebody asks for something and they’re given an answer, then that agency has the right to deny them any further access to the public agency. What are public agencies for? What are we paying all of these people to provide the information for? The Department of Health and the birther thing said that, ‘Oh, my gosh. They have so much extra work because they get all these requests.’ Well, all of us get a lot of requests, too. We either answer e-mails and phone calls and correspondence directly or some colleagues have a little thing that’s already pre-printed when they get a lot of e-mails and they send it out—‘thank you for your inquiry,’ and so forth and so on. But to determine that a member of the public, because of their continued request or because they haven’t gotten an answer, to determine that they are vexatious or any other name

and to deny them service I think really challenges the foundations of our government, and I would urge my colleagues to think before supporting this measure. Thank you.”

Senator Espero rose in support of the measure as follows:

“Yes, this one is an interesting measure because I had originally gone to the Department of Health to ask them to support legislation that would provide some public access to birth records. Department of Health told me no and they asked that something like this measure be introduced. This is a major change from the original bill, but it does help the Department of Health and other State agencies.

“There was a statement mentioned earlier that once the person has been responded to, they will have no further access to that agency or that department. That is not correct. Basically, what this measure says is: If you ask an agency or a department for information and they have given you an answer, and if you come back the next day and ask the same question and the answer remains unchanged—the question is unchanged and the answer is unchanged—they do not have to respond to you if you come back to them day after day after day asking the same question, or week after week. Now, you may request other information from that agency. You may have a different question or different concerns, but you cannot go back to that agency or department day after day after day, requesting the same information like many of these birthers are doing, who ridiculously think our President was born in some foreign land; who for some reason, through their conspiracy notions or whatever philosophies, they think that our President may be a Kenyan national or an Indonesian. That is an insult to us in Hawai‘i, this state of diversity, of many cultures and many ethnicities. It’s amazing to me that there are some people—and I’ve tried to follow this to a degree, but you get very frustrated and sometimes you get angry that there are individuals out there who dare question. And yes, there is evidence out there, but the evidence is bogus. It’s made up. It’s propaganda. It’s rhetoric. And I for one get tired of hearing these birthers. So this was a good faith effort.

“The Republican Governor and her administration asked that this measure be introduced. At one time we thought it would not pass, but it was resurrected. There were many changes, and it does not stop a citizen’s right to information from government. That is not the case. And quite frankly, if anyone really wanted to get by this law, if you have an organization of 500 people, each of them can ask the same question on a different day of the year and the department would have to respond to that question. This deals with one individual and one individual’s concerns. I urge you to pass this bill. Thank you.”

Senator Slom rose in rebuttal and said:

“While I appreciate the former senator’s discussion about birthers, that was not my point about this bill and that’s something that you should think about. And the statement that was made that if somebody asks a question and the agency gives an answer, and they come back the next day and asks the same question and the agency gives the same answer, and they come back again and ask the same question and the agency gives the same answer—that’s what you should be troubled about. Because, again, if—and unless you’ve had any experience with State agencies—if you ask a question and you don’t get a real answer, that’s what we’re skirting in this issue. We’re giving a pass to those agencies and saying, ‘Hey, you really don’t have to provide an answer. You don’t have to answer what was asked of you. You just have an answer.’ And I’m sure that everyone in this room has had that experience with private companies, private agencies, as well as government agencies. Our focus and our responsibility is on public agencies, however, and I think for too long now they have been

allowed to not provide factual, complete, in-depth answers to the questions that they were asked. Yes, they may provide an answer, but it is not the answer to that question. So again, I would urge my colleagues to think about this and think outside of the birther issue. It has much wider ramifications. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 84-10 was adopted and S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 86-10 (S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 86-10 was adopted and S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Gabbard).

Conf. Com. Rep. No. 90-10 (S.B. No. 466, S.D. 2, H.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 90-10 be adopted and S.B. No. 466, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

“As I discussed previously with this measure, we do get a lot of complaints, all of us, about the noise and the disruption that leaf blowers cause. You may recall that the original part of this bill was to ban gas leaf blowers and allow electric leaf blowers. What the conference draft has come up with now is to allow both gas and electric, but to change the time limits and to restrict the leaf blowers on certain holidays and so forth—except, except government leaf blowers are okay whether they be gas or electric. So the government can come by your house or by the school or anywhere else, and the government is exempt from this. Come on! What’s with this? If we’re passing laws, why is the government exempt? We hold everybody else responsible, and then we exempt ourselves. It’s not fair. It’s not right, and I vote ‘no.’ Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 90-10 was adopted and S.B. No. 466, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POLLUTION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 92-10 (S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 92-10 be adopted and S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom rose in support of the measure with reservations as follows:

“We all saw during the Judiciary hearings and then in the conference committee a well-organized group of individuals who lobbied for this measure, and I give them a great deal of credit because I like to have civic involvement.

“The problem with the bill—and I’m saying I’m voting with it with reservations—the problem with the bill is that from the law enforcement community’s perspective, it has been poorly

drafted; and some of the prosecutors have said that the elements of the crime would use to charge offenders are completely unclear and ambiguous and that the language may not have been entirely accidental. So, the only caution that I have here is that when we have hearings and we have people from the law enforcement community telling us that you need to do a better job in terms of drafting the legislation, it would be nice if we listened to them and if we did it because the first time that the law is challenged or the first time that the prosecutors have to tell someone that they can't prosecute under this law, then we ask, 'Whose responsibility? Where does it go?' So I would just urge that we be cognizant of the fact that just because we pass a law it does not mean that it's going to have the desired impact. Thank you."

Senator Baker rose in support of the measure as follows:

"The purpose of this measure is to comprehensively address the growing problem of sexual human trafficking, and I would like to personally thank the conferees, and especially the respective conference committee chairs—our Judiciary Chair in the Senate and the Judiciary Chair in the House—for their hard work in taking an extremely complicated crime which is difficult to prosecute under existing statutes, and simplifying the provisions of related criminal activities (such as kidnapping and prostitution), to establish a new section specifically dealing with human sexual trafficking.

"This is a major problem in Hawai'i. Honolulu is recognized by the Federal Bureau of Investigation as one of 29 cities in the U.S. where a considerable amount of child sex trafficking takes place. In addition, Hawai'i's status as an international tourist mecca and its location as a Pacific transit point make the state a high-risk region for all forms of human sexual trafficking. Women are commonly trafficked into Hawai'i to work in the sex industry, in strip clubs, massage parlors, brothels, and as street prostitutes. Some women are trafficked here as mail-order brides for the purpose of domestic servitude.

"Until now, the lack of a specifically defined crime of human sexual trafficking in Hawai'i made it difficult to identify the victims and to prosecute the culprits of this horrific crime. By establishing this new section in our existing penal code, we can finally begin to tackle this problem of enormous magnitude, identify the minors and other individuals who are at high risk, and to effectively prosecute the perpetrators of the repellent crime of human sexual trafficking.

"I hope my colleagues will join me in supporting this measure. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92-10 was adopted and S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

#### FINAL READING

#### MATTERS DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 42-10 (H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Kim and carried, Conf. Com. Rep. No. 42-10 was adopted and H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43-10 (H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 43-10 was adopted and H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 44-10 (H.B. No. 865, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Kim and carried, Conf. Com. Rep. No. 44-10 was adopted and H.B. No. 865, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 46-10 (H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 46-10 was adopted and H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48-10 (H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 48-10 was adopted and H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49-10 (H.B. No. 979, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 49-10 was adopted and H.B. No. 979, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 99-10 (S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 99-10 was adopted and S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 100-10 (S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 100-10 was adopted and S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101-10 (S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 101-10 was adopted and S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 102-10 (S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 102-10 was adopted and S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104-10 (S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator English and carried, Conf. Com. Rep. No. 104-10 was adopted and S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 107-10 (S.B. No. 910, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 107-10 was adopted and S.B. No. 910, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 111-10 (S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Kim and carried, Conf. Com. Rep. No. 111-10 was adopted and S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112-10 (S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 112-10 was adopted and S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 113-10 (S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 113-10 was adopted and S.B.

No. 2825, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 116-10 (S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Takamine, seconded by Senator Kim and carried, Conf. Com. Rep. No. 116-10 was adopted and S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 119-10 (S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 119-10 was adopted and S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 122-10 (S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Kim and carried, Conf. Com. Rep. No. 122-10 was adopted and S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 128-10 (S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 128-10 be adopted and S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Sakamoto rose in support of the measure as follows:

"Can I insert remarks on No. 128-10, S.B. 2068?"

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"After nearly four years of the launching of the Junior Kindergarten program, we have found that it is not working as effectively as we had envisioned. This bill gives the Early Learning Council (ELC) the opportunity to assess the junior kindergarten program at individual schools in order to certify schools that have been most effective as well as identify ways to expand and improve them. The ELC would also identify the schools have not been effectively serving the 4 year-olds and put together a plan to improve the junior kindergarten program. The bill would also amend the age of a child to be at least 5 years of age to enter kindergarten beginning in 2013-2014. This would allow young learners the chance for more preparation upon entering kindergarten. The ELC would also devise a funding plan which would support the education of 4 year old based on family income and incorporate public and private funding sources."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 128-10 was adopted and S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131-10 (S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 131-10 was adopted and S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 132-10 (S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 132-10 was adopted and S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 134-10 (S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 134-10 was adopted and S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 135-10 (S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 135-10 was adopted and S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 137-10 (H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 137-10 was adopted and H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 138-10 (H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 138-10 was adopted and H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TARO SECURITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 142-10 (H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 142-10 was adopted and H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 150-10 (H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kim and carried, Conf. Com. Rep. No. 150-10 was adopted and H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 152-10 (H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 152-10 be adopted and H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Fukunaga rose in support of the measure as follows:

"I'd like to request permission to insert remarks in support of Conference Report No. 152-10."

The Chair having so ordered, Senator Fukunaga's remarks read as follows:

"I rise to speak in strong support of HB 2698, HD2, SD2, CD1. This measure represents our best means of achieving some of the visionary goals of the Hawaii Broadband Task Force at a time that State resources have been dramatically reduced.

"In lieu of a new stand-alone agency combining telecom and cable television regulation and future broadband deployment in the State of Hawaii, this measure adopts a transitional approach that capitalizes on the following factors:

1. On January 14, 2010, the Department of Commerce and Consumer Affairs renewed Time Warner Entertainment Company, L.P.'s non-exclusive cable franchise for cable television services on the island of Oahu. The order allows Time Warner to continue utilizing public rights of way to provide cable service to consumers, and in exchange, the order requires that Time Warner utilize the latest technology to provide a wide diversity of information sources and services to the public.

As part of this franchise, Time Warner will more than double the number of cable channels available for local uses in the State, increasing the channels from six to fourteen digital channels. The order also provides continued funding to 'Olelo for PEG access services, and the Hawaii Public Television Foundation - PBS Hawai'i.

In addition, free high-speed broadband service (Roadrunner) will be provided to all two hundred eighty-eight Department of Education schools, including charter schools, statewide to facilitate online student testing. Time Warner will provide additional free interconnections to the State's INET for government or educational use, including twenty new interconnections during the first five years and additional interconnections thereafter.

The terms of this twenty-year franchise, which the department proposes to review every five years to insure that it is regularly updated to adapt to changes in cable technology, offer unprecedented opportunities to advance Hawaii's broadband capabilities and use.

2. Department of Commerce and Consumer Affairs (DCCA) has received a \$1,900,000 grant to fund broadband mapping and planning activities in Hawaii (\$1,400,000 for broadband data collection and mapping activities over a

two-year period and \$500,000 for broadband planning activities over a five-year period). The Department has teamed with the University of Hawaii Pacific Disaster Center, which is taking the lead on completing the mapping activity.

3. University of Hawaii, in concert with other state/county agencies, has applied for additional federal grants through competitive Broadband Technology Opportunity Program (BTOP) for FY 11. If the University of Hawaii's grant proposal is one of those awarded through the U.S. Department of Commerce, it would leverage state, county and federal resources to produce over \$30 million worth of new infrastructure capabilities that substantially enhances Hawaii's public sector broadband deployment.

"Under these circumstances, a more focused, in-house effort to maximize federal broadband funding with the State's commitment to deliver more services and programs through digital cable networks makes good sense.

"The bill therefore assigns Department of Commerce and Consumer Affairs the primary responsibility for implementing various priorities identified by the Hawaii Broadband Task Force:

- focusing the scope of broadband deployment on expanded digital cable programming and services, and assigning these duties to the Director of Commerce and Consumer Affairs;
- adding a telework promotion and broadband assistance advisory council to meet the goals of expanded broadband and its products and services through the state of Hawaii;
- establishing a work group to develop procedures for streamlined permitting functions applicable to the development of broadband services or technology; and
- requiring the department of commerce and consumer affairs to report annually to the legislature on all expenditures of federal moneys received pursuant to the American Recovery and Reinvestment Act of 2009 or other federal funds, for purchasing broadband facilities, services, or equipment, or entering into contracts for broadband-related projects."

The motion by was put by the Chair and carried, Conf. Com. Rep. No. 152-10 was adopted and H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 p.m.

#### FINAL READING

#### MATTER DEFERRED FROM MONDAY, APRIL 26, 2010

At this time, the Clerk made the following announcement:

"Turning back to page 4, Floor Amendments. Conf. Com. Rep. No. 147-10: Final Reading of H.B. No. 2486. H.D. 2, S.D. 2, C.D. 1."

Conf. Com. Rep. No. 147-10 (H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com Rep. No. 147-10 be adopted and H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator English then offered the following amendment (Floor Amendment No. 15) to H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1:

"SECTION 1. H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, RELATING TO EDUCATION, is amended by amending section 1 to read as follows:

"SECTION 1. Act 51, Session Laws of Hawaii 2004, stated, "Ultimately all education reform must be driven by the needs of students. Students are the primary clients served by the public education system and they must be served well by providing them with access to the tools they need to succeed, a nurturing environment conducive to learning, and supplementary opportunities for growth that facilitate their development.

Accordingly, especially in light of the instructional hours lost due to furloughs, the purpose of this Act is to require the phase-in of implementation of a certain number of student instructional hours at all public schools, except charter schools, as follows:

- (1) Part II requires the department of education to maximize the amount of student instructional hours provided to students under relevant collective bargaining agreements in effect during the 2010-2011 school year;
- (2) Part III requires the establishment of a certain number of student instructional hours per school year for elementary and secondary school grades, for the 2011-2013 school years, and for the 2013-2015 school years;
- (3) Part IV requires the department of education to, with the board of education and Office of the Governor, and in consultation with representatives of the affected collective bargaining units, submit to the legislature, no later than twenty days prior to the convening of the 2012 regular session, a plan to provide students with a higher number of student instructional hours per school year for elementary and secondary school grades, for future school years; and
- (4) Part V requires the department of education to provide suitable transportation to and from school and for educational field trips for all children in grades kindergarten to twelve and in special education classes in counties with a population of less than 500,000, and also requires the department to consider pick-up and drop-off times that optimize its transportation services while minimizing costs to the State, if implementation of such student instructional hours results in varying schedules for the transportation of students."

SECTION 2. H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, RELATING TO EDUCATION, is amended by amending section 5 to read as follows:

"SECTION 5. Section 302A-406, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department ~~may~~ shall provide suitable transportation to and from school and for educational field trips for all children in grades kindergarten to twelve and in special education classes[-] in counties with a population of less than 500,000. In counties with a population of 500,000 or greater, the department may provide suitable transportation to and from school and for educational field trips for all children in grades kindergarten to twelve and in special education classes. The department shall adopt such policy, procedure, and program as it deems necessary to provide suitable transportation. In formulating the policy, procedure, and program, the department shall consider the school district; the school attendance area in which a school child normally resides; the distance the school child lives from the school; the availability of public carriers or other means of transportation; the frequency, regularity, and availability of public transportation; and the grade level,

physical handicap, or special learning disability of a school child, and it may also consider such conditions and circumstances unique or peculiar to a county or area. If the implementation of student instructional hours pursuant to section 302A- results in varying schedules for the transportation of students, the department shall consider pick-up and drop-off times that optimize the department's transportation services while minimizing costs to the State.”

SECTION 3. H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, RELATING TO EDUCATION, is amended by amending section 7 to read as follows:

“SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.”

Senator English moved that Floor Amendment No. 15 be adopted, seconded by Senator Sakamoto.

Senator English rose in support of the measure as follows:

“Thank you, Madam President. Members, this particular amendment will help the neighbor islands by ensuring that school bus services are provided. As you know, my district is East and Upcountry Maui, Moloka‘i, Lāna‘i; and while we’re dealing with furloughs and while we’re dealing with all of these other things, the most important thing is that the students actually get to school. If we don’t have bus service, there’s no way for students that live in these remote districts to get to school. For example, in my home of Hāna we have buses that go to the villages of Kaupō, Kīpahulu, Ke‘anae, and bring the students into Hana for school.

“So, while we understand the rural areas of O‘ahu have the same issue, there is still a city bus service here; and while it’s not comparable, at least there’s something. In these rural districts, there will be absolutely nothing, so this is imperative; and I ask for all the members’ support of this amendment. Thank you.”

Senator Hee rose in opposition to the measure as follows:

“I think it’s poor policy to divide youngsters into categories of haves and have-nots, can and cannot, should-should not; and I say that as somebody who was a public school teacher on the island of Moloka‘i, so I’m very familiar with the difficulties of neighbor island youngsters in getting from school to school. This amendment is poorly planned. It unfortunately pits neighbor island students and O‘ahu students as if to suggest that O‘ahu students do not have their own challenges as well. Were this amendment to include C.D. 2 as was discussed in caucus, I would support the amendment because the rural areas of O‘ahu face similar challenges for youngsters. It’s unfortunate and too bad and with some reluctance that I do not support the amendment which pits students over other students. Thank you.”

Senator Bunda rose in opposition to the measure as follows:

“Please have the Clerk insert into the Journal the words of the previous speaker as if they were my own.” (The Chair so ordered, by reference only.)

Senator Hemmings rose in support of the measure as follows:

“From just the previous conversations, it’s easy to see that there’s no comparison between the roads and the highways and byways and the amount of people traveling in any area on O‘ahu as compared to Hāna. Hāna is a very special place. It’s protected, I think, by the antiquated roads; and for a young person in one of the villages that were spoken of to get to Hāna, it is a long, arduous journey. There are many options here on O‘ahu that they do not have in Hāna, so I would urge my colleagues in the Majority caucus to vote in favor of this. This is something that’s going to help a distinct group of people,

many of them native Hawaiians who need assistance in getting to school, and it’s a good amendment. Thank you, Madam President.”

Senator Hee rose rebuttal and said:

“If the youngsters of Hāna are those that are in need, so be it. Let’s deal with Hana. If it’s Mana‘e and Hālawa to Kilohana School, so be it. But to pit students against students in this fashion is not good policy. You know, I wouldn’t for a second disagree on the difficulties of transportation from Ke‘anae to Hāna. It’s not an easy thing. So deal with it specifically, as opposed to dealing with students broadly, as if to suggest that one group is somehow privileged over another group at this late date in the session. Thank you.”

Senator English rose again in support of the measure and said:

“You know, the original intent was to try and do this for all schools and all students, and then we got into a discussion about, well, the huge cost first, and then secondly, the other options available on O‘ahu. I don’t necessarily like dividing this up the way it is, but the necessity requires it. And it’s not pitting any student against another student. It’s just simply saying that for the neighbor islands—and the rural areas of O‘ahu as well, but for the neighbor islands especially—it becomes a huge impediment to actually going to school if they cannot get to school. And I would like it to encompass everyone. That was one of the original suggestions for an amendment. I didn’t think we had the support for that, so we moved to this. I hope that in the future we can actually take care of this entire issue once and for all. Thank you.”

Senator Kim rose in support of the measure with reservations as follows:

“Madam President, the issue here is one of an unfunded mandate. We have the BOE having to decide how they’re going to manage the funds that they have and where they’re going to put this; and if we mandate—and we know the problems that they’ve had with the bus contracts and the bus contractor and the escalation of the cost to BOE—and I’m not sure if this body is prepared that if in fact it is a mandate, that they may have to take funds from other areas that may be a priority and maybe in the classroom. And so, I think that’s issues that need to be considered as we move forward. I believe the conference committees did look at that and did not put in the word ‘shall’ because of all of these issues. Thank you.”

At 12:12 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 p.m.

Senator Baker rose in support of the measure as follows:

“Madam President, colleagues, if we don’t assure that students can get to school and get to school safely, all of the good efforts and good works that we provide in the classroom will go for naught. I think this is a reasonable approach. It certainly helps those of us who have rural districts on the neighbor islands, and I would hope my colleagues would move this measure forward. Thank you.”

Senator Green rose in support of the measure as follows:

“I agree with some of the same statements that were made earlier, representing a very rural area and a very large area. Many families have extreme difficulties getting to school, and I hope this won’t exacerbate that problem. We definitely need to come back to this next year to make sure every kid has a bus ride to school. Thank you, Madam President.”

At this time, Senator English moved that Floor Amendment No. 15 be withdrawn, seconded by Senator Sakamoto.

The motion to withdraw Floor Amendment No. 15 was put by the Chair and carried.

Senator Sakamoto moved that Conf. Com Rep. No. 147-10 be adopted and H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure as follows:

"I rise in opposition to this bill. We are on H.B. No. 1854?"

The Chair responded:

"We are on H.B. No. 2486."

Senator Slom apologized and withdrew his earlier remarks in opposition.

At this time, the Chair made the following announcement:

"So members, just so that there's no confusion: Because the amendment has been withdrawn, we are now voting the underlying bill—H.B. No. 2486, C.D. 1, Relating to Education."

Senators Bunda and Chun Oakland requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 147-10 was adopted and H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Bunda, Chun Oakland). Noes, none.

At 12:17 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:27 p.m.

#### FINAL READING

#### MATTER DEFERRED FROM FRIDAY, APRIL 23, 2010

Conf. Com. Rep. No. 14-10 (H.B. No. 1854, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 14-10 be adopted and H.B. No. 1854, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"The bill would allow the Department of Education to use the Food Distribution Program Revolving Funds for additional and unrelated expenditures, including consultant or personal services, travel expenses, purchases of furniture, equipment, computer hardware, and office supplies. I don't think that this is a proper use of Food Distribution Program Funds. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 14-10 was adopted and H.B. No. 1854, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ihara).

#### FINAL READING

#### MATTERS DEFERRED FROM MONDAY, APRIL 26, 2010

Conf. Com. Rep. No. 27-10 (H.B. No. 2497, S.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 27-10 be adopted and H.B. No. 2497, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"As I said on the Senate floor previously, the original amount for the special purpose revenue bonds was to a company which is no longer in existence. This is the successor company, and there was only one organization that testified in support of this measure. The company on the Big Island supposedly has special patents for co-generation of non-fossil fuel electricity but does not have a track record in doing this. This Legislature and this Senate in the past has authorized the issuance of special purpose revenue bonds which have gone beyond the original purpose of education, health, and related services, and we have provided the special tax benefits from special purpose revenue bonds for organizations that never did come through with the plans and programs; and I think we have another questionable activity here. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27-10 was adopted and H.B. No. 2497, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Bunda, Hemmings, Slom). Excused, 1 (Ihara).

Conf. Com. Rep. No. 35-10 (H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Ige and carried, Conf. Com. Rep. No. 35-10 was adopted and H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 41-10 (H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 41-10 be adopted and H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator English.

Senator Slom rose in opposition to the measure as follows:

"What this bill will do is to expand the use of the surcharge for solid waste, including any solid waste which is transferred out of the state. It does not solve our solid waste problem. It does not do anything to mitigate or help recycling. All it does is expend the surcharge, which is a tax. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 41-10 was adopted and H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 45-10 (H.B. No. 415, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Kim and carried, Conf. Com. Rep. No. 45-10 was adopted and H.B. No. 415, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 47-10 (H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 47-10 be adopted and H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“This bill creates a new special fund, the Access Hawaii Special Fund, and I’ll be opposing all special funds. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 47-10 was adopted and H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 50-10 (H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 50-10 be adopted and H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Chun Oakland.

Senator Slom rose in support of the measure with reservations as follows:

“The reservations have to do with this is a federal matching program, and my understanding is we have no State funds to match the federal funds. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50-10 was adopted and H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 87-10 (S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 87-10 be adopted and S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“This bill affects the taxation of certain tobacco products, cigars specifically, and it changes the method in which the State will tax the cigars, thus raising and increasing the tax. Currently, the cigars are taxed under State law based on their ring gauge. This would change that from ‘ring gauge’ to the definitions of ‘little cigar’ and ‘large cigar.’ And Madam President, I’m disturbed about this because I was always brought up to believe that size didn’t matter, but apparently in tax matters and tobacco, it does. But I’ll still be voting ‘no.’ Thank you.”

Senator Baker rose in support of the measure as follows:

“Colleagues, when we changed the way that little cigars and cigars are taxed in our state last session, the definition of how to determine what a ‘little cigar’ and a ‘cigarette’ and a ‘large cigar’ are was inartfully drafted. This measure corrects that so that we don’t have the inequities and allow that the State does not collect its appropriate share of revenues on these tobacco products since all of these tobacco products lead to health issues, cancer not being the least of them. So this measure ensures that we will bring into the State approximately \$460,000 of revenue annually, which I think the Chair of Ways

and Means would note that every little bit helps. I urge my colleagues to support this measure.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 87-10 was adopted and S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 95-10 (S.B. No. 2610, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator English and carried, Conf. Com. Rep. No. 95-10 was adopted and S.B. No. 2610, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONVEYANCE TAX,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Hemmings). Excused, 2 (Ihara, Kidani).

Conf. Com. Rep. No. 96-10 (S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 96-10 be adopted and S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“This would ostensibly raise the deposits that go into the emergency fund, but as we have seen and as we’re seeing this week, the fund is just set up to be raided and to offset budget decreases. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 96-10 was adopted and S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Kidani).

Conf. Com. Rep. No. 97-10 (S.B. No. 930, H.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 97-10 was adopted and S.B. No. 930, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

Conf. Com. Rep. No. 98-10 (S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 98-10 be adopted and S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“What this bill would do is to establish a Hawai’i immunization registry to maintain a single statewide source of information for immunizations. While the bill ostensibly protects and increases privacy, as we have seen nationally and locally, all computer records are suspect. They also have the potential of being hacked and personal information being taken. Medical information is just as valuable as financial information, and I think the idea of having a single statewide registry provides us with little privacy or protection. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 98-10 was adopted and S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO IMMUNIZATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ihara).

Conf. Com. Rep. No. 103-10 (S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 103-10 be adopted and S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Baker rose in support of the measure as follows:

“Colleagues, the purpose of this measure is to allow for financial planning and management operations in Hawai‘i that would attract lucrative financial activity in our state, allowing for the creation of trust in perpetuity. Such operations have proven to be successful and beneficial in other states like Alaska and Nevada by bringing in financial activity from clients throughout the United States and the world. In such unstable economic times, it would be in the best interest of our state to expand and diversify our economic producing industries. Our fiduciary financial institutions and the potential market that see Hawai‘i as a possible new destination for financial management opportunities have supported this bill and have collaborated with us to draft legislation that will promote the industry and provide certain protections for participating trustees. This industry has the potential to surpass our captive insurance industry in attracting wealth and associated jobs to Hawai‘i. I can’t think of many people who would choose Alaska for their trust business if Hawai‘i were an option. I urge all of my colleagues to join me in supporting this new economic venture in our state and pass this measure. Mahalo.”

Senator Slom rose in support of the measure with reservations as follows:

“I certainly agree with the statements that were made by the previous speaker, except that there was one part that was not discussed, and that is, along with all of this business invitation is a 1 percent new general excise tax fee on the transfers at the time that the trust is set up. So, again, I think it’s an important thing to encourage business—I certainly want to do that—and investment. I just am saddened that every time that this State thinks about expanding business, it also thinks at the very same time, ‘How can we tax it? How can we regulate it?’ Thank you.”

Senator Bunda rose in support of the measure as follows:

“Madam President, please have the Clerk insert into the Journal the words of senator from Maui as if they were my own.” (The Chair so ordered, by reference only.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 103-10 was adopted and S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Ihara).

Conf. Com. Rep. No. 105-10 (S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 105-10 be adopted and S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“This is an important bill because it affects professional employer organizations, or PEOs, and we’ve had a lot of discussion and some legislation over the past years. This bill, however, would serve as a barrier to entry for the larger PEOs

and against competition. It does require the PEOs to post a bond of \$250,000, which would be a burden for a number of business organizations, and a number of the smaller organizations, in fact, had sent in testimony in opposition to this. So, while we certainly want to encourage PEOs and we want to give fair legislation, this in fact is not fair to the smaller, more competitive organizations. Thank you.”

Senator Baker rose in support of the measure as follows:

“Colleagues, professional employer organizations play an important role in the operations of many businesses in Hawai‘i. Not only do these organizations provide staffing but also other personnel services such as wage payments, managing benefits, and paying the requisite taxes on behalf of their client companies. It is for that reason that appropriate regulation through registration and bonding of such organizations needs to be in place, to help protect our businesses and the workers in our state. This bill places the regulatory authority of professional employer organizations in the Department of Labor and Industrial Relations because of DLIR’s recognition of the need for registration of PEOs and the nexus with the kind of information DLIR collects and oversees. The bill also requires a \$250,000 bond to ensure good faith duty of the professional employer organizations for transactions on behalf of their client companies; and I might point out that this is in line with what the other states require of the companies that they regulate. Colleagues, in this time where necessary employment protections are needed, I urge you to support the passage of this measure. Mahalo.”

Senator Takamine requested that his vote be cast “no,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 105-10 was adopted and S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Takamine). Excused, 2 (Ihara, Kidani).

Conf. Com. Rep. No. 106-10 (S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 106-10 was adopted and S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Ihara, Kidani).

Conf. Com. Rep. No. 108-10 (S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 108-10 be adopted and S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Espero.

Senator Baker rose in support of the measure as follows:

“May I have some remarks in support of the measure we just passed inserted into the Journal?”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madam President, I rise in support of SB 2165, CD 1.

“The purpose of this measure is to raise the professional and competency standards for the private guard industry by

establishing educational, criminal history, and training requirements for all individuals working in a guard capacity in this state.

“This measure came to our attention from the industry itself due to concerns that education and training requirements in the existing law were inadequate to protect the public and to provide for high-quality, professional guard services. Under current law, it is possible for an individual to act as an armed security guard with an 8<sup>th</sup> grade education and no formal training at all.

“Furthermore, the proliferation of the use of guards and private security forces has resulted in creating a group of individuals empowered by and answerable only to their employers, who are permitted to act authoritatively in potentially dangerous and threatening situations without adequate training and oversight, potentially placing both visitors and residents of the State at risk.

“This measure will subject all guards working in Hawaii to meaningful oversight and regulation that is in the best interest of the guard industry as well as the public’s safety, and urge my colleagues to support SB 2165, CD 1.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 108-10 was adopted and S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PRIVATE GUARDS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kidani).

Conf. Com. Rep. No. 109-10 (S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 109-10 be adopted and S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

“In all the talk about alternative energy and incentives that we’re providing, we’re also providing additional taxes and fees, and this is one of those bills. It allows DBEDT to impose and collect fees to cover the cost of administering the variances that are permitted here and that are required. So, we’re talking in one hand about saving money; in the other hand, we’re putting the burden on additional people. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 109-10 was adopted and S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Kidani).

Conf. Com. Rep. No. 110-10 (S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 110-10 be adopted and S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure as follows:

“While I certainly support and agree to the results of screening of various diseases and illnesses, I have been opposed to the additional mandating on the Prepaid Health Care Act requirements for employers because it does add to the cost of already skyrocketing premiums. Thank you.”

Senator Baker rose in support of the measure as follows:

“Colleagues, this measure will ensure that all insured patients in Hawai‘i have access to the most effective way to screen and prevent colon cancer—access to a colonoscopy.

“Colon cancer will strike 1 in every 20 residents in Hawai‘i. Unfortunately, many who get diagnosed with colon cancer get diagnosed too late and ultimately die from this preventable and curable disease.

“The truth is that most patients who die from colon cancer were living for months, sometimes years, with a preventable, treatable, and potentially curable form of the disease, if only they’d had access to a screening colonoscopy. A colonoscopy has been shown numerous times to be extremely effective in reducing deaths from colon cancer. Unfortunately, right now, not all insurance plans in Hawai‘i cover this life-saving procedure. This in part explains why roughly half of all Hawai‘i residents who are at risk for colon cancer have not gotten their colonoscopy!

“With the enactment of this bill, health plans will reimburse for this effective screening tool and will be required to inform their members about the risks of colon cancer and encouraged to talk to their doctor about getting screened. Guidelines suggest a screening colonoscopy beginning at age 50 unless there are other risk factors.

“Now, colonoscopy can be an expensive procedure, prohibitively so for patients who may be forced to pay out of pocket. But when the cost is absorbed across the insurance risk pool, the State auditor’s office concluded that to screen all adults in Hawai‘i over 50 costs only 55 cents per enrollee per month. Much less costly than the treatment for colorectal cancer and who can put a price on life?

“S.B. 2599 mandates that all insurance plans in Hawai‘i provide coverage for all patients over age 50 for this life-saving and cost-effective procedure.

“Madam President, before I conclude my remarks, if I may be permitted a late introduction: I’d like to acknowledge and thank George Massengale of the American Cancer Society, who has helped the committee and all of us understand the risks and the need for a measure like this. So George, would you rise to be recognized? Thank you, Madam President.

“Colon cancer is preventable, treatable, and curable when it’s caught early. Let’s pass this bill forward and help save lives. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 110-10 was adopted and S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Conf. Com. Rep. No. 114-10 (S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 114-10 was adopted and S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 115-10 (S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 115-10 be adopted and S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

“What this bill would do is further expand unemployment compensation benefits to a worker who voluntarily leaves the job. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 115-10 was adopted and S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 117-10 (S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Kim and carried, Conf. Com. Rep. No. 117-10 was adopted and S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL DEFENSE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 118-10 (S.B. No. 2386, H.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 118-10 be adopted and S.B. No. 2386, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“Again, this creates yet another new special fund at the University of Hawai‘i. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 118-10 was adopted and S.B. No. 2386, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Kidani).

Conf. Com. Rep. No. 120-10 (S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 120-10 be adopted and S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Baker rose to speak in support of the measure as follows:

“Madam President, I have some remarks in support of that measure I’d like to have inserted into the Journal.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madam President, I rise in support of this measure.

“Last year the legislature passed Act 32, which set forth the initial steps necessary to make Hawaii compliant to the federal Secure and Fair Enforcement for Mortgage Licensing act. The federal act calls for all states to be compliant with the national program by January 1, 2011. By that time all mortgage loan originators are required to be licensed and registered in the Nationwide Mortgage Licensing System.

“This bill looks to ensure that Hawaii will meet those standards by solidifying the licensing scheme established in Act 32, setting up the fees needed to implement the program and authorize the division of Financial Institutions to hire the necessary staff needed to implement and maintain the operations of the licensing program. In collaboration with the

Department of Commerce and Consumer Affairs and the various stakeholder groups, I feel that we drafted a bill that will assure the good faith effort that we have made to ascertain Hawaii’s compliance with the federal act, as well as providing a licensing system that will provide more stringent safeguards for consumers from unlawful mortgage loan transactions.

“Without this measure, the mortgage brokers and loan originators covered by the federal SAFE law will be unable to write loans in our state. I urge my colleagues to support its passage. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 120-10 was adopted and S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Kidani).

Conf. Com. Rep. No. 121-10 (S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 121-10 be adopted and S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure with reservations as follows:

“As we know, every year we have a bill like this and we must pay for the claims against the State, but every year we see that, while we’re going through our deliberations, the amounts keep rising. And every year I stand up and say, ‘Maybe we could do a better job of not looking as a cash cow or deep pockets for those that file litigation against the State.’ Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 121-10 was adopted and S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Kidani).

Conf. Com. Rep. No. 124-10 (S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 124-10 was adopted and S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 125-10 (S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Kim and carried, Conf. Com. Rep. No. 125-10 was adopted and S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 126-10 (S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 126-10 be adopted and S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in support of the measure with reservations as follows:

“I think this is a good bill basically and the industry was in support of it, except that we, first of all, added a filing fee of \$30 and then that fee was increased to \$60. I don’t think that bears any resemblance to the actual cost of processing the bail bonds. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 126-10 was adopted and S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BAIL,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 127-10 (S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 127-10 be adopted and S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Taniguchi requested that his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 127-10 was adopted and S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Taniguchi). Noes, 1 (Slom). Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 129-10 (S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 129-10 was adopted and S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 130-10 (S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 130-10 be adopted and S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“You know, we continue doing the same thing. We continue raising salaries, particularly related to the Department of Education, without requiring any proof of progress or benefits. As the good Senator from Waikiki read couple hours ago earlier, the last audit of the Department of Education was 1973. Some of the problems that were written about then are exactly the same problems we’re going through today. It is not a question of lack of money or lack of salaries. We’re spending over \$2.5 billion per year for the Department of Education, and yet we don’t hold people accountable for their results. By raising salaries that doesn’t make the problem go away; it exacerbates the problem. Thank you.”

Senator Espero rose in support of the measure with reservations as follows:

“I understand the need to hire good people at a good salary. However, I have a problem when we’re talking about a \$90,000 bonus for the superintendent and a \$50,000 for the deputy superintendent. Their job is to make certain our schools are prepared to educate our children to the best that is possible; and when we do well, why should we give them \$140,000 worth of bonuses? Why don’t we filter that money down to the schools? Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“What doesn’t work is when people try to hold other people down. What doesn’t work is when we look at scarcity of money, not looking at excellence. This measure attempts, should it pass, to include performance measures.

“Currently, our superintendent here makes less than some of the principals in our schools. I’m told that the average superintendent makes something like \$228,000. This measure before us proposes to take one step, moving the cap from \$150,000 to \$160,000, but as constructed, does provide opportunity to hire not just based on some cap and not just based on somebody saying, ‘I’m not coming here unless you pay me a lot of money.’ It’s based on performance bonuses, stepping up incrementally over several years. And for the superintendent, it’s based on student achievement, leadership based on outcomes of employees supervised by the superintendent, community relations; and targeted outcomes developed through an agreement between the Board of Education and the superintendent.

“So, I think it’s a good point to say, ‘Send more dollars to the schools,’ but no one should argue that leadership does matter. We talk about principals being leaders of schools and having excellent achievement. We need to have leadership from the top. Because I was not just for raising the cap just because others are paid more, here’s an opportunity for the superintendent, the deputy assistant superintendents, and the complex area superintendents to show that through performance—and for the assistant superintendents, it’s support of student achievement—we are moving forward. But this is just part of the picture.

“I passed out our traditional cubes showing where different measures affect, and in the top block, you see educational achievement, the salary cap and adjustments. If you look in the middle at Senate Bill 2120, which we already passed, talks about alternative routes to certification. So we need the better core of principals, vice principals. The bottom block, teachers, talks about the Teachers Standards Board—which still has many problems. Members, we should be happy that all of this is accountability, not treating people as one size fits all. If you go to the accountability block, DOE longitudinal student and workforce development data, we already passed that. But that’s UH, DOE, and Department of Labor and Industrial Relations’ education to the workforce—all of these measures depend on leadership, depend on treating students not as one size fits all. We want leaders that will excel in student achievement, community relations, the people they supervise, etc.

“And finally, we passed a bill earlier on the school time, and certainly we were remiss, maybe as a body, not having enacted as other states have regarding instructional time. But we need the leaders we have to be excellent leaders, not just saying they’re showing up at the job, but performing. I feel and I hope we all feel that adding performance measures on top of what we have now will bring better student achievement, better leadership, and not just more time in school.

“And I will be remiss if I didn’t mention two of the advocates, Melanie Bailey and Kathy Bryant, who had worked hard, calling schools in our state, calling schools across the country, looking at reports from places like Education

Commission of the States to say, ‘Where are we compared to other states?’ And not just in salary, not just in number of days, but in number of hours. So when we move from 180 instructional days, 6 hours a day, to 190 instructional days, 6 hours a day, we need leaders that will perform. So this measure, to me, is an important part of getting the best performance from the best people possible and having them work to attain those measures, not just given across the table because somebody asked, but they need to work for it. So I ask all of my members to be in support.

“Accountability is so important, and I think instead of just writing words—and furlough issues bring it to mind—all of you, many of you read to students. Many of us here honor our principals and other people. As long as we remember—whether it’s charter schools, professionals, or our leaders—that they are people, not one size fits all, and there’s not going to be a simple solution to fix this. We need to look at all aspects of our educational problem. And again, I think this body should be very thankful that over this year many important measures—there are more tomorrow—but many good things are happening. So let’s continue to be positive. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 130-10 was adopted and S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Espero). Noes, 2 (Hemmings, Slom). Excused, 1 (Hee).

Conf. Com. Rep. No. 133-10 (S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 133-10 be adopted and S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

“This bill seems to be a reincarnation of last year’s S.B. 1345 that was vetoed by the Governor. The current bill does not provide for reimbursement of lessees’ loss of reasonably anticipated income or for an automatic lease extension when land is taken for public purposes, but like the bill from last year, the measure would require the State to provide unprecedented additional levels of compensation in the circumstances in the form of hypothetical future income losses relating to breeding livestock under some circumstances, instances of insurance costs, and real property taxable taxes paid on land subsequent to the original lease date. The bill probably is in direct conflict with basic contract law and the general State welfare in order to pass a measure which now requires the State to provide not ordinary, but extraordinary and unprecedented compensation to those tenants after they’ve reaped years of benefit from below market rates. The DLNR had testified against this, talking about unknown and anticipated costs in the future. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 133-10 was adopted and S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 136-10 (H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 136-10 was adopted and H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 139-10 (H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 139-10 was adopted and H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 140-10 (H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 140-10 be adopted and H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose in support of the measure with reservations as follows:

“You heard me say it before, year after year after year: This is the annual bill to put Hawai’i tax law in conformity with federal tax law, and it seems that we always pick up the things that will result in more taxes. But the thing that always has bothered me and still does is that the personal exemption in Hawai’i, the value of a person, is one-third that of what we get from the federal 1040 tax form. The question arose a short time ago on another bill: How can we put the value of a life? Well, apparently, the State Tax Department and the federal Internal Revenue Service can do that, and Hawai’i citizens are worth one-third of what a federal citizen is worth. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 140-10 was adopted and H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Conf. Com. Rep. No. 141-10 (H.B. No. 2583, S.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 141-10 be adopted and H.B. No. 2583, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Bunda rose in opposition to the measure as follows:

“Just briefly, Madam President: The original intent of this bill was to amend the HRS to clarify the costs and expenses associated with impounding marine vessels, so it was appropriately named ‘Relating to Impounded Vessels.’ However, this bill was later amended to establish penalties for shark feeding. According to testimony by the attorney general’s office, they believe the shark feeding amendment does not have any relationship to the impounded vehicles and thus it actually violates Article III, Section 14 of the Hawai’i Constitution that states that ‘each law shall embrace but one subject, which shall be expressed in its title.’ While I support the original intent of the bill, I do not support the shark feeding amendment.

“If we pass this bill, it may adversely affect two shark tour businesses on the North Shore, and ultimately it will also hurt the North Shore community. Both shark tour businesses not only provide jobs for local residents, but they also are an integral part of the community, supporting schools and other organizations with time and money. I understand the concerns for those who are against shark feeding but both shark tour companies have had businesses in the North Shore for years. It’s been there without any kind of incident. There appears to

be no scientific evidence to suspect otherwise in the future. Thank you, Madam President.”

Senator Slom rose in opposition to the measure as follows:

“I concur entirely with the previous speaker’s statements. Thank you.”

Senator Hee rose to speak in support of the measure as follows:

“The fact of the matter is chumming for sharks is already against the law. What this bill does is provide the disincentive to engage in an illegal practice. I perhaps more than most other legislators this year have been involved with the shark finning bill, and I’ve been involved perhaps more than most legislators with the community of shark advocates, which includes one of the shark tour operators whom I introduced earlier this morning. They have indicated that in fact they don’t chum, that they use some kind of electronic signal. I’m aware that evidently there is a matter before the prosecutor which may involve chumming, but it’s an effort to enforce the law. I would also note that the two North Shore companies are not the only companies engaged in chumming. There’s evidently two companies that also engage in this activity off of Waikiki.

“No matter, in my opinion, how you look at it, it’s not a good idea, in my opinion, and I think that the law is clear and that this effort is made to bring conformity to the law and make the disincentives strong enough so that those who may be in violation of the law risk the loss of the impounded vessel, so that it sends a strong and clear message along those lines. Thank you.”

Senator Slom rose in rebuttal and said:

“You know, we’ve heard this session and past sessions, too, about the illegal activities of legal businesses in the shark feeding area; and these companies are open. They’re above board. They’re active in their communities; and if in fact they were involved in illegal activities, with all of the spotlight that we’ve put on them, with all of the words that we’ve used, one would think that if they were violating the law, the laws would be enforced and they would have been penalized. Obviously, there is a problem with some of my colleagues in distinguishing between legal activities and illegal activities, and I think that the firms that were described by my colleague from the North Shore and the words that I agree to certainly fall into the category of legal activities. Thank you.”

Senator Hee rose in rebuttal and said:

“Well, then if the previous speaker is accurate, then there’s nothing to worry about and we ought to pass this law. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 141-10 was adopted and H.B. No. 2583, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Bunda, Slom).

Conf. Com. Rep. No. 143-10 (H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 143-10 be adopted and H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the measure as follows:

“Again, this is another one of those bills that seeks to skirt the procurement law, and I think the insidious feature in this bill is that it allows gifts to be made—gifts and donations to the

State. I think that any reasonable person could infer that those gifts at the time people were seeking an exemption or specific expedited action by the government, they could look at those gifts as being pay for play; and in any event, we talked earlier about a bill that was seeking ethical procurement. I think this would be a prime example of unethical behavior. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 143-10 was adopted and H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 144-10 (H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 144-10 was adopted and H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 145-10 (H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 145-10 be adopted and H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator English.

Senator Hemmings rose in opposition to the measure as follows:

“This legislation attempts to address a problem that is ongoing and is going to become worse as the years go by unless we find a comprehensive solution. Several years ago, we passed a bill that would’ve stopped someone from accreting land and getting possession of it through adverse possession after holding it for 20 years; where Kailua beach, particularly the beach was being watered to grow the naupaka so that the owner could claim 20 years hence that land had accreted and they own it. The problem is just the opposite in many areas of Kahala Beach. There are some areas where the beach is accreting, but there’s a much more serious problem where the beach is eroding, and the naupaka actually serves as a natural barrier against erosion.

“This problem on the shorelines throughout the entire island is going to continue until we change and move away from previous Supreme Court decisions and common law (as goes back to even riparian rights) and adapt a surveyed boundary for the ocean side of any property so that the high wash mark does not become the legal definition of the boundary.

“There’s another egregious factor of this bill. It’s one of the proponents of it who’s arguing real vigorously to make sure that ‘the public has access to the beach’ and was down here testifying in favor and actually dragged the Chairman of the House Environment Committee over to a Senate hearing on this bill to bolster her position. Lives on an area of Kahala Beach with the worst thing for the environment on the beach, a wall, on the beach in front of her house where no one can walk; and to add insult to injury, the same owners in the same area back after the divestiture of Kamehameha Schools’ Bishop Estate land bought the road owned by Kamehameha’s Bishop Estate in front of their house. So people do not have vertical access to the beach, nor do they have lateral access along the beach in front of the proponents of this bill. So for hypocritical reasons like that and for the practical point that we have a serious problem with eroding beaches that has to be addressed seriously, I urge my colleagues to continue to look at this

problem as time goes on. I will vote 'no' in hopes that you will do it.

"I will remind everybody that about 1,200 miles of my district is atolls, the last one being southeast of Japan, Kure Atoll. At low tide, it's a sandbar like Kāne'ohe. The truth of the matter is that these Hawaiian Islands—and hopefully it'll take a long process—will eventually slide under the Asian continent and disappear forever. In the meantime, they will erode from islands down to sandbars, and it is a problem that is inescapable, and until we start dealing with it intentionally and protecting the vested land rights for shore owners while also protecting, intelligently, access to the shoreline, we're going to continue to be throwing piecemeal solutions like this ill-conceived one, and I urge my colleagues to consider this in the future. I'll be voting 'no' and probably the only one to do so. Thank you, Madam President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 145-10 was adopted and H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hemmings). Excused, 1 (Takamine).

Conf. Com. Rep. No. 146-10 (H.B. No. 347, H.D. 2, S.D. 2, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 146-10 be adopted and H.B. No. 347, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Tokuda rose in support of the measure as follows:

"Colleagues, this measure has gone through numerous changes over the last two years, and I believe we have a bill before us that will do the good it hopes to achieve while seeking to prevent and contain the potential harms that have been speculated.

"H.B. No. 374 would create a two year pilot exempting the University of Hawai'i from the State procurement code, while requiring them to adhere to some of the sections of the code and putting in place provisions in their statute that would further safeguard bidders in the awarding of contracts. At the end of the day, the goal is to be able to efficiently award and complete some, if not all, of the over \$250 million in funded projects ready to go, while still maintaining a high level of fairness, transparency, and integrity in the process.

"In talking with stakeholders and listening to their concerns, your Conference Committee created a subcontractor listing provision requiring bidders on projects over \$1 million, to list their subcontractors who perform work with the value of at least five percent of the total award. We also put into the University's statutes requirements to hold pre-bid conferences and the right to audit records in order to ensure transparency and accountability.

"The University will also not be exempt from HRS 103D-304, which deals with the procurement of design professional services; 103D-110, which deals with mandatory education and training for procurement officers; 103D-324, relating to contract and performance bonds; 103D-707, which outlines remedies after an award; and 103D-1002, which creates a preference for Hawai'i products.

"To ensure the Legislature's continued oversight of this pilot project, this measure also requires the University to report back each year on the internal procurement process they establish, a description of the internal procedures established for handling protests of solicitations or awards of contracts, and a description and summary of any protest or litigation that have arisen during the prescribed time period. We should also keep in mind that

the University is the recipient of hundreds of millions of dollars in federal funding, and as such, must continue to maintain a high level of accountability in their procurement practices.

"It is my hope that over the next two years we will also be able to identify best practices and possible improvements for the State procurement code. While the State procurement code was put into place to prevent abuse and ensure fairness in the awarding and management of public contracts, during these difficult economic times it has largely been used as a weapon by some to lapse funds and prevent others from receiving State contracts. With over \$250 million in important funded projects ready to go, we have the opportunity to ensure that our students and faculty have a safe and conducive learning environment, increase revenue to the University through an improved indirect cost rate, and put our men and women in the construction trades back to work.

"Colleagues, I appreciate your patience as we have modified and improved upon this measure, and I would ask for your support in passing this bill. Thank you."

Senator Slom rose in opposition to the measure as follows:

"While I certainly appreciate and applaud the efforts of the Chair of the Higher Education Committee and do recognize that over these last several years where this bill has been bouncing around, improvements have been made. Nevertheless, it still is yet another one of the many bills that I've spoken on already seeking exemptions from the procurement code.

"Now the honest thing to do if we have so many people seeking exemptions is to change the procurement code or at least to look at that, rather than carving out special exemptions. But the problem here, the Chair has read off the various chapters that would be affected, and one of the major areas is that area of protest. And what the University testified to and what they're trying to do is to get away from the more stringent requirements under the procurement code which allows protest and which in the past has hampered the University in some of their projects. No one likes protest, but unless we change the procurement law, we don't want to be able to just say, 'The protest is going to be set aside,' or, 'It's going to be applied by the rules that the University is now going to develop.'

"So, I think the prudent course really is to make any changes, as necessary, within the procurement code; and as I addressed the issue earlier, there are provisions right now for exemptions to the code. Exemptions have been made to the chief procurement officer. Exemptions have been granted. Exemptions have come from the University. So, in other words, we do have a process, the process works, but this is the wrong way of providing additional exemptions. Thank you."

Senators Kim, Ihara, and Nishihara requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 146-10 was adopted and H.B. No. 347, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara, Kim, Nishihara). Noes, 2 (Hooser, Slom).

Conf. Com. Rep. No. 148-10 (H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 148-10 be adopted and H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kidani.

Senator Slom rose in opposition to the measure as follows:

“Wow! This is the granddaddy of all raid bills for this year. We’ve got 25 special funds that are going to be raided, including the deposit beverage container fund, the Hawai‘i tobacco settlement fund, the agricultural loan reserve fund, the disaster loan fund—all of these funds. And everybody asks why do I vote against the creation of new special funds year after year after year? Because there’s no such thing as a special fund. We grow them. We raid them. In the meantime, the public thinks that their money, the extra money, the extra taxes, are going for a specific purpose, but it’s not used for that purpose. It’s dumped into the general fund. I’m voting ‘no.’ Thank you.”

Senators Gabbard, Ihara, and Chun Oakland requested that their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 148-10 was adopted and H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Chun Oakland, Gabbard, Ihara). Noes, 7 (Baker, Bunda, Fukunaga, Green, Hemmings, Ige, Slom).

Conf. Com. Rep. No. 149-10 (H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 149-10 be adopted and H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Chun Oakland.

Senator Sakamoto rose in support of the measure as follows:

“We see homeless all over the place and it’s very frustrating. This measure is sort of a sleeper because it wasn’t discussed a whole lot because initially there were no funds to support it. But I’ll read part of it, and it says: ‘Moving chronically homeless individuals into housing directly from streets and shelters, without a precondition of accepting or complying with treatment; provided that the authority may condition continued tenancy through a housing first program on participation in treatment services.’ Housing First has created a mechanism to take people who may be initially resistant and provide a place for them to be safe and housed, then wrap around services to ideally transform them from the street corner, from the cardboard box, from the blue tarp to a life that’s safe. Hopefully with proper treatment they can become productive citizens in our society. So I ask our colleagues all to vote in favor. Thank you.”

Senator Slom rose in opposition to the measure as follows:

“It seems that we often patronize people. In this case, we’re patronizing the homeless because we are saying that this program, which they have not adopted—the housing first program—is so good that we’ll force them to do it no matter what they want to do. And, in addition, we’ll create another special fund for the homeless. You can’t force people to do things that they do not want to do unless you make it attractive and provide incentives. Obviously we have not done that in this program. Forcing them to do it and creating another special fund is not an answer. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 149-10 was adopted and H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HOMELESS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 153-10 (S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 153-10 be adopted and S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

“I believe that the primary concern with this bill is the constitutionality, or rather, the unconstitutionality of the bill. What the bill seeks to do is to make sure that the chief executive is not allowed to withhold any funds and, in fact, is directed to make the allocation of any legislative funds. I think that we already decided that in a legal case two years ago involving then-Governor John Waihe‘e. The court ruled very clearly that the executive has the ability to allocate or to withhold any funds that are derived from the Legislature. What this would do is to carve out an exemption just in the case of the Employer Union Trust Fund, or the health plan; and so as a result, I believe that if and when challenged, it will be found to be unconstitutional. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 153-10 was adopted and S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

#### FINAL READING

#### MATTER DEFERRED FROM WEDNESDAY, APRIL 14, 2010

S.B. No. 2001, S.D. 1, H.D. 1:

Senator Kim moved that S.B. No. 2001, S.D. 1, H.D. 1 pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure as follows:

“This bill and another bill that we’ll take up involve tax credits that had been advanced by the State, and now they’re going to be withdrawn. And I think the problem with this bill and with others like it, it’s one thing if you have the tax credits or any kind of program, and then later on you decide that either you can’t afford it or it’s not working or people have violated the conditions. In this case with these tax credits, people in good faith, businesses in good faith relied upon the incentives that the State has provided, and now the State wants to take away those incentives. The case for the revenue versus expenditure I don’t think was adequately made by the State Department of Taxation, but the most important situation, whether you’re talking about an individual or a business, when they rely on something that you’ve put out there, you cannot then take it away. If you do so, you’re endangering not only the business and investment climate, but you’re also inviting potential lawsuits. It’s a bad bill. It’s a bad precedent. We should not support it. Thank you.”

Senator Baker rose in opposition to the measure as follows:

“Through Act 221 and its predecessors, the Legislature was very forward thinking in creating tax incentives to encourage the development of high tech businesses in the state. That effort has been successful. What was an industry of a few hundred people in the state (outside of the defense sector) in 1999 is emerging into a vibrant and growing economic engine in our economy.

“I was Maui County’s economic development coordinator when the Legislature passed these important measures beginning with Act 178, Session Laws of Hawai‘i 1999,

followed closely behind in 2000 by Act 297. So I've been able to see firsthand the positive impact Act 221 has made in Hawai'i. On so many fronts we've been able to bring many of our kama'aina home to good paying jobs in growing scientific and technology laden fields. We've attracted investment into Hawai'i, a commodity otherwise in short supply in our state. The Legislature's foresight created good paying jobs, increased tax revenue far in excess of the cost of the credits, spawned new businesses and more jobs, and helped innovative ideas develop into viable businesses and products. Hawai'i has always had the creativity and the brain power; what was lacking was the capital to prove it.

"Unfortunately, what the Legislature was insightful in creating it is poised to cripple if not destroy along with our state's reputation of being a positive environment for scientific and high tech ventures. S.B. 2001 laudably seeks to extend the tax credit for research activities for an additional year but it does so at the expense of an early repeal of Act 221, thereby closing the incentive for high tech investments in our state. The opportunity cost of repealing the last six months of a 10 year law in terms of the State's reputation is simply too high. If we want to seriously consider future capital formation and mechanisms to support the nurturing of an innovation economy, we must take a long-term position. Repealing Act 221 six months early will send the message to the investment community—not just locally, but nationally and internationally as well—that Hawai'i is simply not a good place to invest: Our tax and investment laws are not dependable; they lack certainty, credibility; and are unreliable for business planning and execution. Having such a profile will cost us dearly for any future effort to grow our economy if offshore capital is required, or even if people in our state, residents, want to invest.

"In addition, this measure will result in irreparable harm to companies that have relied on the investor tax credit to develop their financing plans with a capital structure design premised on Act 221 and the expectation that Act 221 would sunset 12/30/2010. Previous changes to the investor tax credit have already injected a great deal of uncertainty into investors' minds and reduced local companies' ability to raise funds. This measure and the one that follows, S.B. 2401, if enacted, will certainly be the death knell to otherwise promising and growing companies. Many of us received an e-mail from a local software company entrepreneur outlining the damage that will befall his small but growing employee- and investor-owned business with the passage of S.B. 2001 and S.B. 2401. Madam President, I would like to insert the e-mail comments of Mike Curtis into the Journal along with my remarks. [The Chair having so ordered, the e-mail of Mike Curtis is identified as "**ATTACHMENT A**" to the Journal of this day.]

"Finally, Madam President, we all acknowledge that these are very trying times to balance the budget and to enact appropriate policies to help, not impede, the recovery of our economy. However, I respectfully suggest that this bill moves us in the wrong direction. It sends the wrong message. It creates potentially unconstitutional policy in violation of the due process clause of the Fifth Amendment to the United States Constitution—all of this for very little gain. An objective review of this measure concludes that the revenue estimates provided by the Department of Taxation are bogus and not based on realistic assumptions or solid calculations.

"Act 221 and other supportive policies helped reverse the brain drain of the 1990s by creating high paying jobs, enabling many kama'aina to return home to these islands. Act 221 attracted over a billion dollars of investments in the form of 'cold hard cash' into our economy over the past decade. Colleagues, now is not the time to turn our back on an industry that represents a bright future for our children and an industry that helps diversify our economy. With Google currently

considering Hawai'i as a site to test its ultra high speed broadband, the timing could not be worse for the State to backpedal on high tech investments. I urge my colleagues to join me to go back to the future and vote 'no' on this measure. Mahalo."

Senator Slom rose to request a Roll Call vote, and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2001, S.D. 1, and S.B. No. 2001, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 14; Ayes with Reservations (Gabbard, Nishihara, Sakamoto, Taniguchi). Noes, 11 (Baker, Bunda, Chun Oakland, Espero, Fukunaga, Green, Hemmings, Hooser, Ige, Ihara, Slom).

#### FINAL READING

S.B. No. 2172, S.D. 2, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Kim and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2172, S.D. 2, and S.B. No. 2172, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTER DEFERRED FROM WEDNESDAY, APRIL 14, 2010

S.B. No. 2401, S.D. 1, H.D. 1:

Senator Kim moved that S.B. No. 2401, S.D. 1, H.D. 1 pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure as follows:

"Just like the discussion we just had on S.B. 2001, this is the other shoe dropping. I think that my colleague, the senator from Maui, made excellent points about the shockwaves that this process would send to investment in the future, particularly technology investment.

"This bill is so flawed, it's really difficult to know where to start. It's got to be unconstitutional, in violation of both the United States and Hawai'i constitutions under the due process clause. It also uses the retroactive feature; and as I said earlier, if you're going to end a program, that's fine but you don't do it in the middle of the incentivizing when people have relied upon this, when they have used their time, their expertise, their resources and cash, and so forth. It's just not the way to further a legitimate legislative purpose.

"The other point is that there is debate, at the least, as to the negative impact of these tax credits. Most of us who have looked at the credits and examined them carefully found that in fact there was a positive impact, overwhelmingly so; and that's why I indicated earlier my personal belief is that the State Tax Department did not do a very credible job of enforcing its logic for why we should do away with these credits at this time.

"Finally, the idea of inviting lawsuits is one aspect of this, but the loss in business, the further blow to our already mixed signal business climate is reason enough to not support this kind of bill.

“So Madam President, I ask again for a Roll Call vote [The Chair so ordered] and ask my colleagues who are on the fence or who voted for the first bill to reconsider because this has far-reaching impact and people outside of this state—people that can provide jobs, people that can help us with our economy and long term cash revenues for education and other means—will be looking at how we vote on this measure now. Thank you.”

Senator Fukunaga rose in opposition to the measure as follows:

“I find it quite amazing that the prior speaker and I are together on this measure, so perhaps in tax policy, politics in fact does make strange bedfellows.

“While I can appreciate the urgency of the need to address the State’s revenue shortfalls for fiscal ’10 and fiscal ’11, relying on this method of closing the gap makes no sense. Here’s why: The House’s amendment to S.B. 2401, S.D. 1 have raised numerous constitutional concerns, which means that if adopted, the bill will be challenged immediately on the following grounds: It violates protections, depriving Hawai’i taxpayers of property without due process in violation of the U.S. and the Hawai’i constitutions, and effectively confiscates the credits for three years. It raises a serious issue of whether the Legislature is effectuating a property taking without just compensation, again in violation of the U.S. and the Hawai’i constitutions. It violates the contracts clause, stating that ‘no state shall pass any law impairing the obligation of contracts in violation of the U.S. Constitution.’

“I have shared a detailed analysis of the constitutional problems in S.B. 2401 written by former Attorney General Bronster with all senators, but the same time, other well-respected trial attorneys have weighed in with their concerns over the constitutional impairments of this bill. Any revenues to be generated by S.B. 2401 will have to be deposited under protest into a litigation account until the court challenges are over and will definitely not be available if the challenges are upheld.

“Equally importantly, this bill sends the clear message to everyone that Hawaii’s financial commitments will not be honored if we find ourselves in a fiscal crunch. For example, investment companies that have issued Hawai’i bonds rated by Moody’s will be at risk since portions of their cash flows were derived from the contractual flow of tax credits from the State of Hawai’i to investors as promised pursuant to Act 221. If payments are missed for any reason, the Hawai’i securities would be downgraded from investment grade to junk bonds. As pointed out in a recent commentary in the *Honolulu Advertiser*, the state legislature’s retroactive delay or elimination of the ability of an investor to claim an authorized and approved state tax credit will have an immediate and chilling impact on the investor community’s willingness to make future investments in that state. The long-term effects of such an action will then spread far beyond the state, potentially harming the state’s national reputation as investors and businesses lose faith in a state’s willingness to honor its commitments. With our state dropping in rank from number 33 to number 47 in the April 2010 Municipal Credit Research State of the States Report, such a loss of reputation and investor confidence comes at a time when our state is being identified as having very high economic debt levels, poor business climate, and falling home prices. On the other hand, during the past three administrations, Hawai’i was among the top-rated states in terms of credit worthiness and fiscal stability.

“Finally, in looking at what S.B. 2401 will do to one of Hawaii’s exemplary renewable energy businesses, I’d like to close with a quote from Robert and Kelly King’s message to all of us:

Pacific Biodiesel is close to completing what has turned out to be a two year long process to raise \$10 million to build a state-of-the-art biodiesel plant on the Big Island. This project will create jobs, displace more fossil fuel imports, and help to revitalize the agricultural sector. We are one of a very few companies in Hawai’i, who in spite of the economic crisis and S.B. 1999 passed last year, had been able to attract close to 30 mostly small community-minded investors, all of whom are Hawai’i taxpaying residents, each with his own personal and or business ‘ohana. We understand the need to early retire Act 221, but by reneging on the agreements made to people who have invested in good faith, you are pulling the plug and throwing it away for decades. It is ironic that all government officials talk about investing in the future while we have a Legislature that proposes to do the opposite. Please do not pass S.B. 2401.

“Thank you.”

Senator Kim rose in support of the measure as follows:

“Madam President, on the issue of the constitutionality, I do have a written response from the attorney general dated April 13, 2010, and in this response they say that ‘although the proposed legislation is not free from all doubt and could be the subject of a challenge, we believe a strong argument can be made that S.B. No. 2401, H.D. 1 is constitutional.’ It goes on to say that ‘moreover, it is recognized by Hawaii’s federal judicial court, the 9<sup>th</sup> Circuit Court of Appeals, in the case of *Quarty v. U.S.*, which cites the United States Supreme Court case that the purpose of raising government revenue is a legitimate legislative purpose. We understand that businesses have relied upon the credit in their planning and may be impacted by this measure. However, it is well established legal principle that has been articulated and reiterated by the Supreme Court that legislation readjusting rights and burdens is not unlawful solely because it upsets otherwise settled expectations.’ And then they end by saying, ‘Because S.B. No. 2401, H.D. 1 merely suspends various credits and does not repeal them altogether and for the other reasons discussed, including the fact that the amendments appear rationally related to the governmental purpose of raising revenue, we believe that the provisions of this bill could withstand a challenge under the due process clause.’ Thank you, Madam President.”

Senator Slom rose in rebuttal and said:

“I always find it interesting when my colleagues quote the attorney general because usually they treat him like chopped liver, but when it is a specific issue, then they’re using his particular findings. In that opinion that he gave that was just read, he was talking about the Legislature’s ability to raise revenues, and nobody is disputing that. What we’re saying is that this goes far beyond revenues, particularly short-term revenue gains. We’re talking about the long-term image of this state and the long-term ability to attract revenues and investment, and more importantly, job creations.

“When the attorney general talked about being able to defend against those that had expectations—again we’re not talking about expectations. We’re talking about real people who relied on the law itself the way it was, and because of that reliance, they actually put themselves in jeopardy in terms of business relationships, in decisions that were made, resources expended, and cash made either available or unavailable.

“So, I think that when we’re looking at this, again, I urge my colleagues, as my new ‘bestest friend’ from the EDT Committee, if we’re joining together, you know it’s got to be the right thing to do. And, in addition to that, when we talk

about this being just a temporary, a temporary suspension, when does anything that the government does, when it has to do with money and taking from one group to give to another, when does that ever prove to be temporary? So colleagues, please, we're going to do a Roll Call vote. You've got an opportunity to stop this and to restore the credibility of Hawai'i as a business and investment opportunity. Thank you."

Senator Baker rose in opposition to the measure as follows:

"I have some longer remarks that I'd like to have included in the Journal, but I would like to just touch on a couple of points made by the previous speaker because I think they're so very, very relevant and I would like to associate myself, although it may seem a little unusual with those of the good senator from Hawai'i Kai.

You know, proponents argue that the credits are not being repealed; they're only being suspended. Unfortunately, the net effect is the same. Our Legislature's retroactive delay of an investor's ability to claim an authorized and approved state tax credit will have an immediate and chilling impact on the investment community, not just locally but nationally and internationally as well. Who's going to want to invest in Hawai'i? Where will any of our businesses find investment capital? One has to wonder if Act 221 can be disavowed today, what program will the State of Hawai'i renege on tomorrow? For businesses depending on the use of the credits, this policy change could spell economic disaster, as well as obtaining financing because obtaining financing is already very challenging in our state.

"You know, the issue of the constitutionality has been brought up and we can get lawyers on both sides to say it is or isn't, but whether it is or not will be resolved in litigation, costly litigation, costly to the State as well as investors, and it's my understanding that if there are dollars in question, that the State will not be able to use them to balance a financial plan or to pay for any programs. It will go into a litigation fund and that could well be tied up for years.

"But to me, even though these are very important matters and the reputation of our state is at stake, the concern that I have was well-expressed in an e-mail I got from one of my constituents who happens to be a small investor. He writes: 'These tax credits make it possible for small business owners, and other Hawai'i residents to partner with our state to invest in high tech projects that bring jobs and attract new businesses to Hawai'i. I have invested in Kaheawa Wind Power on Maui and hope more innovative green energy can be made available, which helps preserve our beautiful islands. I would not have become an investor if not for the tax credits. It is the minimum investment required by these types of companies that restricts individuals,' like him, a dentist in Lahaina (not a huge practice, not a lot of income), 'from investing. Partnering with the state through the qualified high tech business tax credits makes investing possible for me and others like me. This ability to invest in Hawai'i empowers us, leading to a feeling of "we can make a difference."' "

"That's what Act 221 has done for not just the small investors in our state, but for small businesses and allowed them to grow. It seems to me, Madam President and colleagues, that the damage we do to these small investors and our growing businesses, as well as our own reputation as a stable place to do business, and to our future are far-reaching and not worth the risk that might be gained in this taking. It is the wrong choice, especially now when we need business investments to improve our economy, to fuel the recovery, and bolster tax collection. Passing 2401 to obtain a transitory, short-term, one-time gain is worse than short-sighted. It's just bad policy, and I hope all my colleagues will vote this measure down."

The Chair having so ordered, Senator Baker's additional remarks read as follows:

"Madam President, I rise in Opposition to SB 2401.

"Colleagues, the legislature thoughtfully created tax incentives to encourage the development of high technology businesses in this state, as one way to help diversify our state's tourist-dependent economy.

"SB 2401 seeks to suspend the tax credits under HRS 235-110.9 and 235-110.51. Those tax credits, commonly referred to as Act 221 credits, are responsible for pumping more than one billion dollars in private investment into Hawaii, creating thousands of jobs and advancing regional businesses. In exchange for that investment the State of Hawaii committed to allow investors to claim tax credits over 5 years and to carry forward any unused credits until they were fully used. Now because we find balancing our biennial budget a challenge, SB 2401 would change the law in mid-stream.

"Proponents argue that the credits are not being repealed, only suspended. Unfortunately, the net effect is the same. Our legislature's retroactive delay of an investor's ability to claim an authorized and approved state tax credit will have an immediate and chilling impact on the investment community not only locally but nationally and internationally as well. Who will want to invest in Hawaii? Where will any of our businesses find investment capital? One has to wonder, if Act 221 can be disavowed today, what program will the State renege on tomorrow? For businesses depending on use of the credits this policy change could spell economic disaster as obtaining financing is already challenging in this climate.

"As one writer noted, Hawaii will be taking a major hit to its reputation if this bill passes. We will be viewed as a state that does not honor its commitments. Investors will lose faith in the actions of Hawaii's State government. This loss of faith by Act 221 investors could extend to others who have purchased bonds issued by the state. If the confidence of those who hold the state's municipal bonds weakens, then the value of those bonds in the open market could decline, making it more expensive for the state to borrow money. The chill caused by our action on SB 2401 could be felt for years.

"Furthermore, this legislation is potentially unconstitutional. To retroactively suspend these credits **could** be a violation of the due process clause of the Fifth Amendment to our federal and state constitutions. It could also be considered an unconstitutional taking without just compensation. Whether that is so will only be resolved by costly litigation – costly to the State as well as investors.

"Perhaps we, as a legislative body, should be reminded that we have a responsibility to honor our commitments. Businesses received a comfort letter from the Hawaii Department of Taxation and invested accordingly, planned their business growth and financial plans as a result. Now because times are tough we are threatening to default on the State's contractual obligations. That can never be good policy and it certainly isn't now.

"The damage we'll do to our reputation and our future are far-reaching. It's not worth the risk; it is the wrong choice especially now when we need business investment to improve our economy, to fuel the recovery and bolster tax collections. Passing 2401 to obtain a transitory short-term, one-time gain is worse than short-sighted; it is bad policy.

"I urge all my colleagues to oppose this bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2401, S.D. 1, and S.B. No. 2401, S.D. 1, H.D. 1, entitled:

“A BILL FOR AN ACT RELATING TO STATE FINANCES,” Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 14; Ayes with Reservations (English, Gabbard, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda, Tsutsui). Noes, 11 (Baker, Bunda, Chun Oakland, Espero, Fukunaga, Green, Hemmings, Hooser, Ige, Ihara, Slom).

At 2:54 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:00 p.m.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1:

Senator Tsutsui moved that the Senate reconsider its action taken earlier on the calendar in adopting Floor Amendment No. 12 to S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1, seconded by Senator Tokuda.

Senator Tsutsui noted:

“Madam President, the identical amendment in the House failed to pass this morning, so if we don’t reconsider our previous action, then the underlying bill to extend VEBA by six months would fail.”

The motion was put by the Chair and carried.

The Chair then made the following announcement:

“If there are no objections from the members, we will be taking Final Reading of S.B. No. 2395, C.D. 1 on consent.”

#### FINAL READING

S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1:

On motion by Senator Kim, seconded by Senator Taniguchi and carried, S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### THIRD READING

Stand. Com. Rep. No. 3234 (H.B. No. 2094):

On motion by Senator Kim, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 3234 was adopted and H.B. No. 2094, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MISCELLANEOUS BUSINESS

Senator Chun Oakland, Chair of the Committee on Human Services, requested that referrals of H.C.R. No. 155 and H.C.R. No. 165 to the Committees on Human Services and Ways and Means be waived pursuant to Senate Rule 46(4).

Senator Chun Oakland noted:

“I request the waiver of the referral to the Committees on Human Services and Ways and Means for said House concurrent resolutions to bring these resolutions to the Senate floor for adoption prior to sine die.”

The Chair granted the waivers.

At 3:03 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:07 p.m.

Senator Kim, Chair of the Committee on Ways and Means, requested that referral of H.C.R. No. 237 to the Committee on Ways and Means be waived pursuant to Senate Rule 46(4).

Senator Kim noted:

“Madam President, I request of the waiver of the referral to the Committee on Ways and Means for said House resolution to bring this resolution to the Senate floor for adoption possibly prior to sine die.”

The Chair granted the waiver.

Senator Tokuda, Chair of the Committee on Higher Education, requested that referral of H.C.R. No. 288, H.D. 1 to the Committees on Higher Education and Energy and the Environment be waived pursuant to Senate Rule 46(4).

Senator Tokuda noted:

“Madam President, I request a waiver of the referral to the Committees on Higher Education and Energy and Environment for said House concurrent resolution to bring this resolution to the Senate floor for adoption prior to sine die.”

The Chair granted the waiver.

At 3:08 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:09 p.m.

At this time, Senator Slom rose on a point of personal privilege and said:

“My colleagues have known for the last month or so that I have been involved in negotiations to purchase the *Honolulu Star-Bulletin* along with Malia Zimmerman of *Hawaii Reporter*. We just got word a little while ago that the Justice Department ruled that our final bid has not been accepted and that they are going to allow Mr. David Black of Black Press in Vancouver, Canada, to go ahead and purchase the *Honolulu Advertiser*.

“I just wanted to, first of all, thank my colleagues for their interest and their support. I want to reassure you that we made every good faith effort and spent an inordinate amount of time, energy, personal resources, and money to make this sale come about. But I am sad to say that from the beginning, it was evident to anyone that had looked over the materials that the publisher of the *Star-Bulletin* had no intention to sell the newspaper, to continue a viable, independent editorial voice, or to preserve the jobs of many hundreds of people of both newspapers that are now in jeopardy. As we said from the outset, we wanted the independent voices and we wanted a community newspaper. We did our due diligence. We had to pull teeth to get information from the seller. In fact, as the Senate President knows, we did not even get the last information—the ability to look at the assets that supposedly went with this sale—until this past Saturday. At every step of the way, we were blocked from getting full disclosure and transparency. In looking at other recent newspaper sales across the country—and there have been plenty of them—in every case they had a common denominator, and that was: Number one, the seller actually wanted to sell; number two, there was good faith; number three, there generally was an independent third party where questions, information, documents, statistics were all available to any legitimate bidder. None of those things took place in this situation now.

“As Ms. Zimmerman and I said from the very beginning, our idea was to have a community newspaper. We established a community website. We enlisted the aid of more than a hundred of our citizens who represented a broad-based background and diversity of political thought, independent

thought, political persuasion, ethnic persuasion, everything else. The idea was to have a viable and profitable newspaper that would provide individuals with that alternative voice, with more coverage of the neighbor islands than O'ahu, with more expanded local editorial and letter writing positions, and to truly make it an opportunity for people who wanted to preserve this independent voice.

"We knew and we acknowledged at the outset that we were actually bucking tremendous odds, financial and otherwise, but we were confident in the business plan that we had. We were confident in the people that we spoke to; and we want to thank everyone who came forward from the community including past and present executives of both newspapers, reporters, and other employees who are genuinely concerned about their future and their job and their benefits, as well they should be. We have, in our minds, done everything that we possibly could. I'm not sure that this issue is in fact entirely over. There may be other venues to pursue this, but I just want to reassure my colleagues because you do recall that on two resolutions that were supported by the House of Representatives and the Senate, I fully disclosed my interest and my involvement and recused myself. The City Council also passed a resolution asking for an extension of time. I want to confide in you that we did have good people from this community come forward who were willing, against all odds and against the trends of printed newspapers and what's been happening around the country, to invest their money for this community and for the employees of these two newspapers. We did not have enough time. We asked for an extension. The extension was not given by the seller.

"When we examined the assets on Saturday of what we would actually get or anyone would get in the sale, there was nothing there. Please excuse me, my Democrat colleagues, but this reminded me a heck of a lot of the Pelosi plan that said, 'Pass the bill and then we'll explain it to you; we'll tell you the details.' No investor is going to do that. No rational person is going to do that.

"It's important that this community have as many independent voices as possible, and that's why we salute *Hawaii Reporter* and its position of printing anything and everything submitted to it. We welcome the new peer news and also the possibility of yet another voice.

"We are not done. All of the information that we have gleaned, all of the people that have come forward to either participate or to help us: We pledge to them that we will continue our efforts. It may be in another venue. As I say, however, this issue may not be finally settled, and there may be litigation that arises from it. But I wanted to tell you and pledge to you that we gave it our best effort, and that from the very beginning we had the interests of our employees and our community at hand and we will continue to do that. So again, I want to thank all of you for your kind remarks and your support. Thank you, Madam President."

Senator Hemmings rose on a point of personal privilege and said:

"I think we have an issue that Senator Slom touched on in his bid to buy the newspaper that needs further thought. We live in perilous times for many reasons.

"In 1835, a French aristocrat wandered through this country, and I talked about him before—Alexis de Tocqueville—and he wrote about democracy in America. And though many of us sometimes lament what we read in the editorial pages of the newspapers and sometimes we disagree with how a reporter saw an incident, nevertheless, I think Alexis de Tocqueville's observations of worthy consideration in these modern times. 'Thou shall not deny that the democratic countries whose

newspapers frequently lead to citizens to launch together into very ill-digested schemes; but if there were no newspapers there would be no common activity. The evil which they produce is therefore much less than that which they cure.'

"What worries me is I'm experiencing it right now on a particular bill I've been supporting is the internet, and alleged news and alleged stories that come over the internet that oftentimes get people in rages. When what is written on the internet is not verified, not filtered, and not penciled by a trained journalist who earns his living by seeking out facts and reporting them which I believe reporters do do. These are perilous times because oftentimes 'ill-digested schemes,' as Alexis de Tocqueville pointed out, go 'unfettered' in the mass media of the internet, leading oftentimes to people coming to wrong conclusions that further polarize our people and create chaos where there should be understanding.

"The printed newspaper, like the printed book, should be enduring as part of our lives, and I'm afraid that the loss of newspapers anywhere will be a loss to all of society. Thank you, Madam President."

#### ADJOURNMENT

At 3:22 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 28, 2010.

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**ATTACHMENT A**

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**From:** Michael Curtis [mike.curtis@chi.mp]

**Sent:** Saturday, April 03, 2010 7:29 AM

**Cc:** Mike Curtis

**Subject:** Strong Opposition to SB2401

Aloha,

My name is Mike Curtis and I run a local software development company called SDC Hawaii, LLC. We employ seven people, five of whom are software designers and developers. We are a start-up company funded and owned by local investors and members of our own employee team.

This bill deferring use of the high technology business investment tax credit will result in irreparable harm to my company's investors, the company itself, and my employee partners. It will also result in further damage to our state's reputation as a stable place to do business.

Beyond the damage done, I question whether any fiscal benefit will be gained as a result of the bill. Any potential tax revenue increase anticipated from deferring these tax credits could be delayed or possibly even wiped out by lawsuits filed by investors as a result of the bills retroactive application. The retroactive nature of the bill will likely be very damaging to investors (companies and individuals). Investors who have made Act 221 investments have done their tax planning based on such investments. Deferral would effectively require these investors to make double payment (the investment and the tax). Many investors may not be able to cope with such a burden, especially given the current economic situation. Companies in this situation will likely lay-off employees in an attempt to make ends meet (as we did in the wake of last year's changes to the law).

In closing, I want to share with you the impact that your decision on this bill will likely have on our company. Right now our business plan calls for us to add five employees each year for the foreseeable future, with our employees (mostly software engineers) continuing to earn an average of roughly \$75,000 annually.

Our capital structure has been designed for local investors based on Act 221 and the expectation that Act 221 would sunset 12/31/10. Last year's changes were damaging to us, pay cuts were required and several of our employees had to be laid off due to a shortfall in anticipated funding. The proposed law would likely eliminate our ability to obtain further funding. Without further funding, it is likely that most of our current employees will lose their jobs and these new hires will not happen. Past changes to the investor tax credit, along with the bills proposed this year, have already injected a great deal of uncertainty into investors' minds and reduced our ability to raise funds. The change proposed in this bill will almost certainly eliminate further funding this year when we need it most.

Thank you for the opportunity to provide you with input on this important bill.

Sincerely,

Mike Curtis

Chief Operating Officer

SDC HAWAII, LLC

808-292-6862

mcurtis@hawaii.rr.com

## FIFTY-NINTH DAY

**Wednesday, April 28, 2010**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Larry Kelly, Sheriff's Division of the Department of Public Safety, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

The President announced that she had read and approved the Journal of the Fifty-Eighth Day.

At this time, the following introductions were made to members of the Senate:

Senator Hee introduced a group of students from Kawaihae School who participated with the Committee on Water, Land, Agriculture, and Hawaiian Affairs on the shark finning legislation and tracked the progress of the bill.

Senator Chun Oakland, on behalf of the Senate, introduced and welcomed various community members from AARP and Protecting Hawaii's Ohana, Children, Underserved, Elderly and Disabled (PHOCUSED) who were interested in and helped with legislation this session, particularly S.B. No. 2469.

Senator Kim introduced and congratulated the Kalihi AARP members, especially Barbara Kim Stanton and Alex Santiago, for all their hard work and for all they do within the Kalihi community.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 522 to 532) were read by the Clerk and were placed on file:

Gov. Msg. No. 522, informing the Senate that on April 25, 2010, the Governor signed into law House Bill No. 1985, S.D. 1, C.D. 1 as Act 59, entitled: "RELATING TO TAXATION."

Gov. Msg. No. 523, informing the Senate that on April 25, 2010, the Governor signed into law Senate Bill No. 898, S.D. 2, H.D. 1 as Act 60, entitled: "RELATING TO CIVIL DEFENSE."

Gov. Msg. No. 524, informing the Senate that on April 25, 2010, the Governor signed into law House Bill No. 2058, H.D. 1, S.D. 1 as Act 61, entitled: "RELATING TO PUBLIC PROPERTY."

Gov. Msg. No. 525, informing the Senate that on April 25, 2010, the Governor signed into law Senate Bill No. 2775, S.D. 1, H.D. 2 as Act 62, entitled: "RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P."

Gov. Msg. No. 526, dated April 25, 2010, informing the Senate that on April 28, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2121 as Act 63, entitled: "RELATING TO THE EARLY LEARNING COUNCIL."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2121

On April 28, 2010, I intend to allow Senate Bill No. 2121, entitled 'A Bill for an Act Relating to The Early Learning Council' to become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to allow the Early Learning Council to conduct meetings by teleconference and sets quorum requirements, public notice requirements, and public participation requirements for teleconference meetings.

This legislative session I introduced Senate Bill No. 2710 and House Bill No. 2557 which would have allowed all boards and commissions to use various forms of audio or audio and visual conference technology, such as teleconference, videoconference, and voice over internet protocol, to facilitate meetings between board members and the public. I believe that expanding the use of available technology by all boards and commissions will increase efficiency in their deliberations and decision making, enhance public access to these deliberations, and reduce administrative costs for travel and meeting expenses.

However, I am concerned that this measure's scope and applicability is too narrow because it only allows one specific entity to use teleconferencing to conduct meetings. The measure fails to explain why this Council's needs are different from other Boards, Commissions and Councils in the State. The legislation fails to provide a rationale as to why it should be held under a different standard than what is applicable to all other boards and commissions that must adhere to the Sunshine Law.

I urge the Legislature to amend this Act in the next Legislative session to allow all boards and commissions to meet by teleconference, video conference, and voice over internet protocol, or equivalent electronic method.

For the foregoing reasons, I intend to allow Senate Bill No. 2121 to become law as Act 63, effective April 28, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 527, dated April 25, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 25, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2159

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2159, entitled 'A Bill for an Act Relating to Traffic Abstract Fee.'

The purpose of Senate Bill No. 2159 is to increase general fund revenues by raising the traffic abstract fee from \$7 to \$20. Of the \$20.00 to be charged, \$18.00 is to be deposited into the

general fund and \$2.00 is to be deposited into the judiciary computer system special fund.

This bill is objectionable because it is effectively a tax increase on Hawaii drivers and businesses. This bill imposes a nearly two hundred percent increase in the amount of the fee currently charged. Based on the number of abstracts requested each year, this bill would cost Hawaii drivers an estimated \$6.5 million more annually.

This increased fee of \$20.00 would be significantly more than the traffic abstract fee of most other states. This substantial increase will undoubtedly impact businesses operating in Hawaii that regularly need to review traffic abstracts, particularly businesses that operate fleets of vehicles. Further the fee will impact any individual who operates a vehicle and must obtain an abstract for insurance purposes.

This measure, places an additional burden on Hawaii's residents and businesses at a time when existing taxes are difficult enough to bear. Families are prioritizing expenditures and making difficult decisions in order to live within their means. We in the State, have an obligation to do the same.

For the foregoing reasons, I am returning Senate Bill No. 2159 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 528, dated April 25, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2650, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
April 25, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2650

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2650, entitled 'A Bill for an Act Relating to the Department of Human Services.'

The purpose of this bill is to allow the Governor, through the Department of Human Services (DHS), to establish an eligibility processing operations division (EPOD) pilot project on Oahu. This bill also prohibits the DHS from implementing any transfer of eligibility functions via a reorganization proposed before and during the effective date of the measure, other than the pilot project.

This bill is objectionable because it denies equal access for Hawaii residents living on the neighbor islands to utilize and receive public benefits, such as welfare assistance, Medicaid, and the Supplemental Nutrition Assistance Program services. The reorganization, proposed and approved before the Legislature passed this measure, is designed to increase the convenience with which clients across the State can apply for services and renew their eligibility to retain services through the establishment of a call center and online applications. Residents could also receive in-person assistance at remaining

DHS offices, community-based social service agencies, hospitals, and health clinics statewide.

This measure would provide easier access to the application and renewal process for residents on Oahu only, which is not fair to those living on the neighbor islands, and discriminates against them based solely on the location of their residence.

This bill is also objectionable because it would limit DHS's ability to reduce the backlog of applications and renewals for public assistance, which has increased statewide since 2008 because of the global economic recession. If EPOD cannot be fully implemented statewide, only those applications originating on Oahu will benefit from faster, more responsive, processing. Neighbor island applications are currently delayed for as long as four months, and the processing periods are not within the required federal timelines. The backlog will continue to grow. This does not serve our most needy residents well.

Furthermore, the original state-wide proposal would have improved the quality of service to public assistance recipients statewide while saving the taxpayers of the State an estimated \$8 million annually. There is nothing wrong with improving service and also saving money. The original program should proceed.

For the foregoing reasons, I am returning Senate Bill No. 2650 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 529, dated April 25, 2010, transmitting the Governor's statement of objections to House Bill No. 2085, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
April 25, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2085

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2085, entitled 'A Bill for an Act Relating to Health.'

The purpose of this bill is to prohibit a purchasing agency from soliciting proposals for any QUEST contract under chapter 103F, Hawaii Revised Statutes, if the anticipated contract sum exceeds \$100,000,000 and the commencement date of the contract is after the expiration of the term of office of the head of the purchasing agency. The stated purpose of the statutory amendment is to 'ensure continuity of care for Hawaii's neediest population and to make certain that Medicaid contracts reflect expectations outlined in national health care reform by establishing restrictions on the issuance of requests for proposals for QUEST contracts.

This bill is objectionable because it does not achieve the stated goal of ensuring continuity of care for Hawaii's Medicaid population and instead will disrupt care for Medicaid clients.

Requests for proposals (RFPs) for the Medicaid managed care programs are extensive, detailed, and complex. QUEST health plans need sufficient time to prepare to deliver a full

array of health care services to nearly 200,000 individuals who are currently served in the QUEST program. The Department of Human Services must ensure that there are uninterrupted services to these vulnerable clients.

This bill ties the solicitation of bids to the expiration of the term of the head of the purchasing agency. This language would seem to require that all QUEST contracts be scheduled so that they never expire within the last one and one-half to two years of any appointed director's term. This is the length of time needed to allow for the complete procurement of a complex contract, including any delays caused by appeals and challenges to the contract award.

Thus, if a contract cannot be solicited before the end of a director's term, there is a high probability that any existing contract would end before a new one is in place during the next director's term. Such a scenario will require extension of the existing contract beyond its original terms, which circumvents the protections in state procurement laws. Extensions would delay the State's ability to structure a new contract in a way that strengthens its oversight of the health plans, drawing on the experience of the previous contract. Extensions would also delay efforts to improve the contract provisions to ensure better quality health care for Medicaid clients, and maximum efficiency, transparency, and value to Hawaii taxpayers.

For the foregoing reasons, I am returning House Bill No. 2085 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 530, dated April 25, 2010, transmitting the Governor's statement of objections to House Bill No. 2086, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 25, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2086

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2086, entitled 'A Bill for an Act Relating to Health Care Data.'

The purpose of this bill is to allow clinical laboratory test results to be provided to authorized persons or a covered entity for a purpose permitted under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This bill appears to be intended to expedite patient care by broadening the definition of who may have direct access to laboratory data. However, the legislation lacks safeguards that will ensure the protection of patients' privacy rights.

Section 11-110.0-16, Hawaii Administrative Rules, states, 'The result of a test shall be reported only to the authorized person who ordered the test and the designee(s) of the person who ordered the test.' The administrative rules list the specific individuals and entities that may access laboratory data in such a way that ensures licensed health care providers use information for direct diagnosis, treatment, and health care evaluation purposes.

This measure is a significant departure from what is currently permissible, because it provides for a much broader array of people and entities, that do not have a direct role in a patient's health care, to access laboratory data. I am also concerned that once an entity or its associated businesses obtain laboratory data, they can forward that information to any other HIPAA entity or associate without limit. This could lead to the wider dissemination of sensitive patient information.

I believe that this issue requires and deserves further review. Additional safeguards should be developed before this bill is enacted. I strongly urge the Legislature and Department of Health to discuss with stakeholders the potential impacts of expanding access to clinical laboratory data. They should also evaluate national discussions currently underway and allow pending federal rules changes to be promulgated before proposing State legislation that may not meet new federal guidelines.

For the foregoing reasons, I am returning House Bill No. 2086 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 531, dated April 25, 2010, transmitting the Governor's statement of objections to House Bill No. 2421, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 25, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2421

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2421, entitled 'A Bill for an Act Relating to Government.'

The purported purpose of Senate Bill No. 2421 is to provide a source of funding to support government programs, personnel, task forces, and grants-in-aid intended to promote energy and food security in the State. The funding will be generated by instituting a \$1.00 increase in the tax imposed on each barrel or fractional part of a barrel of oil sold by a distributor to any retail dealer or end user in the State. However, over half of the money raised by the tax would not be used for the stated purpose.

This bill is objectionable because it raises taxes on Hawaii residents and businesses by an estimated \$22 million per year at a time when the community cannot afford these taxes, and deceptively implies these funds will be used to address the state's dependence on imported fuel and food.

This tax will impact virtually everything we do or use in Hawaii including electricity, gasoline, trucking, shipping, retail goods, food, and even the propane for our backyard barbecues. The impacts will ripple through our entire economic system. I am particularly concerned that the tax increase occurs at a precarious moment when the State economy is beginning to stabilize and progress out of the slump created by the global recession.

It is worth noting that the Legislature was willing to exempt from this barrel tax aviation fuel used by commercial airlines, thereby shifting the burden of the tax to consumers. It should be recognized that higher energy prices discriminate against poor families more than any other group in our society. Energy costs comprise a higher percentage of family expenses for those at the lower income levels. This taxing policy runs counter to a progressive tax structure.

As I noted last year when I vetoed this measure's predecessor, energy and food security have been top priorities of my Administration. In 2006, I signed groundbreaking legislation known as Energy for Tomorrow that laid the foundation to wean Hawaii off imported oil. In 2008, my Administration signed a historic, one-of-a-kind agreement with the U. S. Department of Energy intended to decrease energy demand and accelerate the use of renewable energy resources in Hawaii. In 2009, we enacted legislation drafted by members of the Hawaii Clean Energy Initiative that will help Hawaii meet our goal of 70 percent clean energy by 2030. I am proud to share these accomplishments with members of the Legislature, federal officials, and the community who are committed to making Hawaii a cleaner, greener, and more secure place to live.

I believe we can continue to make significant progress in this arena without this tax and the bureaucracies it will fund. Further, I am concerned that some of the money in this bill would be used to fund entities that have no direct relationship to the stated purposes of the legislation.

In sum, we must be willing to make tough choices and work together to prioritize the public programs that have the potential to genuinely address the State's dependence on imported oil and imported fuel without burdening our families, our businesses, and our economic recovery.

For the foregoing reasons, I am returning House Bill No. 2421 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 532, dated April 25, 2010, transmitting the Governor's statement of objections to House Bill No. 2866, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 25, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2866

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2866, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of this bill is to reestablish the Hawaii estate tax on property, holdings, and assets of persons who pass away after April 30, 2010. This measure also taxes non-citizen and non-resident assets in Hawaii.

The bill is objectionable because it would effectively increase taxes on those most likely to invest in businesses and properties in Hawaii. It would also impose a tax on families

with valuable land holdings who may not be wealthy, but whose estate meets the statutory thresholds.

Hawaii has not had an estate tax since 2005, when the federal credit for state death taxes was eliminated by the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). Moreover, there is also no federal estate tax for tax year 2010 as a result of the EGTRRA. This measure targets individuals who are most capable of stimulating Hawaii's economy, and provides a disincentive for residents and non-residents looking to accumulate capital in the State or invest in the State.

Moreover, it is unfair to apply this estate tax to persons who die after April 30, 2010 with little notice or time to inform the public. This measure does not provide enough time for individuals to adequately plan their estate or modify their current estate plan. It would be unfortunate if a person who passes away on May 1, 2010, who may or may not know of the estate tax's existence, cannot distribute his estate as planned to his heirs and charities.

For the foregoing reasons, I am returning House Bill No. 2866 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 627 to 631) were read by the Clerk and were placed on file:

Hse. Com. No. 627, informing the Senate that on April 27, 2010, the House discharged all conferees to H.B. No. 921, H.D. 1 (S.D. 2).

Hse. Com. No. 628, informing the Senate that on April 27, 2010, the House agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives:

H.B. No. 840, H.D. 1, S.D. 1;  
H.B. No. 2003, H.D. 3, S.D. 2;  
H.B. No. 2083, H.D. 1, S.D. 2;  
H.B. No. 2129, H.D. 1, S.D. 1;  
H.B. No. 2708, H.D. 1, S.D. 1; and  
H.B. No. 2721, H.D. 1, S.D. 1.

Hse. Com. No. 629, informing the Senate that on April 27, 2010, the House agreed to the amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 21, S.D. 1;  
H.C.R. No. 22, S.D. 1;  
H.C.R. No. 23, S.D. 1;  
H.C.R. No. 24, S.D. 1;  
H.C.R. No. 25, S.D. 1;  
H.C.R. No. 26, S.D. 1;  
H.C.R. No. 27, S.D. 1;  
H.C.R. No. 28, S.D. 1;  
H.C.R. No. 29, S.D. 1;  
H.C.R. No. 30, S.D. 1;  
H.C.R. No. 31, S.D. 1;  
H.C.R. No. 32, S.D. 1;  
H.C.R. No. 33, S.D. 1;  
H.C.R. No. 34, S.D. 1;  
H.C.R. No. 36, S.D. 1;  
H.C.R. No. 45, S.D. 1;  
H.C.R. No. 51, S.D. 1;  
H.C.R. No. 62, S.D. 1;  
H.C.R. No. 68, S.D. 1; and

H.C.R. No. 212, S.D. 1.

Hse. Com. No. 630, informing the Senate that on April 27, 2010, the following bills passed Final Reading in the House of Representatives:

H.B. No. 347, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 415, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 865, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 869, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 979, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1190, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1212, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1665, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1684, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1808, H.D. 3, S.D. 1, C.D. 1;  
 H.B. No. 1818, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1854, S.D. 2, C.D. 1;  
 H.B. No. 1863, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1978, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1987, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1992, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2000, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2020, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2077, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2084, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2133, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2157, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2200, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2239, S.D. 2, C.D. 1;  
 H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2283, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 2288, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2289, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 2318, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 2349, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1;  
 H.B. No. 2397, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2441, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2486, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2497, S.D. 1, C.D. 1;  
 H.B. No. 2503, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2505, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2533, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2575, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2583, S.D. 2, C.D. 1;  
 H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 2595, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2604, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2631, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2644, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2676, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2688, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2692, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2698, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2725, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2775, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2831, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2832, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2845, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1;  
 S.B. No. 466, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 506, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 532, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 633, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 910, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 930, H.D. 2, C.D. 1;

S.B. No. 950, S.D. 2, H.D. 3, C.D. 1;  
 S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1;  
 S.B. No. 1062, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1230, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2019, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2020, H.D. 2, C.D. 1;  
 S.B. No. 2045, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2054, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2068, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2105, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2116, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2150, H.D. 1, C.D. 1;  
 S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2165, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2169, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2173, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2231, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2257, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2324, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2346, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2371, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2385, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2386, H.D. 1, C.D. 1;  
 S.B. No. 2395, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2399, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2400, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2434, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2449, H.D. 1, C.D. 1;  
 S.B. No. 2454, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2461, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2472, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2473, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2534, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2548, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2563, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2566, H.D. 2, C.D. 1;  
 S.B. No. 2599, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2601, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2603, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2610, H.D. 1, C.D. 1;  
 S.B. No. 2643, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2661, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2691, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2697, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2702, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2716, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2729, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2745, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2806, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2809, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2811, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2817, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2828, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 2831, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2842, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2849, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2859, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2883, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2885, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2897, S.D. 2, H.D. 3, C.D. 1;  
 S.B. No. 2919, S.D. 1, H.D. 1, C.D. 1;

S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1; and  
S.B. No. 2951, S.D. 2, H.D. 2, C.D. 1.

Hse. Com. No. 631, informing the Senate that on April 27, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2152, H.D. 1, and H.B. No. 2152, H.D. 1, S.D. 1 passed Final Reading in the House of Representatives.

#### STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3238) recommending that H.C.R. No. 199, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3238 and H.C.R. No. 199, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER CERTAIN FACTORS BEFORE ENTERING INTO CONTRACTS WITH MANAGED CARE ORGANIZATIONS THAT PROVIDE MEDICAID BENEFITS UNDER QUEST MANAGED CARE PLANS," was deferred until Thursday, April 29, 2010.

Senators Espero and Chun Oakland, for the Committee on Public Safety and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 3239) recommending that H.C.R. No. 162 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3239 and H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was deferred until Thursday, April 29, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3240) recommending that H.C.R. No. 13 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3240 and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was deferred until Thursday, April 29, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3241) recommending that H.C.R. No. 19 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3241 and H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A DATABASE RESOURCE WEBSITE TO HOUSE REAL-TIME AVAILABILITY OF ALL JUVENILE SERVICES FROM THE LOWEST LEVEL OF CARE TO THE HIGHEST LEVEL OF CARE FOR THE APPROPRIATE PLACEMENT OF JUVENILES IN HAWAII," was deferred until Thursday, April 29, 2010.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3242) recommending that H.C.R. No. 256 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3242 and H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

HUMAN SERVICES TO EXAMINE AND EVALUATE THE VERACITY, EXTENT, AND EFFECT OF CERTAIN ALLEGATIONS OF SHORTCOMINGS OF PROGRAMS FOR ADULTS WITH SPECIAL NEEDS," was deferred until Thursday, April 29, 2010.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 3243) recommending that H.C.R. No. 158 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3243 and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP A PROGRAM TO ENCOURAGE BREASTFEEDING AMONG MOTHERS WHO RECEIVE MEDICAL ASSISTANCE FROM MEDICAID," was deferred until Thursday, April 29, 2010.

#### ORDER OF THE DAY

##### FINAL READING

##### MATTER DEFERRED FROM THURSDAY, APRIL 8, 2010

S.B. No. 2544, S.D. 2, H.D. 1:

Senator Gabbard moved that S.B. No. 2544, S.D. 2, H.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in support of the measure with reservations as follows:

"As I've said previously, I support the project. I think it's a doable project and all of that. However, this Legislature authorized \$48 million in special purpose revenue bonds five years ago in 2005. We haven't seen any activity or any action. We understand now that the company says that they'll begin construction in the fourth quarter of this year, but the bill is extending the SPRB for another five years until the year 2015. The point that I'd like to make, Madam President, is that when we authorize these special purpose revenue bonds, number one, there should be a much closer date and oversight; and number two, we should follow up with that and not have the public believe that we're authorizing something that's going to take place when in fact there's going to be no construction for 10 or 15 years. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2544, S.D. 2, and S.B. No. 2544, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Ihara).

#### ADOPTION OF RESOLUTIONS

##### MATTERS DEFERRED FROM TUESDAY, APRIL 27, 2010

Stand. Com. Rep. No. 3235 (H.C.R. No. 86):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUA'I TO RESTORE PRINCE KUHIO PARK TO ITS FORMER CONFIGURATION," was adopted.

Stand. Com. Rep. No. 3236 (H.C.R. No. 174):

Senator Sakamoto moved that Stand. Com. Rep. No. 3236 and H.C.R. No. 174 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

Senator Hemmings rose in opposition to the measure as follows:

"Thank you, Madam President. Relating to the provincial pride, H.C.R. No. 174, I understand it urging President Barack Obama to select a location in Hawai'i as a site for his library. I think it's much more appropriate for him to select Chicago as that is where he honed his skills politically, and I think it's much more indicative of who he is as President of the United States. So, I'll be voting 'no' on the resolution.

"Regarding H.C.R. No. 282, 'requesting Congress to propose an amendment to the United States Constitution to permit Congress and the states to regulate the expenditure of funds by corporations engaging in political speech', I take serious umbrage with that. Free speech is free speech, no matter who it's coming from.

"More importantly, as far as I can see, relating to the Constitution, possibly this resolution should address Congress to propose an amendment to the Constitution to propose a balanced budget amendment for the United States Constitution. The 310 million people that will be alive in America at the end of the close of fiscal year 2010 will owe the federal government, because of their wanton spending, \$14.5 trillion. For the average family of four, including the elderly people sitting in this thing, you all owe individually \$46,000; family of four owes about \$182,000 that paid for the wasteful spending of the Congress of the United States, and what they want to do with this resolution is attack free speech and people willingly and independently of congressional dictates to spend their money as they please. So, I'll be voting 'no' against the two resolutions."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was adopted with Senators Hemmings and Slom voting "No".

Stand. Com. Rep. No. 3237 (H.C.R. No. 282, H.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3237 and H.C.R. No. 282, H.D. 1, be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no," and the Chair so ordered.

Senator Hemmings rose in opposition to the measure as follows:

"Thank you, Madam President. Relating to the provincial pride, H.C.R. No. 174, I understand it urging President Barack Obama to select a location in Hawai'i as a site for his library. I think it's much more appropriate for him to select Chicago as that is where he honed his skills politically, and I think it's much more indicative of who he is as President of the United States. So, I'll be voting 'no' on the resolution.

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The motion was put by the Chair and carried, the report of the Committee was adopted and H.C.R. No. 282, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH," was adopted with Senators Hemmings and Slom voting "No".

H.C.R. No. 155:

On motion by Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO AUTHORIZE THE JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE TO CONTINUE TO MEET AND CARRY OUT THE WORK OF THE COMMITTEE," was adopted.

H.C.R. No. 165:

On motion by Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE EFFICIENCY AND EFFECTIVENESS OF THE CHILD WELFARE SERVICES PROGRAM IN PROCESSING AND INVESTIGATING COMPLAINTS OF CHILD ABUSE AND NEGLECT AND MISUSE OF CHILD SUPPORT," was adopted.

H.C.R. No. 237:

On motion by Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ECONOMIC STIMULUS OVERSIGHT COMMISSION TO EXPAND ITS MONITORING OF FEDERAL STIMULUS FUNDS AVAILABLE TO HAWAII," was adopted.

H.C.R. No. 288, H.D. 1:

On motion by Sakamoto, seconded by Senator Slom and carried, H.C.R. No. 288, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII PROCUREMENT INSTITUTE TO REVIEW THE POLICIES AND REQUIREMENTS IN THE AWARDED OF STATE ENERGY SERVICE CONTRACTS," was adopted.

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 a.m.

## FINAL READING

Conf. Com. Rep. No. 154-10 (H.B. No. 1015, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Kim and carried, Conf. Com. Rep. No. 154-10 was adopted and H.B. No. 1015, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

Conf. Com. Rep. No. 155-10 (H.B. No. 2377, H.D. 3, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 155-10 be adopted and H.B. No. 2377, H.D. 3, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Slom rose in opposition to the measure as follows:

"While I definitely think that we should have an appointed board rather than an elected board, and that one person, the chief executive, should be responsible so that we don't continue to finger point between the Board of Education, the Department of Education, HSTA, and the Governor—I certainly believe that—but you know, this proposes a candidate advisory council, a selection council. We have that for the Judiciary, we have it for the Board of Regents, we have it for a number of other situations, and I don't think it's proven its merit. If you're going to give the responsibility someone, particularly the chief executive (it's going to be the next governor of this state), then give that responsibility.

"Also, we talked early, and all three former Democrat governors and the current Republican governor all were in favor of having the superintendent of education as part of the cabinet and also being responsible for that. So, this bill goes a little way but not far enough and doesn't make the systemic changes that we need if we're going to improve our educational system and accountability. Thank you."

Senator Sakamoto rose in support of the measure as follows:

"First, brief comments on previous speaker's concerns: Certainly this measure, should the voters approve the constitutional amendment, would improve the accountability when we improve the connection between the future governor and governors with the Board of Education because the ultimate appointment comes from that person. Regarding the discussion about a cabinet member, I believe currently the governor can invite the superintendent to be part of the cabinet meetings, so there's no bar in terms of that measure.

"But I hope, as the members look at this chart that's on their desk, it simplifies the many pages in the bill. Should the voters approve of this constitutional amendment, there would be nine members: one from the Big Island, one from Maui, one from Kaua'i, six from O'ahu. They'll have staggered terms. The advisory council is to be made up of: one member appointed by the Governor, just as in the Regents Advisory Council; one by the Senate President; one by the Speaker of the House; and we've struggled on how we get parent representatives, educator representatives, and a community representative on the Council. This bill tasks the P-20 council to look at the school community council, and other groups to choose appropriate people to bring forth nominations. We believe this good measure would improve accountability, would enable people who would otherwise not run for office—because of sign waving, asking for dollars or not—would bring a pool of people that all of us hope would improve accountability and ultimately our

educational system. So, I ask all my colleagues to vote in favor. Thank you very much."

Senator Slom rose in rebuttal and said:

"Thank you, Madam President. Just a brief rebuttal: It may have been a communications problem between the Education Chairman and myself. I wasn't talking about the governor having the ability to invite the superintendent over to talk sports or to have tea. I was talking about the executive having the ability to hire and/or fire the superintendent of education. That's quite different. That's not allowed now. That's not part of this bill.

"But I do want to compliment the Education Chairman. I love his artwork here and the engineering skills that go into taking a very simple situation and making it more complex."

Senator Hee rose in support of the measure with reservations as follows:

"I don't think anybody should kid themselves if they're under some impression that this is somehow the panacea to the problems of the Department of Education. If that is the thinking, then you're thinking is, respectfully, misplaced by voting for this measure. I happen to agree with one of the previous speakers. I truly believe that the governor should appoint the superintendent, and if the superintendent cannot improve education in four years, the governor ought to be voted out of office.

"The reason I don't believe that this is the panacea is that when you look at an appointed board and presume that somehow all things will be made right, all one needs to do is look at the University of Hawai'i Board of Regents. On the other hand, when you look at an elected board, all one has to do is look at the Office of Hawaiian Affairs. The problem with this particular Board of Education—and I've said it publicly and I'll say it again—is that they somehow—the leadership, the chairman of whom used to work for me—the leadership has forgotten that they represent the employer, not the employee. That is the problem with this Board of Education. And I don't mean to broadly brush every member with the paintbrush because I know full well that one former member of the Senate understands that she is the employer and not the employee. Unfortunately, she is no longer the chairman of the Board of Education.

"As far as I'm concerned, it doesn't matter whether it was an elected board or an appointed board because this doesn't address the crux of the issue, and that's accountability. It changes the complexion of the issue by making it appointed, but as far as I'm concerned, anything is an improvement over the present system, and that is why I will vote 'with reservations.' Thank you."

Senators Taniguchi, Chun Oakland, Bunda, Green, Baker, Kidani, Nishihara, and Takamine requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 155-10 was adopted and H.B. No. 2377, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Bunda, Chun Oakland, Green, Hee, Kidani, Nishihara, Takamine, Taniguchi). Noes, 2 (Espero, Slom). Excused, 1 (Ihara).

Conf. Com. Rep. No. 156-10 (S.B. No. 2589, S.D. 2, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 156-10 be adopted and S.B. No. 2589, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Taniguchi requested that his vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Sakamoto rose in support of the measure as follows:

“On people’s desks again, I’ve summarized some of the chronology from 1999, 2000, 2001, on forward, showing that this body, the Senate and the House together have worked on charter school issues for an inordinate amount of time. It’s not done yet, but the current measure before us helps charter schools deal with facilities whether it’s vacant facilities or those currently in use, removes a numerical cap of 25 on start-up charter schools with just 1 for each new start-up. It creates a new mechanism to say three new start-ups charters for each one that is accredited and talks about a clear process for rigorous organizational and educational criteria, including student achievements as a significant factor in reauthorizing or allowing charters in. It doesn’t deal too much with the funding issues before us that we got bombarded with in the sense of equity or equal funding, but thankfully your Senator from Hamakua and others are working with the department and charter proponents to deal with the funding issue. And I think your Ways and Means Chair and others, under the current circumstances, are doing what we can in terms of general funds and other funds, but the funding issue will continue.

“In summary, we’ve made some significant improvements, helped improve the State’s competitive position in Race to the Top, and we hope that we’re successful in the next round of that. This bill is just part of that conversation. I ask my colleagues to vote in support.”

Senator Slom rose in support of the measure as follows:

“I just wanted to say that I think that the Education Chairman has done an excellent job of summarizing, outlining, and showing us the trends of charter schools, which we all should be fully supportive of because that is the best that we have in public education in Hawai‘i. Thank you.”

Senator Hemmings rose in support of the measure as follows:

“I, too, I think it’s important as a member of the Minority party to echo the sentiments of the previous speaker regarding the illustration we received on this. It is something that’s easily understood and shows the history of it. But more importantly is, in my estimation having been close to the subject of education in Hawai‘i for most of my Senate career, is that this chairman, I think, recognizes and has demonstrated, not through idle words but through deeds, his support of the charter school system by what he is doing this session to pass this bill and lend the much needed support to what in the past had been a beleaguered part of public education. And I do believe that legislation like this and the open-minded support as demonstrated by the Chairman of the Education Committee will lead to spreading educational opportunity in the marketplace of public education, and therefore provide for more mobility on the part of our parents and teachers and better outcomes ultimately. So I laud him for his efforts and support this legislation.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 156-10 was adopted and S.B. No. 2589, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Aye with Reservations, 1 (Taniguchi). Noes, none. Excused, 1 (Ihara).

Conf. Com. Rep. No. 157-10 (S.B. No. 2124, S.D. 2, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 157-10 be adopted and S.B. No. 2124, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Hemmings rose in opposition to the measure as follows:

“We all know what austere financial times we’re experiencing, probably the worst in the history of Hawai‘i and certainly since statehood. It’s important when we look at legislation like this to follow the money, and where does this money come from? This money was paid into an insurance fund by homeowners, homeowners that, for the most part, would have been left without mortgages or the ability to get a mortgage, and in the case of having a home, without hurricane insurance, after the terrible, devastating hurricane in Kaua‘i.

“It’s important for us also to understand why that happened. Well, in part it’s because Hawaiian Insurance Company defaulted and left people holding good policies with the inability to collect. It’s interesting to note that that particular insurance company was a for-profit subsidiary of Hawaiian Electric Company, one of our state’s most favored monopolies who charges on the average three times, in hard times, the electric rates of the national average, and this is what we get for it.

“This bill takes \$67 million out of homeowners’ insurance protection and does not speak to the problem of what happens if we have another default or another hurricane. What’s particular egregious about this is this being brought about—and I want to use the strongest of words—as a result of extortion. That is a strong word, but I think that the people that should have been representing the interests of the taxpayers of Hawai‘i, of the children, and I might add, of the teachers in the classroom, the Board of Education, the Department of Education, should have worked out a deal with the union that would have allowed them to preempt keeping our kids out of school. And it’s been demonstrated all session long. There were whole hosts of opportunities to do so: using teacher enrichment days, using teacher enrichment hours, possibly even cutting some of the fat out of the huge bureaucracy in the DOE. I’d like to tell you exactly how much fat there is in there, but no one knows, including the DOE by their own admission. I’d also like to tell you that we could find out because we could do an audit. Since a management audit has not been done since 1973, we don’t know that either.

“My point is it’s nauseating to have people in education system who are holding our kids hostage say to ‘give us more money because we’re doing it for the keiki.’ How disingenuous and exploitive can you get? This has nothing to do with the keiki. This has to do with money, money, and money; and unfortunately, in many instances the money does not end up in the teacher’s pocket in the classroom. It ends up shuffling around, subsidizing the bureaucracy because we really don’t know where it all goes. Also, how disingenuous can labor lunas be when they say, ‘Give us the money because it’s for the keiki,’ because these are the same labor union leaders, or represent the same union, that had no problem keeping our kids out of school 21 days in 2001 during the strike. What’s changed? Well, now they can leverage their kids, our kids, in financial hard times for their own personal gain.

“There’s a much more serious underlying problem here that I’m hoping that you’ll address in the future years, and I’m making this charge now with this bill that we—state legislators, elected to make budgets and represent the best interests of the

people of Hawai'i, elected to make laws, not execute them as executive branch of government, not judge them, actually make them—we have lost control of that ability to collective bargaining. And it's even written into legislation such as this. The C.D.'s draft says, 'The appropriation made by this bill shall not be construed to mean that the legislature, in any way, intends to interfere with the process of public sector collective bargaining as authorized under Hawaii Constitution in HRS Chapter 89.' Well, the Constitution's pretty broad on that subject but HRS 89 is not. But more importantly, common practice by this body is to yield to collective bargaining dictates and rubber stamp pay increases, benefits, and other perks that far surpass the private sector counterpart. That's not my opinion; that has been researched both here in Hawai'i and at the national level. It's this type of fiscal management of redistribution of wealth from poor beleaguered taxpayers, and even the poor and the sick and the hungry that pay excise tax on their very sustenance, to the new privileged class in America and in Hawai'i: government labor unions. They make more, their fringe benefits are more than their counterparts in the private sector for the most part, and for the most part—because of collective bargaining laws that I just quoted something and civil service—are immune from accountability. I've heard often that if there's a problem with an employee in one of the departments, it's much more cost effective to not give that employee any responsibility and sit him in the corner than it is to move him or give him an early retirement. It's a shame that we have to take money from homeowners, oftentimes who have a difficult time paying their mortgage, put it into an insurance fund that's supposed to protect them for future calamity, and then steal it from them because we've been hijacked by a union. It's just not fair, and I hear that word so often about 'fair.' Well, let's give the unions parity and ask them to accept the same pay, compensation, and fringe benefits as their counterparts in the private sector; and if we did that, we'd have no deficit. Those facts can be borne out; they're not opinion, and they're certainly not bashing. They're just the numbers as they pencil out.

"You're not going to change your mind on this vote. This is a slam dunk, but I hope my sincere words will fall upon a few open minds because if we continue on this path, we'll follow California, and hopefully we won't follow the nation although there is a nation in the world that has a similar problem that went bankrupt. It's called Greece. These are perilous times because we've lost control of our government to a special interest group, a privileged special interest group, that no longer works for us. We work for them. I'd urge my colleagues to give this future consideration in future deliberations on how we as managers and elected officials manage what should have been our employees rather than having them manage us. Thank you, Madam President."

Senator Hooser rose in support of the measure as follows:

"I think most of us, hopefully all of us, will agree that the situation that currently exists in our schools is a travesty. To close our schools for 17 days to balance the budget is not just an embarrassment, but has real, significant, tangible, negative impacts on our community and our children and our families' reputation in the world and in the nation, and we as a legislative body need to take the leadership to end it within our constitutional ability to do so.

"You know, we can sit here and bash public workers. We can blame the unions. We can blame the Governor. We can even blame the parents and the students, but all the blame in the world will not send the students back to school. And this issue I think fundamentally stems to a lack of leadership in our state, and it's time for us as a legislative body, I believe, to exert that leadership, and I believe that's what we're doing today. We could point to who was wrong and who was right. You know,

the bottom line is that the students are not in school. The bottom line is our Governor agreed to the collective bargaining agreement, along with the public worker unions, and in fact it's my understanding the Governor's agreed to all the various collective bargaining agreements which resulted in the pay and the benefits. So if we're going to be bashing people, let's do it: Give equal time to the administrative branch because they are the managers.

"But again I don't want to spend my time any more than we already have done placing blame. I think it's time to exert leadership, Madam President. I think it's time to send the students back to school, and then work out solutions to some of these systemic problems; and I'm very proud that the legislative body this year has done that. We passed a bill requiring a certain number of school days and hours so this issue will not be repeated in the future. I think that shows leadership. I think putting the money on the table and leaving it up to the Governor and the public worker unions to come to an agreement shows leadership, and I'm very proud of the members here in the House and the Senate for doing so.

"As someone who's been through several hurricanes—I lost my home in Hurricane Iniki, almost lost my business—I do not take this step lightly, taking money from this hurricane relief fund, but I believe it's money that we need to spend to get our students back to school. And should another hurricane hit, which everyone knows is inevitable, that really is not the issue. The issue is will insurers fail to stop covering Hawai'i homeowners in the future, and that has happened one time in the past and it may very well happen one time in the future, but when it happened after Hurricane Iniki, we had no hurricane relief fund. That fund was started from scratch and was built up to provide the insurance if necessary; and I'm confident that if we have a similar disaster, we also will do the same.

"So I encourage all of us to come together, show leadership which is sorely lacking on this issue, vote these funds, send a strong message to the Governor and to the public worker unions and to the parents and students that this is a priority for us. It's essential that we get our students back to school, and I urge all to vote in support.

"And I would also like inserted into the record, Madam President, an op-ed piece I wrote in October that was published in the *Honolulu Advertiser*. I'd also like inserted into the record a petition spearheaded by the Senator from 'Ewa Beach and signed by 18 senators, also in October-November, which showed leadership at that time—called for a special session, called for the very same solution that we're entering into now, but many, many months ago. I'd like those items entered into the record, and I encourage support of this issue. Thank you."

The Chair having so ordered, the op-ed piece is identified as "ATTACHMENT A" to the Journal of this day.<sup>1</sup>

Senator Baker rose in support of the measure as follows:

"My only regret is that this was not the very first bill that we passed and it's already law and applied to this session, but I appreciate the fact that we're trying to take care of the next school year, and I would ask that some of my prepared remarks be inserted into the Journal. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madam President, I rise in support of SB 2124.

"Despite our repeated efforts to address educational needs in our community our schools continue to rank as the lowest in the nation. Too often fiscal shortfalls are born by the children of our community. This measure will address the needs of our keiki and get them back in school.

<sup>1</sup> Request to insert petition withdrawn at later date

“The purpose of this bill is to ensure that Hawaii’s students receive the education they deserve by restoring public school instructional days in the 2010-2011 school years that would otherwise be lost to furloughs. Specifically, this bill appropriates \$67 million out of the Hawaii Hurricane Relief Fund (HHRF) to the public schools, including charter schools. The intention is to return all DOE personnel who are in the classroom and support the classroom are returned to work.

“Some colleagues are concerned that the Hawaii Hurricane Relief Fund is being inappropriately tapped to pay for furlough days. Let’s examine the purpose and function of the fund. The HHRF closed its doors at the end of 2001. According to HRS 431P-4(a) and the Insurance commissioner’s own testimony, the purpose of the remaining HHRF funds is to redeploy the HHRF if there is another market scarcity in property insurance in Hawaii. Its purpose is to function as reinsurance for the private market. Therefore, the HHRF funds will not be used to cover individual property losses if we have a hurricane. These funds will not cover homeowners for their loss. Those losses are covered by private insurance companies from whom the homeowner has purchased insurance. The HHRF money is held, like an insurance policy, in the event that insurance companies pull out of Hawaii after a hurricane as they did after Iniki. Your Committee on Commerce and Consumer Protection believes that there are sufficient funds remaining to satisfy initial reinsurance needs and recommends that the funds used by this bill be replaced with bond funding or cash when economic prosperity returns. Since the closure of the program in 2001, the fund has functioned as a savings account. It can continue to serve that function and its reserves can be bolstered by future legislatures.

“The chance of a hurricane hitting Oahu cannot bear more weight than the reality of our children missing school. The HHRF is the most reasonable vehicle to address school furloughs. Furthermore, the suspension of the mortgage fee in 2001 that went toward funding the HHRF, can be reactivated if we are worried about the depletion of the funds. The Insurance commissioner has that mechanism to address any shortfall that he foresees in the HHRF.

“One of the tools we can give our school system is the funding it needs to go forward. We ask that the bar be raised, we passed a bill for more instructional days and hours; we ask for better test scores, but due to lack of judgment all around we have kept the children out of school. We have the shortest instructional year in the county – 163 days. That cannot go forward for another year. This measure will provide children with what they need to succeed, more time in the classroom.

“This bill will ensure that needed funding is provided. I urge all my colleagues to support this important step to show the world that Hawaii cares about education and we are willing to put our money where our mouth is. Mahalo.”

Senator Sakamoto rose in support of the measure as follows:

“I think everyone agrees there’s dysfunction in the education system; it’s just where we’re at. I think there is no need to articulate further on the problem, but we the Legislature, both the House and Senate, were waiting for a solution. Now that session is ending, this measure is on the table to help fund that solution. This doesn’t solve the problem, but I believe we’re closer today than we were a month ago, than we were last year.

“The earlier speaker from Lanikai talked about some of the challenges with collective bargaining. It’s my understanding that our Governor and the Governor of California are the leaders in bargaining on the side of the State, this state and that state. I think people need to understand where collective bargaining starts and a solution can be reached. I would hope that at this point we’re very close to a solution, that at least we

can cure the 17 days next year, and there’s an opportunity to do so now after having passed this measure.

“As far as the hurricane relief fund, there’s no question that it is a question of priority. To those who would choose to lock up food in a storage locker for a future famine can say, ‘Well, this is locked up for a future famine. The struggling hungry today can’t access it.’ But that would be foolish. We have funds locked up for a future crisis and as the Senator from Kaua’i mentioned, there will be hurricanes. That is not the question. The question is: Can we use the resources we have now? And we need to use them now because this is a priority for today, for this year. Thank you very much.”

Senator Slom rose in opposition to the measure as follows:

“The raiding of the state Hurricane Relief Fund is truly symbolic. It’s symbolic of our economic crisis. It is symbolic of the crisis and lack of leadership.

“I’m one of those homeowners that paid into the Hawai’i Hurricane Relief Fund. I’m also one of the few legislators that introduced legislation year after year to refund that money to the people that paid it, to let them make decisions and take care of their own economic needs. That didn’t happen. We had the real estate industry begging the Legislature: Don’t touch that money because when there is the next hurricane, and we’re all in total agreement with that, we very well may need that money and more.

“Again, I rise and speak against the creation of every new special fund because as I’ve said over and over again, and I know you’re tired of it, there’s no such thing as a special fund in Hawai’i. Nothing is special. We get it up to a certain level and then we raid it. We stick it in the general fund. But I think this is insidious.

“While I can agree with the good senator from Kaua’i that our reduction in instructional days and the furlough scam is a travesty, the travesty, real travesty, is how we in the Legislature manipulate the people’s money. We tell them we’re going to use the money for one thing, and we turn around and use it for something else. And let’s make no mistake, as the good senator from Kailua mentioned, this is all about money. It’s not about the children. The children were long ago thrown under the bus. We’re not going to get any furlough days back from this current school year, and in fact the only way that we’re going to get any of the days back is by throwing more money at the unions. This is not union bashing. This just happens to be the fact.

“The negotiations and all of the suggestions of the citizens and the parents and everybody that wanted their children taken care of and wanted their contract honored, they paid taxes. There is a contract that the State will deliver education, and the State has violated that contract—the government schools. We don’t have that problem with the private schools. We didn’t have the same kind of problem with the charter schools; and that’s why, as a matter of fact, this bill was amended and amended and amended again to the conference version so that there are no funds for the charter schools. Everything is for the Department of Education and the HSTA union schools that ask for more money. This is on top of the \$2.7 billion a year that we give to public education. Our education has not gotten better. The children have not learned more. The instructional days have been reduced so that we are the laughingstock and the shame of the nation, but that is not because of lack of money.

“And the good senator from Kailua did mention the portion in the preamble that says that giving this money is not to be construed as being involved with or interfering in collective bargaining process. Then, what is it? Why are we doing it? We’re doing it because the unions have stonewalled and demanded more money. They would not move unless there’s

more money; and so now we're saying, 'We'll give you more money.' We lost one school year. We don't know when the instructional days will be increased. I supported the bills to raise the number of instructional days to 180 and then eventually to 190, but what difference does that make if we've got 167 now?

"Everybody says how important public education is in Hawai'i. And guess what? It's just words. We haven't prioritized it; or if we did, we would have helped solve this problem. Now it's true that the Legislature by law is not part of the collective bargaining process, but aside from the law this Legislature tries to involve itself in everything that we do, every decision we make: who business hires, what time leaf blowers go on, the condition of sharks, the monk seal. Everything, we get involved in; and we certainly have been involved in the process of trying to influence the solution to the instructional days. But I'm sorry, I've seen most of the emphasis from members of this party, this body, attacking the Governor and telling the Governor, 'Give them the money. Give them more money. Give them what they want.' I didn't see anybody sitting in at the HSTA or the BOE or the DOE. They're telling the Governor who has a constitutional responsibility for allocation of funds, particularly in a crisis, for us not to spend beyond our means, and yet we still say, 'More money, more money.' And as the good senator from Maui said, she would have like to have seen us do this on the first day. We might as well have done it on the first day. There's just been political bargaining back and forth by the Majority party. Hey, you got 23 out of the 25 members here. You can do anything you want. If you really wanted to give them money and solve the problem back in January, it could have and should have been done, but it wasn't done and we've dragged this through the political process. To me, that's not leadership.

"And those of my colleagues that say, 'Well yeah, we're going to get another hurricane, but yeah, the hurricane season is starting in a month, but don't worry about that because we'll get the money for that.' Where are we going to get the money for that? Where's that additional money going to come from? We've already raised taxes. We've raised fees. We've raised surcharges. We've cut itemized deductions and other benefits to the taxpayers. We've further separated out those who pay the taxes and those who receive the taxes. Where's the extra money going to come from? How are we going to protect our infrastructure? How are we going to keep faith with people when we tell them, 'This is for hurricanes.'

"If we didn't want to get involved in collective bargaining and influence the outcome of the instructional days, then in fact we should not other than to set broad policy such as the status and the structure of the Board of Education (which ultimately the public will decide in their vote) and things like number of instructional days and details of that nature. But make no mistake: We're hands and feet and fists and legs and fins involved in the collective process on one side and one side only: the side that keeps clamoring for more money. There's never enough. There's no accountability and no transparency and no requirement that the more money we give, we should get more results. The more money we give, the less results we've gotten; and we've got less people in the classroom, less actual teaching going on and more bureaucracy, and that's what we're paying for.

"And it is just amazing that we've tried year after year after year to get a financial and management audit of the Department of Education and can't seem to do it as the good Senator from Waikiki showed us yesterday with the last audit—1973. That is unacceptable. When somebody is clamoring for more money, you find out if they're telling the truth. You document that information. That's our responsibility as legislators—the oversight, the fiscal responsibility—because if we don't do it,

who's going to do it? Not the DOE. Not the BOE. Not the HSTA. That's our responsibility, and we've shirked our responsibility.

"So, leadership? I don't see it. End of instructional day losses? I don't see that either. There's no guarantee that we provide \$67 million out of this fund and that will be the end of it. And even if it is and were to be for next school year, what happens the next school year, 2012? And the next, 2013? And 2014? We don't know because this is not a solution. This is a patchwork. We have not made the systemic changes to public education and to accountability that we need to make. That is our responsibility. That is leadership. Everything else is raiding public funds."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 157-10 was adopted and S.B. No. 2124, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Ihara).

Conf. Com. Rep. No. 158-10 (S.B. No. 2469, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 158-10 be adopted and S.B. No. 2469, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Hemmings rose in support of the measure as follows:

"I hope I don't incur the wrath of someone sitting next to me, but in my reading of the Old Testament, there was a young son of Israel in Egypt who convinced the pharaoh to put away resources during the seven years of plenty and save for the hard times of the vision he had of seven years of hardship, which was done, and it sustained Egypt through a famine.

"The Emergency and Budget Reserve Fund is just that. It is a fund, for lack of better words that may seem blasphemous to some, it's there to be raided. It's there to be utilized in times of want, not only by natural disaster but man-made political disasters such as our economic ill fortunes are now.

"There's a silver lining also to taking these funds from the reserve fund, and it is in who we're giving it to, colleagues. We're giving it to the most cost-effective organizations in our society in taking care of the hungry, the sick, the aged, and the needy. We're giving it to the organizations recognized by the author of the book we spoke of yesterday, *Democracy in America*. Our nation's greatness was born from the hearts, the character, and the minds of the charitable institutions and churches of this country. They're the ones who don't think of themselves first, but think about helping the needy. They are extremely cost effective. Most institutions whose name is on the list of recipients of these moneys: respite services, healthy start, kupuna care, Age and Disability Resource Center, mental health services, partnerships in community living program, substance abuse treatment, meals for elderly and kupuna care, Windward Oahu Spouse Abuse Center, immigrant health initiative program, Hale Mahaolu, and the list goes on and on. These organizations, as a matter of practice, use only between 10 and 20 percent of the money they receive to administrate their programs. For the record, government is just the opposite. We all know that just our labor overhead is about 70 percent of the cost of administering government programs.

"So speaking in favor of this, this is money well spent. It's spent wholly with the consistency of the legislative purpose of the Emergency and Budget Reserve Fund, and it will help these worthy organizations continue to deliver much-needed services to those who are generally in need in our society; and I laud the

Majority party and those involved in making the decisions to do this. Thank you, Madam President.”

Senator Kim rose in support of the measure as follows:

“Thank you, Madam President. Of all the bills and everything we did this session, this one bill I am most happy about. We have helped so many people in need and what it amounts to: over \$23 million, less than four furlough days—\$23 million, less than four furlough days, and we were able to help so many groups and so many individuals. And I am very pleased that this body did not raid this fund because in the beginning we were saying, ‘Use the rainy day fund for furloughs,’ and this is the only fund that was available for all those in need. And so, with that, I thank my colleagues, I thank our Chair of Human Services, so that we were able to put this list together and we will fund those that need it the most. Thank you.”

Senator Slom rose in opposition to the measure as follows:

“Gee, how could anybody stand up and be opposed to this bill? Well, I am. It doesn’t mean that I disagree with my colleague from Kailua in terms of the value and worth of most of these organizations. But here’s the thing: This bill, and it was a really neat deal, we’ll raid the hurricane fund for the furlough days, and then we’ll raid this fund for social service programs that normally are in the budget.

“The fact of the matter is if we add all of the money together, it equals real bucks. We’ve got 39 different organizations in this bill, some of whom have lobbied us for weeks and months, many of whom, as I say, do a wonderful job and they provide a service that government cannot provide and does not provide. It’s not just a question of the administrative expenses; it’s a question of the one-on-one care, and that’s a good thing. But the problem is that over the years, this list has grown and grown so that there are more organizations more dependent on government. And as we tax our people more and reduce their standard of living, then they are more hard-pressed to give as much as maybe they used to to these very same charitable organizations because in the end, the source of money comes from the same origin—the people of this state and particularly those people that work for a living. They’re called upon more and more to support additional programs. We know already that the people of Hawai‘i are probably the most generous people of all these United States. No matter how they suffer, when they learn about a specific problem—a little girl, a baby, an abused mom, or someone else—they immediately rush to the aid of that person even though they have already downsized within their own family.

“The common denominator of all this is government. Government has continued to grow. It’s continued to expand. The debt increases. We won’t even go into the national situation which is just horrendous, and we really don’t care about our keiki because they’re the ones that are going to be spending all of their income to pay off the debt that we’re incurring now. But because government has continued to grow here, because government has continued to tax and otherwise harm local families, these organizations who do worthwhile things have come to the government for even more money and more support. And we’ve heard all the stories about if we don’t get the subsidy we’ll have to lay off people, take care of fewer beneficiaries or clients, or ultimately to shut down, and nobody wants that to happen, least of all me. But there are 39 agencies here, and when we talk about prioritizing, we haven’t done that because of all the people that have come to see me—and I welcome their visits and I’ve listened to them—but of all the people that have come to see me, everyone of them is most important—to them. Their program is the most important. Their constituency is the most important. Their abused or malnourished or problem clients, they’re the most important.

But see, the problem is not everybody can be the most important. And then we have the problem of even if the administration is low or lower than government (which would not be a hard trick at all), the administration of these programs is still a major cost driver. The argument is: If you don’t have the people, then you can’t help the clients and so forth, and there’s a lot of truth to that. But again I go back to the private sector where private sector has had to make changes that they did not want to make in order to save the business and save those employees, those vendors, those customers, and all of that, and we don’t see the same priority and we don’t see the same energy in government and government related programs. And so yes, we’re in an emergency and this is an emergency fund.

“My problem is, as I say again, we have so many agencies, so many people dependent on this government, and meanwhile the government has done nothing to change its direction substantially. Why is it, do we think, we have more people homeless every day? Why is it, do we think, that more people have to go to the Food Bank than ever before, including people that maybe a short period of time ago were working, were paying a mortgage, were taking care of their children’s educational needs and all that. Why is it that our people are suffering? It’s because of this government and because of the expenditures and because of the debt and because we’ve allowed programs to expand and we’ve allowed programs to become dependent on the State. It’s just like a private business that gets its first government contract and that’s like found money to it. But then it may get lulled into the idea of having more and more of its revenue and sales dependent on that state contract until it gets to the point where 30 percent, 40 percent, 50 percent of its revenues are dependent on a government contract or a government program; and then if that government program shrinks or is ended, that business is ended, too, because they have relied too much on that government.

“So please don’t think ill of me for voting against this bill and standing up and saying, ‘We’ve got to make these changes or we’re going to have more organizations, more homeless, more hungry, more people that can’t make it.’ And as you destroy the working families in this community, whether they’ve stopped working, can’t work because their employers are paying too much in additional costs and fees and mandates, or they decide to move away, then what do we do? Because this Legislature and this State government have shown in times of crisis, you don’t change. We don’t listen to our President who always talks about hope and change. We talk about stonewalling and the status quo. We want to keep the status quo, and we’ll raise taxes and we’ll raid funds and we’ll do whatever we have to do to maintain that. These tough economic times give us an opportunity to make the changes, and that’s what leadership is about: to make the tough decisions, but we shy away from that. And so, it’s easy when you see a fund that’s got a lot of money in it. Take the funds. Again, the vote won’t even be close on this, so why didn’t we do it six months ago? Why do we drag it through the political process? Why do we have people begging us to give them money to save their programs and save their clients? There’s got to be a better way, and I for one will support that better way and vote for it. Thank you.”

Senator Chun Oakland rose in support of the measure as follows:

“This measure appropriates moneys to maintain levels of programs essential to the health and well-being of our children, kupuna, disabled, and working families. Eleven years ago, the State had the foresight to establish the Emergency and Budget Reserve Fund. This fund, also known as the ‘rainy day fund,’ was established to be a temporary supplemental source of

funding in times of emergency, economic downturn, or unforeseen reduction in revenues. Moneys in the fund were intended to, among other things, maintain levels of programs determined to be essential for the public health, safety, welfare and education of our people.

“Today, the emergency, we anticipated would come and that the rainy day fund was created to address, is upon us. The national and global economic crisis has resulted in unprecedented declines in state revenues, budget cuts, layoffs, and reductions in workforce and essential services. Colleagues, your Committees on Human Services, Health, Judiciary, Labor, and Ways and Means heard from many people in the community, providers, State agencies, and counties. The economic crisis has left many of our most vulnerable members of our society in jeopardy. There are many critical public services that will continue to help people with the passage of this bill.

“This measure identifies and restores programs that preserve public health, safety, welfare, and education for all of our families. In this bill, we are supporting persons with developmental disabilities. We are supporting our kūpuna. For example, \$3 million is additionally allocated for kūpuna care which helps many of our seniors with long term care needs to stay safely in their homes. There is a half a million dollars allocated for meals to be delivered to our elderly throughout the state. This is something I know the community has been very supportive of. This bill supports services to our mentally ill, services for those that need a place to be when there’s domestic violence or sexual assault that occurs. We have helped to restore adult dental services, which was the highest priority for our health care community. And we are supporting our children in various ways.

“I think we have a lot to be proud of, and I thank my colleagues and the community for making this a top priority. Thank you, Madam President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 158-10 was adopted and S.B. No. 2469, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Takamine).

At 12:50 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:52 p.m. with the Vice President in the Chair.

Conf. Com. Rep. No. 159-10 (H.B. No. 2774, H.D. 2, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 159-10 be adopted and H.B. No. 2774, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Green requested on Thursday, April 29, 2010, that remarks in support of the measure be entered into the Journal and the Chair so ordered.<sup>2</sup>

The Chair having so ordered, Senator Green’s remarks read as follows:

“I submit these comments in support of H.B. 2774, HD2, SD2, CD1, Relating to Human Services. I commend the chairs, committee members and stakeholders who worked extremely hard on the bill.

“I am pleased that the conference draft addresses the immediate needs of consumers. We recognize and appreciate

that in cases where there are prior authorization requests, the resolution of those requests should be to the physician’s satisfaction. This ensures that the needs of the consumers are met as the physicians are best qualified to address their needs.

“Thank you for the opportunity to comment on this bill.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 159-10 was adopted and H.B. No. 2774, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HUMAN SERVICES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Hemmings, Slom). Excused, 4 (Bunda, Hanabusa, Ihara, Takamine).

At this time, Senator Hee rose on a point of inquiry and said to the Chair:

“Did you read the Journal and approve the same?”

The Chair responded:

“That was the President that did that; I was just filling in for her on this last part.”

Senator Hee interjected:

“Is that a yes or a no?”

The Chair responded:

“That is a no.”

At this time, Senator Hee yielded the floor to the Majority Caucus Leader who had a follow-up question.

Senator Tsutsui rose and said:

“Are we supposed to be addressing you as Mr. President or Mr. Vice President?”

The Chair responded:

“Either. Your choice.”

At this time, Senator Tsutsui yielded the floor to the Chair of the Committee on Ways and Means.

Senator Kim rose and said:

“We would like to request an accounting from you as to all the money bills that was passed yesterday and today, if you have a total for us.”

The Chair responded:

“That will be forthcoming from the Ways and Means Committee and will be delivered to all of your offices shortly.”

#### ADJOURNMENT

At 12:54 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 9:30 a.m., Thursday, April 29, 2010.

<sup>2</sup> Request made on Day 60

ATTACHMENT A

A Take on the Hurricane Fund from the Senator from the Hurricane Island – Why We Need a Special Session of the Legislature Now

Senator Gary Hooser

(Originally published in the October 12, 2009 Honolulu Advertiser)

*Revised October 19, 2009*

Losing 17 days of classroom instruction in our public schools is unacceptable.

While today's budget crisis is temporary, the negative impacts of cutting 17 days of classroom instruction this year will last forever. No one will disagree that as a direct result of this action student achievement will suffer, test scores will fall and the future of an entire generation of young people will be impacted. The disruption to our families as they scramble with the added burden, further multiplies the adverse impacts.

When I speak to community groups around the state, I like to repeat a truism I have learned serving in the legislature: "When they tell you there is no money, what they are really saying is that it is not a priority."

The future of our children must be our top priority. While we can complain about the quality and bemoan the historical low ratings of public education in Hawai'i, losing 17 days of classroom instruction will reverse years of effort and plunge our state deeper into educational mediocrity.

It does not have to be this way. We can avoid teacher furloughs and keep our schools open by having the political will and foresight to use a portion of the \$180,000,000 sitting now in the Hawai'i Hurricane Relief Fund.

As someone whose life was shaken by Hurricane Iwa in 1982 and then losing my home and almost losing my business to Hurricane Iniki in 1992, I do not make this suggestion lightly. The physical damage wrought by a hurricane would be rebuilt, with or without the hurricane fund in place. Insurance companies have returned to Hawai'i since their post-Iniki departure and federal disaster agencies are also ready to help.

With our budget in dire straits funding options are limited. Every state program has already been drastically cut and all public workers face pay cuts, furloughs and even layoffs. The additional funds needed to make our schools whole are too great to achieve guarantees the rights of public workers to bargain collectively.

Neither the legislature nor the Governor can dictate to teachers or other public workers specific contract provisions or wage cuts.

Although the hurricane fund can provide immediate relief, long term answers must come in the 2010 legislative session. We must make the hard decisions with regards to streamlining and restructuring all government services, and face head-on the question regarding possible tax increases. If the public supports increasing taxes to support education, we must approach the topic cautiously with the clear goal of improving the status quo, not simply piling on more tax increases.

To be clear, we cannot continue to rely on tourists and high income residents to carry the brunt of the load. Possibilities include reforming the General Excise Tax (GET) by removing this regressive tax from supermarket food, medical services/supplies and rents under \$1,000 – while earmarking a modest net increase for education. Other possibilities include what some are calling the "new sin taxes" – a "sugar tax" on soda, a "fat tax" on fast and/or processed food and a "carbon tax" on oil – all of which would serve the dual purposes of raising much needed funds while deterring inherently unhealthy behavior.

In the coming weeks there will be many meetings and briefings where the pros and cons of various ways to deal with this issue will be debated. These discussions are important, but we must speed the process in restoring our children's access to education. If others have ideas that would resolve the issue in a realistic and bi-partisan manner, I would love to hear them.

The long-term remedies demand an extensive community discussion and thorough evaluation. The short-term solution however I believe is clear. We need to convene a five day special session, utilize hurricane funds for education, cancel the 17 days of furlough and send both parties back to the bargaining table.

Losing 17 days of classroom instruction is just unacceptable.

661 words (not including title)

## SIXTIETH DAY

Thursday, April 29, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 9:45 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. David Hockey, Olivet Baptist Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fifty-Ninth Day.

At this time, the following introductions were made to members of the Senate:

Senator Espero introduced and acknowledged his two full-time staffers Sheryll Bonilla and Marlene Uesugi, and two session staffers Mayette Smith and Brandon Elefante.

Senator Gabbard introduced a group of 5<sup>th</sup> grade students from Leihoku Elementary School who were accompanied by their teachers Tiare Kaialau, Janel Uemori, Minerva Kailieka, and Jenna Kaupuiki.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 632 to 634) were read by the Clerk and were placed on file:

Hse. Com. No. 632, informing the Senate that on April 28, 2010, the following bills passed Final Reading in the House of Representatives:

H.B. No. 1015, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 2377, H.D. 3, S.D. 2, C.D. 1;  
H.B. No. 2774, H.D. 2, S.D. 2, C.D. 1;  
S.B. No. 2124, S.D. 2, H.D. 1, C.D. 1;  
S.B. No. 2469, S.D. 2, H.D. 2, C.D. 1; and  
S.B. No. 2589, S.D. 2, H.D. 1, C.D. 1.

Hse. Com. No. 633, informing the Senate that on April 28, 2010, the following House concurrent resolutions were finally adopted in the House of Representatives:

H.C.R. No. 21, S.D. 1;  
H.C.R. No. 22, S.D. 1;  
H.C.R. No. 23, S.D. 1;  
H.C.R. No. 24, S.D. 1;  
H.C.R. No. 25, S.D. 1;  
H.C.R. No. 26, S.D. 1;  
H.C.R. No. 27, S.D. 1;  
H.C.R. No. 28, S.D. 1;  
H.C.R. No. 29, S.D. 1;  
H.C.R. No. 30, S.D. 1;  
H.C.R. No. 31, S.D. 1;  
H.C.R. No. 32, S.D. 1;  
H.C.R. No. 33, S.D. 1;  
H.C.R. No. 34, S.D. 1;  
H.C.R. No. 36, S.D. 1;  
H.C.R. No. 45, S.D. 1;  
H.C.R. No. 51, S.D. 1;  
H.C.R. No. 62, S.D. 1;  
H.C.R. No. 68, S.D. 1; and  
H.C.R. No. 212, S.D. 1.

Hse. Com. No. 634, informing the Senate that on April 28, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 921, H.D. 1 (S.D. 2).

## CONFERENCE COMMITTEE REPORT

Conf. Rep. No. 160-10 (H.C.R. No. 297, S.D. 1, C.D. 1):

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.C.R. No. 297, presented a report (Conf. Com. Rep. No. 160-10) recommending that H.C.R. No. 297, S.D. 1, as amended in C.D. 1, be adopted.

On motion by Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 297, S.D. 1, C.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was Finally Adopted.

## ORDER OF THE DAY

## ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM  
WEDNESDAY, APRIL 28, 2010

Stand. Com. Rep. No. 3238 (H.C.R. No. 199, H.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 199, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER CERTAIN FACTORS BEFORE ENTERING INTO CONTRACTS WITH MANAGED CARE ORGANIZATIONS THAT PROVIDE MEDICAID BENEFITS UNDER QUEST MANAGED CARE PLANS," was adopted.

Stand. Com. Rep. No. 3239 (H.C.R. No. 162):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN," was adopted.

Stand. Com. Rep. No. 3240 (H.C.R. No. 13):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ON ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted.

Stand. Com. Rep. No. 3241 (H.C.R. No. 19):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A DATABASE RESOURCE WEBSITE TO HOUSE REAL-TIME AVAILABILITY OF ALL JUVENILE SERVICES FROM THE LOWEST LEVEL OF CARE TO THE HIGHEST LEVEL OF CARE FOR THE APPROPRIATE PLACEMENT OF JUVENILES IN HAWAII," was adopted.

Stand. Com. Rep. No. 3242 (H.C.R. No. 256):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND EVALUATE THE VERACITY, EXTENT, AND EFFECT OF CERTAIN ALLEGATIONS OF SHORTCOMINGS OF PROGRAMS FOR ADULTS WITH SPECIAL NEEDS," was adopted.

Stand. Com. Rep. No. 3243 (H.C.R. No. 158):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP A PROGRAM TO ENCOURAGE BREASTFEEDING AMONG MOTHERS WHO RECEIVE MEDICAL ASSISTANCE FROM MEDICAID," was adopted.

At 9:51 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:52 a.m.

#### FINAL READING

At this time, the Chair made the following announcement:

"Members, we are a bit ahead of schedule, so we will have to defer this measure to the end of calendar. We are not quite 48 hours yet, so we will be moving to the Supplemental Order of the Day."

S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2:

By unanimous consent, action on S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was deferred until the end of the calendar.

#### MISCELLANEOUS BUSINESS

##### MOTIONS TO OVERRIDE VETOES

At this time, the Chair made the following announcement:

"If there are no objections from the members, we will be taking a Roll Call vote on each of the measures before us; Roll Call vote, members."

H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1, as contained in Gov. Msg. No. 531, seconded by Senator Sakamoto.

Senator Espero requested that his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose in opposition to the motion to override the veto as follows:

"This is probably one of the most important and most controversial bills of this legislative session, the so-called barrel tax. It is a tax—it has nothing to do with food security—and it is a tax that's going to be divided up into money that's going to go into the general fund and money that will go for alternative energy projects. My colleague and I have supported alternative energy projects. We don't want Hawai'i to continue to be dependent on foreign oil. We don't want to send billions of dollars out of this state each year. But there's got to be a time—with all of the bills that we've passed and all the

legislation, most of which has not come to fruition as yet—there's got to be a time to allow people to adapt without punishing them, and what this bill does, Madam President, is punish the people of Hawai'i by raising the tax on a barrel of petroleum from 5 cents per barrel to \$1.05.

"We will have immediate negative impacts on everyone's livelihood and standard of living. First, it will be reflected in terms of the money that we pay at the pump, additional money. We're already the highest state in the nation in terms of gasoline prices and in taxes applied to those gasoline products. So that will go up immediately. In addition to that, your monthly electricity bills will also go up immediately. I urge everyone in the gallery and on the floor to carefully examine their monthly electric statement and find out just how much they're paying for electricity and how much they're paying for taxes, surcharges, fuel, and so forth. But that's not the end of it: If we allow this bill to become law, what will happen is that every other product that is dependent on transportation or moving around either food or clothing or health supplies or anything else that we value and that we need as basic necessities will also be subject to increased cost. And I point out that the supporters of this measure initially wanted to go as high as \$5. Then there was a compromise of \$1.50, and now it's \$1.05, but from 5 cents to \$1.05 a barrel, it is something that we cannot afford to pay.

"By all means, let's support alternative energy. By all means, let's expedite the planning, the development, and the construction of alternative means facilities, but in the meantime, please do not continue to tax and burden the people of Hawai'i. Thank you."

Senator Hooser rose in support of the motion to override the veto as follows:

"I'll keep my remarks very brief. This is a small step. I wish that we could have taken a much larger step and dedicate 100 percent of these funds toward food and energy security, but it is a step nonetheless, a step that's long overdue, and it's time that we get serious and start investing in food and energy security, sustainability.

"There's no question as noted by the speaker earlier that our dependency on imported food, our dependency on imported oil puts us at great risk in many ways. It's detrimental to our economy. It's detrimental to our security in general. If the ships stop coming, we're in deep 'kim chee' as they say; and there's no question that food is going to be getting more expensive, energy is going to be getting more expensive, and it's again time that we moved forward seriously, and this is a small step, but it's an important step. We have to get off of oil. You know, we're all aware of the ecological disaster occurring right now off the coast of Louisiana, an oil slick that's occurring because of deep water drilling that's 600 square miles of oil drifting toward 10 wildlife refuges in Louisiana, 5000 barrels, 210,000 gallons of oil per day, gushing into the ocean. Eleven missing workers. Again, possibly the worst such disaster in U.S. history, and until our state and our nation gets serious about getting off of fossil fuels, the pressure to continuing drilling in deeper and deeper oceans, the threat and the reality of further and further ecological disasters will continue to grow. And again, this is a small step but it's an important step, and I urge my colleagues to vote in support. Thank you."

Senator Hemmings rose in opposition to the motion to override the veto as follows:

"This issue, colleagues, is near to my heart. It's one of the three E's that I've been most concerned about for the last 10 years: the economy, education, and energy. This bill penalizes Hawai'i's consumers for the sins of this Legislature and political leadership for the last 30 years.

"I often laugh when certain legislators create environmental awards for stewardship of the environment and protecting us from the ills of big, bad oil, while Hawai'i simultaneously has gone backwards on energy independence. Some of the same legislators that are voting in favor of this cruel tax on sometimes those who can least afford to pay it—poor people buying gasoline for their cars—are the same legislators that stopped, through a whole host of impediments, geothermal from being a reality on the Big Island where the entire Big Island could have been lit by geothermal. All the while, while one of Hawai'i's most egregious monopolies, Hawaiian Electric, continued to pummel consumers. For the record, it bears repeating that at the height of the fuel crisis in 2008, when gasoline was 35 percent above the national average, Hawaiian Electric's rates were 180 percent above the national average at 34 cents a kilowatt hour. And what did we do about it? For 30 years, nothing. They continue to have a for-profit monopoly that rapes the consumers of Hawai'i, and what do we come up with? A barrel tax that's going to take money out of consumers' pockets, and we hide the tax behind the self-righteous moniker of 'we're doing it for the environment.' That's another falsehood. We're doing it to pump more money into the State coffers so we can continue the political status quo and the benefits of our most favored special interest group.

"In good consciousness, I can say that I, too, join in the fight against fossil fuels and protecting our environment, which I have done. But penalizing people rather than incentivizing, knee jerk reactions after the fact such as this that don't really have the altruistic goal as stated to protect the environment, is not the way to do it.

"I just needed to explain my 'no' vote against the conscientious override of the Governor. Thank you, Madam President."

Senator Green rose in opposition to the motion to override the veto as follows:

"I do commend the Energy Chair and the WAM Chair, actually, for the focus on both the budget and energy solutions. I had a couple concerns. One, gas prices are 45 cents higher in West Hawai'i than they were on O'ahu last week, and with a lot of my constituents facing 40 to 50 mile commutes daily during the recession, it was a deep concern for me given the state of our economy for them. Also, my overall preference is kind of a massive expansion of geothermal as a solution. The Big Island can contribute, too. So, for those reasons, I'll be voting 'no.'"

Senator Baker rose to speak in opposition to the motion to override the veto as follows:

"I have remarks in opposition of the veto override I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Proponents of this measure talk about the need to raise funds for clean energy initiatives and to help move our state away from its dependence on fossil fuel. I agree that is an important public policy goal and objective. However, this measure is really not a tax on imported oil per se, it is a tax on everything that is produced from that barrel of oil except aviation fuel. It is a misnomer to call this tax a barrel tax.

"This measure creates a tax on virtually all petroleum products. It will raise the cost of transporting goods and services around and throughout our state. It will increase the cost of electricity, it will increase the cost of gasoline at the pump and it will increase the cost of bus transportation. The tax imposed by this measure falls disproportionately on rural Oahu and neighbor island residents. I find that fact most objectionable.

"In addition, part of the tax imposed by overriding this veto will be used to fund private non-profit entities that may be doing work in the clean energy arena, also a noble purpose. However, the expenditure of the funds will have no legislative oversight or accountability. That is also objectionable.

"Finally, the lion's share of the funds generated by this tax will go into the general fund to balance the budget not to help wean the state from use of imported oil. I am aware that the general fund has a deficit that must be addressed. However, a broad-based general excise tax with appropriate mitigation for its regressivity is far preferable to this equally regressive, flat tax. This measure contains no mitigation for folks least able to absorb the increases in cost of living that will result.

"This bill is bad public policy, it will have numerous unintended consequences, and it will raise the cost of living in Hawai'i with no relief for families struggling in this economy. For these reasons, I will vote to sustain the Governor's veto of HB 2421, CD1. This is one veto that should not be overridden. Mahalo."

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Espero). Noes, 6 (Baker, Fukunaga, Green, Hemmings, Ige, Slom).

H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1, as contained in Gov. Msg. No. 532, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the motion to override the veto as follows:

"As we discussed previously about this bill, this bill is an insidious increase in taxation, and particularly on the dead. It seeks to tax estates and decedents, whereas the federal government has no such tax at the present time. In so doing, it gives strength to the old adage 'death and taxes'; in this case, taxes are death. Thank you."

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 2866, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Baker, Fukunaga, Hemmings, Ige, Slom).

S.B. No. 2159, H.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 2159, H.D. 1, as contained in Gov. Msg. No. 527, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the motion to override the veto as follows:

"Again, we continue the process of death by a thousand cuts. Here, we're talking about a traffic abstract fee which is now \$7. It's going to go to \$20. There's no relationship whatsoever to the cost of service, providing that fee, the cost of the employees, and the new fee. It simply is another tax and another revenue enhancement. Thank you."

At 10:08 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:08 a.m.

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 2159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACT FEE," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Kidani). Noes, 6 (Baker, Fukunaga, Green, Hemmings, Ige, Slom).

S.B. No. 2394, H.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 2394, H.D. 1, as contained in Gov. Msg. No. 505, seconded by Senator Sakamoto.

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 2394, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Galuteria).

S.B. No. 2501, S.D. 1, H.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 2501, S.D. 1, H.D. 1, as contained in Gov. Msg. No. 506, seconded by Senator Sakamoto.

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 2501, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Kidani, Nishihara). Noes, 2 (Kim, Slom).

S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1, as contained in Gov. Msg. No. 528, seconded by Senator Sakamoto.

Senator Hemmings rose in opposition to the motion to override the veto as follows:

"We're in a technological era. This Legislature did what the Department of Health is attempting to do until this override, and that is bring some services into the 21<sup>st</sup> century with some technology. I was so proud that this Senate went paperless, but in doing so it made obsolete, and rightfully so, some jobs in the Printshop. But that's the nature of the evolution of humankind. Back at the turn of the 20<sup>th</sup> century, there was a fellow named Henry Ford; he made something called the assembly line. The people that made buggies and livery stables were very upset, but the economy and those working in those industries adjusted.

"The Department of Human Services is trying to provide quicker, easier access to their services through processing and using technology to do so, and as a result, as we did here in the Senate, jobs will become obsolete. In no way do we want to create unemployment, but we could, with intelligence and

regaining control of our public workforce, allow to take care of many of those jobs through reducing the workforce through attrition and moving people that want to stay employed at the State into other departments and other jobs. But we've lost that ability because of collective bargaining, so we'll do as they say and as a result, we're going to continue to spend money for what amounts to be sinecures. And I will tell you now this is eventually it will do for the State of Hawai'i what it's done for California and other jurisdictions that are facing financial plights worse than ours.

"I don't claim to be clairvoyant, but I think this vote will be not close. Nevertheless, I do hope that my words have not fallen upon deaf ears, and if you do consider giving back us—the State Legislature, duly elected representatives of the people—the ability to manage our own employees and to make adjustments that benefit everyone in the state, including public employees who in my estimation have passed the point of diminishing returns. So I'd ask my colleagues to sustain the veto, but I know it's not going to happen. I just thought it was worthy of note to explain this for future consideration. Thank you, Madam President."

Senator Chun Oakland rose in support of the motion to override the veto as follows:

"This measure authorizes the Department of Human Services to develop a pilot project to transfer intake, maintenance, and eligibility determination functions for the Department of Human Services benefit programs to an eligibility processing operations division. Recently, the director of Human Services announced the centralization of eligibility determination for DHS benefit programs under a new unified EPOD. Programs requiring EPOD eligibility determinations include the public assistance program, the supplemental nutrition assistance program, foster care services, and Medicaid services. Under the EPOD proposal, the department will close 50 eligibility offices statewide and replace them with two processing center sites, one in Honolulu and one in Hilo. Applicants and ongoing clients would not be seen in person at the two processing centers; rather, contact would be made by phone, fax, mail, or online. The proposed EPOD reorganization will result in 200 State workers losing their jobs. A well-conceived reorganization plan could reduce costs and speed up the eligibility determination process. The conscientious employees of the Department of Human Services welcome opportunities to continuously better serve the public.

"However, the proposed EPOD is not a well-conceived plan. Your Committee on Human Services has heard from hundreds of people from our community that EPOD is a hastily conceived proposal implemented with little or no planning and little or no consultation with stakeholders. EPOD does not address the needs and concerns of the clients or the communities, and if implemented as proposed, could have devastating results on the tiny provision of appropriate services. Especially impacted are the elderly, the indigent, those with developmental disabilities, and others who may not have access to or may not be proficient in the use of computers, the internet, facsimile machines, and other electronic devices.

"According to the director of Human Services, EPOD is based on a Florida model. Florida recently modernized its eligibility determination systems for the public assistance and food stamp programs over a three year period, not a few months as proposed by the Department of Human Services. A recent evaluation of these efforts in Florida found that the inflow of cases decreased in counties with fewer access points, and payment errors increased. Furthermore, simulations suggest that the strongest negative effects were observed among the elderly and the African American and Hispanic populations. Based on these findings it was concluded that states who are interested in implementing such an EPOD system should

proceed with caution before adopting similar modernization proposals.

“S.B. No. 2650, C.D. 1 provides that necessary measure of caution. It halts the implementation of the EPOD reorganization on the neighbor islands, where there are fewer resources for the people of those islands, and establishes a pilot project on O‘ahu to develop an eligibility processing operations division. This pilot project will have the benefit of input from stakeholders, and it will be evaluated for effectiveness before it is applied statewide. Significant improvement in customer service and general fund savings can be realized from a well-conceived eligibility determination system. The pilot project established by this bill provides the opportunity to develop such a system. So colleagues, I do urge you to please override the Governor’s veto. Thank you.”

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES,” was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 2840, S.D. 2, H.D. 1:

In accordance with Article III, Section 17, of the Hawai‘i State Constitution, Senator Hooser moved that the Senate override the veto of S.B. No. 2840, S.D. 2, H.D. 1, as contained in Gov. Msg. No. 521, seconded by Senator Sakamoto.

Senator Bunda rose in support of the motion to override the veto as follows:

“Colleagues, please don’t be swayed by the arguments that the bill is unconstitutional. Laws giving preference to local residents for work funded by the state taxpayers have been pronounced constitutional if they are already substantially related to the important goal of reducing unemployment. Last year, we lost nearly 5,000 construction jobs, and the March statistics indicate a 6.8 percent unemployment rate and our unemployment trust fund may soon run dry. We have a qualified, skilled labor force that needs to get back to work. Surely the administration can formulate rules that can provide guidelines to perspective bidders. The administration contends that most mainland firms hire local laborers anyway, so how much of a headache can it be if the law would affect only a minority of perspective bidders?

“Opponents of the bill say it is an insult to the construction industry, yet a recent *Advertiser* commentary insults local applicants who are not hired for these jobs because ‘in far too many cases, they simply don’t cut it.’ Who is insulting who, Madam President?

“Our efforts here in Hawai‘i are part of a national and international effort to keep it local when awarding government contracts. Local workers across the country are calling for governments to keep it local. The *Honolulu Advertiser* editors call it xenophobic; I call it a matter of survival. We encourage consumers to buy local whenever possible to support our local agricultural industry. We promote our local products on the mainland and abroad as ‘made in Hawai‘i.’ We spend millions of dollars marketing the local culture of the islands. Why don’t we demonstrate the same level of commitment to the preservation of local public works projects for our local labor force? Local jobs for local people means that money made in Hawai‘i stays in Hawai‘i, and that is still a very good thing, Madam President. Thank you very much.”

Senator Sakamoto rose in opposition to the motion to override the veto as follows:

“There’s no question that we want jobs, local jobs, and there’s no question that that’s predominantly the case here. At least I have and I believe all of us have received information and letters asking us not to support the override. These are from well-known local contractors, union contractors who hire predominantly local people. But let me just read part of their objection because nobody is against jobs for our people, but there are some parts of the measure that are problematic. It says:

The bill itself appears to be flawed and contradictory. Paragraph 3(b) states “eighty per cent requirement under subsection (a) shall be determined by dividing the total number of hours worked on a contract by residents, by the total number of hours worked by all employees of the contractor in performance of the contract.” However paragraph 3(c) states “certification of compliance with this chapter shall be made under oath by an officer of the contractor to the procurement officer on a monthly basis.” So if the total number of hours worked on the project including those of its subcontractors by residents and all employees will not be known until the project is completed, how is the contractor to certify under oath each month that it is in compliance with the chapter? For example, if during the first month of a project the contractor brings in a subcontractor with only non-Hawai‘i residents to do soil nailing work—and I’m not personally clear what that is, but apparently this contractor does—the contractor will not be able to certify for the first month that it is compliance with this chapter even though, through the end of the project, it will use enough Hawai‘i resident hours worked to eventually comply with this chapter.

The bill requires monthly calculations and sanctions for failing to comply with these certifications. These sanctions include temporary suspension of work, withholding of payment until the contractor complies, disqualification from any further work on the project, and all which leads one to believe that the certifications will be looked at on a monthly basis even though the requirement is based on results at the end of the project, a major contradiction, a major problem.

These provisions will lead to increased cost in certifications, verifications, and administration, which would all be passed to Hawai‘i residents. As a contractor, I prefer our people concentrate our efforts on project safety, quality, efficiency, and enhancing the public’s and the agency’s appreciation for hiring us to help fulfill the needs, not doing this kind of documentation and calculations about our workforce as well as for all of our subcontractors each and every month, especially when all of our—this company’s—employees are all Hawai‘i residents anyway. What a waste of time and money.

“This other contractor says:

S.B. No. 2840 has been labeled a job creation bill by the Legislature. What type of job does it create? It doesn’t really create a ‘new job’ since the construction job exists only when the government needs something to be built. The only job created at this point is more bureaucracy and paperwork to check whether the worker is ‘local’ or not.

This bill is actually a job protection bill. It is an embarrassing admission by our unions to the general public that there could be something lacking in our local union workforce and construction companies. It can be construed to mean that local workers are either not qualified, not motivated, or class B workers.

I totally disagree with the above assessment. Our company, we are qualified, motivated, and as good if not better than any out-of-state union workers. What an insult to our men and our company, as this company does not want to be restricted by the 80 percent work done by local workers. If an out-of-state company wins the contract fairly, then we should step back and study why they're able to be the successful bidder. Did they have better technology, methods, experience, planning, or other options that made them successful? In life, learning never stops, and in business it should be the same. This bill was vetoed by the Governor and should not be reconsidered. No restrictions should be placed on bidding, hiring and procurement, etc., etc.

"Bottom line, Madam President: These companies that have written to us by fax and e-mail are hiring our workers, local workers. Many of the contracts that hire other workers perhaps are federal contractors. If we put bridles, tethers on our local companies, will they be on the same even playing field to compete with other companies that don't have those bridles and tethers? So I'd ask our members to thoughtfully consider, as one of these testifiers stated, 'This does not create new jobs.' This creates burdens for our contractors, especially our local contractors because they like to comply with the law, and they will if they have to but these are unnecessary burdens, and I think we should go forward and say, 'Yes, local jobs, local people through education, through helping our local contractors be competitive.' So I ask our members not to support the override. Thank you very much."

Senator Kim rose in support of the motion to override the veto as follows:

"Madam President, I'm very concerned about what was raised by the previous speaker, the good senator from Moanalua, but it bothers me that this measure came to my committee and I did not get any testimony from any contractor. I did not get any phone calls or any of these concerns were raised during the process in which we heard the measure. And if in fact these concerns raised are true, then we can come back next session and fix it. But again, you know, I didn't receive anything; I don't think the subject matter received any of these concerns, and it's raised at this late date. And so, we can always come back next session, and if they are in fact concerns, then hopefully we can fix it. Thank you."

Senator Slom rose in opposition to the motion to override the veto as follows:

"First of all, let me say that I don't question the motives of the supporters of this measure, but I think they're ill-founded. If we're talking about jobs—as we should because that's the number one problem facing our community, our state, and our nation—it doesn't take a task force or a study or an investigating committee to find out why we are destroying jobs instead of creating them. All we have to do is look at our tax policies, our fee policies, our regulatory policies, all of the things—and employer mandates (we can throw that in as well)—all of the things that add cost to any kind of project, private or public. When we look at the cost of public projects and we compare them with public projects, say 10 years ago or 20 years ago of a comparable nature, we find that the costs have escalated geometrically; and the reason for that is all of the

additional legislation and oversight. Everybody wants to tell the contractor what to do, how to do it, who to hire, what to pay, the benefits, and so forth without taking the risk of being in that business. It's no secret that the costs of construction, both private and public, in Hawai'i are substantially higher, substantially higher, than the mainland.

"Now, certainly we want local jobs, but as the good senator from Moanalua pointed out, we're not really creating any jobs. We're taking the pie and we're re-dividing the pie instead of encouraging the baking of additional pies and additional revenues and additional jobs. And yes, there are some jobs specifically that our workers do not qualify for, not because they're inferior workers, not because they don't have a work ethic, but because either they don't have the experience, the training, or the government required licensure or certification. It's interesting because the largest public works project in Hawai'i history that's being discussed, the \$6 billion train to nowhere on O'ahu, would require workers to be imported from outside the state because very few local workers have had any of the experience required to develop a rail transit steel-on-steel system. That's a fact. That's not being discriminatory against local workers or saying anything negative. This Legislature over the years has increased funding for employment programs and training, but there are just some areas that we can't compete in and don't have the training for because we don't have the same kinds of projects, and that's a fact of life.

"On the issue of constitutionality, I think the jury is still out on that whether or not this particular bill would pass muster. I know the hired gun for the Legislature—who always says everything is constitutional here when the Legislature does it—has one opinion, but there are other opinions in this community and certainly nationally.

"But that's not the most important issue. To me, the most important issue is jobs. Are we going to create additional jobs, additional opportunities, or not? I fear that this state has gone in a very poor direction, particularly within the last 5 or 10 years. We have become more and more provincial. It has become us versus them. We use racial and ethnic descriptions instead of saying, 'Hey, let's all work together to improve our economy and improve everyone's wealth.' Instead, we pit individuals and classes against one another. 'Local jobs for local people' is a wonderful saying. Buying locally is a great practice. We should all encourage it. We should do it to the extent that we can. But the fact of the matter is whether we're talking about buying things through the internet or buying things that we just cannot get here because they're not here, unless we all change our habits and decide we are going to go backwards in terms of our standard of living, the fact of the matter is we're talking about a global economy and we're talking about a global workforce, and our job should be to train our students, train our workers, train our companies to compete the best they can. But in fact when they cannot compete because of the very laws that we pass that put us as a disadvantage, the answer would seem simple even to a fifth grader: Change those laws. Don't pass more burdens on local businesses and local employees. But we want it both ways. We want the laws to micromanage, and then we want to make sure that local taxpayers and residents, besides being overtaxed and overburdened, will pay the highest price, the monopoly price. They won't get choice. They won't get selection. I won't even go into quality. That's not an issue here, but cost certainly is. When we're trying to, as we say, tighten our belts and balance our budgets, we should be looking at the best possible prices, at the same time trying to improve our economy and improve the opportunities for local people.

"By the way I have a problem, maybe I'm the only one, but I have a problem with this bill—not only it being complex and confusing—when we start getting down to our favorite topic:

local. Who is 'local'? What is 'local'? You know, we talk about reaching out. We talk about Hawai'i being a beacon, on the forefront of new technology, new ideas, alternative energy, robotics, STEM—all of these things, but the fact of the matter is when business people look at Hawai'i, they see a place where a government first offers credits to induce people to come here and then snatches them away in the middle of producing jobs and investment and resources. They see the high taxes. They see the high mandates. They see the unfairness between taxpayers living and dead. And what do they make of this? And that's why, as I said earlier, when you look at the national comparisons of Hawai'i as a place that someone would want to do business—someone would want to move their family here, someone who wants to have jobs, someone who lives here already that wants to stay here—when you look at all of the comparisons state by state, where are we? We're at the bottom of the ranking. Always; 48<sup>th</sup>, 49<sup>th</sup>, 50<sup>th</sup>. Always. It's not new. We don't need a study. We don't need a task force. We know what we're doing here. My colleagues enter into these things with their eyes wide open. We have some very brilliant people in this legislative group, both in the House and the Senate, and yet it's not common sense or rationality that we're passing.

"Oh, and by the way, for the edification of the Ways and Means Chair, perhaps the reason you didn't get any additional or direct testimony—I mean everybody's been debating this bill since it was introduced. We've had TV and radio and print commercials about it. Everybody's discussed it, but perhaps the reason you're not getting the testimony that you would have thought is because so many people in this community have given up, and they've given up on us. And I guess all they got to do, really, is look at our voting records: 23 to 2, 24 to 1. Even though there's discussion here, there is a perception that the deal is done, that the vote is not going to be changed by anything that anyone testifies to because, if that were true, we've had businesses talk here. We had them talk about the unemployment compensation rates and what it does to jobs, and we don't listen. We still raise the rates, sometimes by factors of 9 or 10. So a lot of people have given up. I know the senator from Moanalua and I urge people, 'Don't give up. Get involved in the process. Come here.' You know, shut down your business, take the time to be here for 4, 5, 6 hours to be given your 30 seconds of testimony and then to have the committee vote totally against you anyway. But we don't give up, and that is the process and we believe and we support the process, but it's a daunting feature for anyone from in state or out-of-state. And believe me, the workers that I've talked to, they want the jobs and they want the opportunities. They're saying, 'We're good enough.' But as the good senator said, 'Take off the tethers. Take off the restrictions.' And we should be able to get it that way, but so far we haven't, and unfortunately this bill, as well-intended as it is, is going to harm us even more.

"By all means, educate people to have local jobs or local agricultural products or local anything else, but when you start forcing, when you start making things compulsory and mandatory, that means that your argument was not strong enough. And in the past we've tried to have local preferences for all kinds of things, which I think is demeaning and patronizing to our local residents and particularly our local workers. So I would urge you to consider your vote; even though it's got a snappy name to it, the realities are much more cruel and harsh. Thank you."

At 10:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:55 a.m.

At this time, the following late introduction was made to the members of the Senate:

Senator Gabbard introduced another group of 5<sup>th</sup> grade students from Leihoku Elementary School who were accompanied by their teachers Brittany Bednarczyk, Tim Boyer, Chanel Wong, and Martha Sarmiento.

At this time, the Chair made the following announcement:

"Members, we are on S.B. No. 2840. Is there any further discussion?"

At 10:56 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:57 a.m.

At this time, the Chair made the following announcement:

"Members, again, we are on S.B. No. 2840. Is there any further discussion?"

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of S.B. No. 2840, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Nishihara). Noes, 3 (Hemmings, Sakamoto, Slom).

H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1:

In accordance with Article III, Section 17, of the Hawai'i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1, as contained in Gov. Msg. No. 507, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the motion to override the veto as follows:

"You know, initially, in discussing this bill, not being in the committee and all, it seemed like it was an innocuous bill and there were very few objections to it. But in reading more, particularly the testimony, and talking to more people it became quite apparent after the initial vote that what this bill really is about is barriers to entry and competition, and also it's really special legislation for one entity to do more business with the delivery of health and human services. So, after scrutinizing this more, learning more, reading more, listening to more people, I am forced to say that this is a bad bill and I will be voting to sustain the veto. Thank you."

Senator Chun Oakland rose to speak in support of the motion to override the veto as follows:

"Can I just ask the Clerk to please enter my written remarks into the Journal in support of the override?"

The Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"I rise to speak in support of H.B. 1642, H.D. 1, S.D. 2, C.D. 1.

"In 2008, two for-profit companies bid for, and were awarded, the QUEST Expanded Access Program contracts. However, these companies were not required to include in their contracts all costs and taxes they would incur. Under a pre-tax provision agreed to by the Department of Human Services, the state administration rebates these companies approximately \$25 million, which these companies will be able to use to pay their insurance premium taxes. This means that the State will be paying millions of dollars more than the contract amounts. This is clearly an unacceptable expenditure of State funds—especially in these difficult economic times when many critical services are being cut due to a lack of funds.

“This measure addresses the situation by requiring that all bid proposals include all costs, fees, and taxes, and that any award or contract be for the amount of the proposal with no additional payments, rebates, or direct or indirect consideration. Thus, this measure will ensure that QUEST Medicaid contracts are transparent, with no hidden costs or benefits to the successful bidder. Additionally, this measure ensures that all bidders to such contracts are licensed to conduct the business required under the contract.

“Opponents to this measure will say that it will lessen the federal contribution for these services. This is not true. This measure will not affect the amount of federal matching funds the State receives for these important services; it will only ensure that in future contracts for these services, the State pays only the contract amount. Opponents to the measure have stated that it will put local residents out of work. This is also not true. This measure applies only to future bids and not the current contracts. Moreover, this measure will level the playing field for all bidders, including local service providers and for profit and not for profit providers.

“Colleagues, times are difficult enough for the many people that require the services provided under health and human services contracts and the many entities that provide these services. This is clearly not a time to be wasting money. This measure provides important safeguard and important cost containment assurances in the procurement process for health and human services. I urge you to support its passage to ensure transparency in the procurement process and a level playing field for all bidders of these essential services.”

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES,” was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Senator Nishihara requested a late introduction in order to introduce his staff members Kanani Souza, Ryan Akamine, Priscilla Kubota, and Bert Warashina.

H.B. No. 1868, H.D. 1:

In accordance with Article III, Section 17, of the Hawai‘i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 1868, H.D. 1, as contained in Gov. Msg. No. 479, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the motion to override the veto as follows:

“This is a particularly obnoxious bill because what it does to civil service employees has never been done before, and that is, it says that civil service employees who take a leave of absence to be appointed to another State position—most of whom are with the executive branch—cannot then return to their civil service status unless they are union members and covered by collective bargaining. This has not happened before with the chief executive, to my knowledge, and it is, as I say, not worker-friendly. I don’t know what we have to gain by disallowing people to return to their jobs, but in any event, I know it won’t be a precedent-setting piece of legislation if there is a change in party leadership at the state level this year. Thank you.”

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 1868, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL SERVICE,” was overridden by not less than two-thirds vote of

all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

At this time, the following late introduction was made to the members of the Senate:

Senator Taniguchi introduced Carol Takamine, his good friend from the Big Island and wife of Senator Takamine. Also recognized were three staff members: Katelind Ikuma, Lauren Hall, and Kaleihikina Akaka.

H.B. No. 2085, H.D. 1, S.D. 2:

In accordance with Article III, Section 17, of the Hawai‘i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 2085, H.D. 1, S.D. 2, as contained in Gov. Msg. No. 529, seconded by Senator Sakamoto.

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 2085, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” was overridden by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

H.B. No. 2086, H.D. 2, S.D. 2:

In accordance with Article III, Section 17, of the Hawai‘i State Constitution, Senator Hooser moved that the Senate override the veto of H.B. No. 2086, H.D. 2, S.D. 2, as contained in Gov. Msg. No. 530, seconded by Senator Sakamoto.

Senator Slom rose in support of the motion to override the veto as follows:

“As consistent as the Minority has been, when we support something, you know, we will continue to support it even though there’s a veto, so I do rise for that purpose.

“But Madam President, for my colleagues, I wanted to introduce something into the record because I know they’ll be really interested in this: The number of vetoes and the veto overrides since statehood, particularly from 1962 to the year 2002, of all of the vetoes there was only one override, and there were members of both parties in the Senate at that time and yet only one veto override. You may recall that. It was a historic moment in the year 2002, because it was the age of consent bill, but none prior and none since until the new governor. And when she took office, in the first session, 2003, there were 50 vetoes, 6 were overridden. The next year 38 vetoes, 7 overridden. Then 28 and 12; 32 and 0. That was, I don’t know. Maybe some of our members were on a special airlines trip to somewhere or something, but no vetoes that year. But we went back. In ‘07, there were 42 vetoes, 19 overrides; 58 vetoes in 2008, 18 overrides; 2009, 57 vetoes and 38 overrides. So I just wanted to let you know—by the way, in 1995, when Governor Cayetano first took office, he vetoes 83 bills and there were no overrides. So I just wanted to put that in the record and keep that in perspective because I know we love data around here. Thank you, Madam, President.”

Senator Hemmings rose in support of the motion to override the veto as follows:

“I do it for only one reason, or besides the bill being a good bill: Regarding statistics, I wanted to see if the Clerk could count past 23. Thank you, Madam President.”

The motion was put by the Chair and carried, Roll Call vote having been requested, the veto of H.B. No. 2086, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH CARE DATA,” was overridden by not less than

two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2:

Senator Fukunaga moved that S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2 pass Final Reading, seconded by Senator Hee.

Senator Galuteria rose in support of the measure as follows:

“Colleagues, as the senator representing the world-famous Waikiki Beach, I feel compelled to contribute my thoughts about this measure.

“You all may remember earlier in the session we invited some of our most accomplished surfers here to spend the day with us at the Capitol and honored them with well-deserved recognition for their contributions in promoting the cultural significance of the sport of surfing, he‘e nalu. These men have excelled and achieved in the world of surfing. But colleagues, where would we be without our natural resources to practice, play, and compete in? Our natural resources, our beaches, the jewels of our islands—we must do our part to promote and elevate the stature of our beaches, and a designation as a surfing reserve would, in my opinion, do so.

“Now, this measure will allow for recognition; assist in placing appropriate signage to commemorate our extraordinary surf sites; would promote federal, State, and county collaboration in nourishing and protecting Hawai‘i surfing reserves; and while this measure intends to accomplish all this, what it will not do is mandate regulations or place restrictions on any water activities, surfing or otherwise.

“The promotion of the long-term preservation of Hawai‘i surfing reserves is an achievable goal and in time, perhaps with collaboration, we can add other breaks to the list. While other countries have forged ahead to designate their surf breaks in this manner, we have not yet done so. And we know and rightfully take pride in the fact that surfing, the sport of kings, was born in Hawai‘i and that we have the world-class, undisputed best surf locales in the world. So colleagues, lets recognize these surf reserves by passing this measure. Thank you, Madam President.”

Senator Hee rose in support of the measure as follows:

“Madam President, would you ask the Clerk to have the thoughts of the 1968 world champion surfer and author of this legislation entered into the Journal as my own?”

The Chair interjected:

“I’m not sure we’ve heard from him yet. Does the 1968 Champion wish to speak or is Senator Galuteria the 1968 World Class Surfing Champion? Anyway, it’s so ordered.”

The motion was put by the Chair and carried, S.B. No. 2646, S.D. 1, H.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MISCELLANEOUS BUSINESS

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 123 to 126) were read by the Clerk and were disposed of as follows:

S.R. No. 123 “SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY,” was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 123 was adopted.

S.R. No. 124 “SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK’S DESK,” was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 124 was adopted.

S.R. No. 125 “SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWENTY-FIFTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF,” was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 125 was adopted.

S.R. No. 126 “SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE,” was offered by Senators Hooser, Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 126 was adopted.

At 11:16 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 a.m.

At this time, Senator Green rose to make the following request:

“Just a brief request: I neglected to submit a one paragraph statement in favor of H.B. 2774 yesterday. May I be allowed to include that?”

The Chair responded:

“If there are no objections from the members, so ordered.”

At this time, Senator Tokuda rose on a point of personal privilege as follows:

“On behalf of my family, I would like to sincerely thank all of you for your patience, support, and overwhelming acceptance of my sons, Matt and Aden, these past two years. I fully appreciate how fortunate I have been to be able to care for my sons here at the Capitol while continuing to serve the people of my district. Not many working mothers have that option, and it has been a privilege that I have taken very seriously. Not so long ago, a female legislator having a child would have been frowned upon by her colleagues and even viewed as a liability by voters. But thanks to trailblazers like my good friend and former representative Kate Stanley, and our very own Senator Suzanne Chun Oakland, things are very different for women like myself.

“That being said—and clearly he [son Aden crying] has a point of view as well—I have also come to realize that while we have come so far in preserving equality, we must remember that too often perception is more powerful than reality. We must continually exercise our rights to remind people that we have and need them at all. When I was pregnant with Matt, I had a meeting with a CEO of a large company in my district. During the course of our discussion, he asked me if I planned to leave office after giving birth to take care of my son and care for my family. Well, that kind of thinking shocked me because we are, after all, in 2010, not 1910. It served as a reminder that we must be ever vigilant about the rights and responsibilities we

have as women leaders in our community. Like my female colleagues here in the Senate, we all hold important roles other than that of senator. We are wives. We are mothers, grandmothers, sisters, daughters, and caregivers. We all juggle priorities and family responsibilities, whether it's care giving for loved ones or raising a child or grandchild, and our families are a part of who we are. They shape our perspectives and oftentimes guide our decisions as we ask ourselves, "What do we want to leave behind for them?"

"I am a better person and a better legislator because of my sons. I now see the world through baby food-stained glasses that are often smudged with spit-up and speckled with visions of Elmo, but I can honestly say that things have never been clearer for me. The work that we do, the future we build, and the past that we preserve for our children has become all very clear to me as a legislator and as a mother.

"I want to thank all of you for your constant support and encouragement these past two years and to further extend our family's thanks to the greater Senate 'ohana, who have all taken turns strolling, carrying, and spoiling my two sons. I would especially like to thank my office staff, Darlene, Kamakana, Vaughn, and Barbara, and Rachel for making this difficult work-life balance possible for a new mother like myself and for helping me to serve the people of my district. In talking with others, it is clear that your acceptance and support for my family situation has sent a positive message to many others outside of this building. I have spoken to so many other women who have expressed their concerns and apprehensions about starting and raising a family while maintaining their careers. This body's understanding and appreciation for our role as parents can serve as a positive model for other establishments and remind young women everywhere that they can and should do it all.

"And I should also point out I think that the good senator from Mililani had an offer she made to me a few months ago about the Food Bank, and Aden would like to know if that still stands. Again, thank you very much to all of you. Mahalo."

Senator Kidani rose on a point of personal privilege as follows:

"Several weeks ago, I asked the good senator from the Windward side that if she would allow Aden to be heard on the microphone when he cried that I would donate \$50 to the Hawai'i Food Bank. And although the drive is over, thank you, Aden. Thank you, Hawai'i Food Bank; you got my fifty bucks."

Senator Bunda rose on a point of personal privilege as follows:

"Madam President and colleagues, it has indeed been a personal privilege to rise on this Senate floor many times in the past. It was an immense privilege to preside over this Senate body for six years and to work alongside most of you as partners for most of that time. Today, I rise one last time to thank this body for the privileges extended to me over the course of my legislative career. I would like to extend the same mahalo to my colleagues in the House. I am grateful for the friendship and fraternity I experienced there over the years. Most of all, I would like to express my gratitude to the people of my district for supporting me and re-electing me for 28 years. I am deeply touched by their faith and trust in me as a legislator.

"Back in November 1982, there was a tidal wave of new members elected to the Legislature. There were 20 new faces in the House of Representatives. Some of us came with political experience, and some, like me, came with not much more than an eagerness to learn and to make things better for our community. Only three of us from that class of 1983 are still here today: Senator Donna Mercado Kim, Senator Clayton

Hee, and Speaker Emeritus Representative Joe Souki. Madam President and colleagues, if you'd like to see what they looked like back in 1983, I have a picture of all of us, and yes, all three of us, back then, we had lots of hair. I had a mustache and Senator Hee had a beard and mustache and Senator Kim had a full set of hair. Back then, Madam President, salaries were in the range of about \$8,000 a year, and campaign spending rules were not as strict as they are today. Some of us awarded scholarships to deserving high school students, some of us gave generously to our favorite charities, and some paid their laundry bills for the suits that we were required to wear on the job. The media paid much closer attention to the Legislature than they do today. I can remember when reporters attended our Majority caucus and even recorded our conversations. Capitol reporters were an integral part of the political process, and I thank them for keeping us real.

"Colleagues, this is my last session as a legislator. I take with me memories that are priceless. I also take with me 28 years of experience that I hope to apply to the challenges ahead. I wish all of you the best. May your budgets be always balanced and unanimous consent happen more often than not.

"I would also like to say good luck to you, Madam President, in your current bid for Congress, and to welcome Senator Sakamoto and Senator Hooser to a mutual pursuit of higher office.

"A special aloha and congratulations to Senator Hemmings as he prepares for re-entry into private life. Senator, it's been a privilege and a pleasure to serve with you across the aisle for many years.

"Last but not least, mahalo to my staff for their support and loyalty.

"Colleagues, I believe politics is all about relationships amongst us here and between the Legislature and the people of the State of Hawai'i. I, for one, could not be more grateful for the relationships here that have endured, and look forward to connections yet to come. Mahalo and aloha. Thank you."

The Chair then said:

"Senator Bunda, you sort of jumped the gun on us, but I think it is only appropriate that the President Emeritus start off. So, Senator Espero, why don't you begin; and after you're done, then we'll ask Senator Fukunaga to do the honors as well on behalf of the Senate."

Senator Espero rose on a point of personal privilege as follows:

"Today we honor and recognize Robert Bunda, State Senator from the 22<sup>nd</sup> senatorial district, which includes Mililani Mauka, Wahiawa, Hale'iwa, Mokule'ia, and North Shore, as he is retiring from the Senate after serving 28 years in this legislative arena.

"First elected to the House of Representatives in 1983, he served as a representative until 1994 when he was elected to the Hawai'i State Senate. During his legislative tenure, Senator Bunda created Hawaii's first ocean management plan and was co-creator of the Hawai'i Hurricane Relief Fund. So it's him to blame, folks, okay? He served as the only legislative member of the governor's task force on educational governance and as Senate President from 2001 through 2006. And from the Filipino ethnic perspective, I believe he is the first and only Filipino American to serve as the president of any state Senate in the United States.

"Senator Bunda is a 1974 graduate of Texas Wesleyan College with a Bachelor of Science degree and pursued graduate studies at the University of Dallas. He served in the United States Air Force, the Texas Army National Guard, and

the Hawai'i National Guard. Senator Bunda has numerous community and civic affiliations including membership in the Wahiawa Community and Business Association, Wahiawa Lions Club, Wahiawa General Hospital, and as a director of the West O'ahu YMCA, and president of the Eames Kumiai Association. In addition to his legislative career, Senator Bunda is an independent businessman. He has been an insurance broker since 1979, and prior to this was a banking executive from 1973 to 1979.

"The Senate of the 25<sup>th</sup> Legislature, State of Hawai'i, Regular Session of 2010, hereby expresses its appreciation to Senator Bunda for his outstanding service and dedication to the State Legislature and to the people of Hawai'i.

"As a body, four of us will be leaving (maybe five), and that's going to be a big loss, and I for one had the honor of serving with Senator Bunda, a friend, a colleague, a mentor, and of course our other colleagues. I wish you all the best of luck in all you do, and we certainly will see each other again. Aloha."

At this time, Senators Espero and Fukunaga presented Senator Bunda with a certificate and a lei.

Senator Kim rose on a point of personal privilege as follows:

"I'd also like to add my congratulations to Senator Bunda, having as he said earlier, come in the same time, the same class, in the House of Representatives. We have spent many years together in the world of public service and certainly when I came over from the City Council, here to the Senate, it was Senator Bunda that corralled me and shepherded me here on this floor. And while we've had our ups and downs as usually people who have spent that many years together, I sincerely would like to wish him the best and congratulate him and also to his family. Thank you."

Senator Slom rose on a point of personal privilege as follows:

"Thank you, Madam President. As shy as I am, let me say first of all that Senator Tokuda has been a role model for all of us and we congratulate her on baby Matt and baby Aden. The problem is, Senator, you didn't realize the reason that Baby Aden was kicking you, screaming, and pushing away is because he read your votes and the bills and the taxes and the debt that this Legislature has brought us. But other than that, we're very happy that you have two healthy children.

"Let me also say that Senator Bunda is a gentleman. He always treated the Minority with respect, as do you, Madam President, and for that we appreciate that. It is amazing that the body of experience and knowledge that will be leaving this legislative body.

"And one of the people that we're also going to salute today is my colleague, Senator Hemmings, who is completing 16 years of legislative experience—6 in the State House, 10 in the State Senate. He also has been very active in community service and leadership. He was born in Portugal; however, we have not been able to verify his birth certificate. So, at the moment, he remains a son of a Portuguese family.

"He is truly one of the great athletes in America. He has been recognized as one of the great athletes in Hawai'i as a waterman, as a surfer. He is the one that can take responsibility, although he is very modest about this, for making professional surfing into the worldwide sport that it is today and the interest that people have and the encouragement to young people as well. He's done that. I think, however, as I say, he's very modest but I think that he would say that probably his greatest achievement was surfing tandem with Senator Kim. I think they argued for quite some time as to who was going to be on top, but they finally resolved that. She had

then and does now have plenty of hair, so that was not an issue at the time.

"Senator Hemmings has represented the Kailua and Windward side, District 25, as well as parts of Hawai'i Kai. He's done it admirably and respectfully, and we all know that when Senator Hemmings rises to speak, we know that at the end we'll either laugh or cry; and as his colleague, I never know what the hell he's going to say when he gets up either.

"But he's a great, involved citizen; and I know there's been a little bit of controversy recently about who should get the credit for the establishment of the Northwestern Hawaiian Islands as a preserve. No one in this Senate has done more than Senator Fred Hemmings to ensure that that came about; and I guess the proof is always in the pudding as to how it's finally solved. Under his tutelage, we have that great preserve right now.

"I think that it's important to note that he has been involved in sports for quite some time. He did, of course, play on several famous Punahou football teams. I know there was a question but the answer is yes, he did wear his helmet at the time. He has been engaged in helping young people and mentoring them throughout his career. He has a sports marketing business, and he has a new-found adoration for the good Senator from He'eia and parts beyond on the windward side.

"I think that of all the things that he has done, however, he will be remembered as a person who is unafraid to stand up and give his point of view, and it's been a well-reasoned and rational point of view. It's hard, sometimes, for us to stand up, knowing what votes are likely to be, knowing what the numbers are, the simple math. But we firmly believe that we have to represent the people that count on us and those other views, and Senator Hemmings, I think, has done that throughout his career.

"So, on behalf of the Senate, it gives me a great deal of pleasure to present him this certificate from all of his colleagues. Thank you, Madam President."

At this time, Senators Slom and Kidani presented Senator Hemmings with a certificate and a lei.

Senator Slom continued:

"Madam President, I did want to add: There've been so many questions swirling around Senator Hemmings. His twin brother is Sonny of Kapolei. Sonny did not serve in the Senate, but Sonny is a champion surfer as well. Thank you."

Senator Hee rose on a point of personal privilege as follows:

"I always thought it was hard to follow Sam Slom. It isn't. I thought the senator with the baby was regretfully announcing she was departing. She isn't.

"I would like to, however, before saying a few words about Fred Hemmings, congratulate my friend Bobby Bunda because he's correct. I guess there's four of us. There used to be five, but Rod Tam has his own future ahead of him, so that's four; and I guess with Rep. Souki and Senator Kim and myself, that will be three. I think I still have the most hair, by the way, although clearly not as much as we did in '82, but congratulations to you, Bob.

"The first time I saw Fred Hemmings, I disliked him immediately. I was a young kid at Kamehameha who went to Kamehameha for one reason: to play ball. And my father used to schlep my brother and me, whether it was Friday or Saturday, to Old Honolulu Stadium, and we used to watch when Kamehameha played Punahou, quarterbacked by Charlie Wedemeyer. I was a young kid, and I saw this guy who was perhaps the greatest athlete on the football field in Charlie Wedemeyer. I disliked him, too. But I disliked that linebacker who played for Punahou because he was so good at what he did.

I can't remember and it doesn't matter if Punahou won, but I do remember Fred Hemmings as a middle linebacker for Punahou. In my lifetime, he's perhaps the first of a great generation of Punahou linebackers. During my time, I played against one of the best in Kale Ane, also a middle linebacker. In those days, you had to give your jersey back to the school when it was done. In the case of Kale Ane, I remember the trainer giving me the jersey because it was ripped to shreds because I played center that particular day against Punahou. And we've seen in our own lifetime the latest of great linebackers in Manti Te'o from Punahou. But Fred Hemmings was the first of the great linebackers at Punahou that I was privileged to watch, and I disliked him from that day.

"I think as younger than the honoree, we watched him as he became a world champion surfer; and I think it's typical of all local boys and others that we take great pride in the accomplishments of others from Hawai'i. That was seen with Buffalo Keaulana, Clyde Aikau, and all the rest that we honored this year because it lifted us a little bit higher in seeing one of our own accomplish such great feats and bring a little bit more pride to us as local people, and Fred did that. By becoming a world champion surfer, he made all of us prouder to be from these islands.

"As a legislator, the first time Fred and I got into a tangle was when I sat as Judiciary Chairman in 1987; and Fred then was in the House, and he's very passionate about his belief to reform the judiciary. And through all the arguments and disagreements, at the end of the day the Judiciary was reformed. I remember a member of the Judiciary during those days say to me, 'The way to get rid of your enemies is to make them your friend.' I disagreed with Fred then, as I disagreed with Fred when I came back to the Senate in 2005. I remember you, Madam President, asking me if there was a hormonal imbalance between Fred and me and as the reaction was clearly driven by testosterone. There's probably some truth to that.

"But through the years, I have come to appreciate my friend, the ideological salmon, swimming upstream against all odds. I have come to appreciate his correctness in his criticism of the Department of Education, and I think that this session he has made it easier for me to join in that criticism. I regret, quite frankly, that that voice will no longer be in the Senate. I have come to appreciate his criticism of Hawaiian Electric because he is correct. There are many things about Fred Hemmings that I appreciate, and I have asked him several times to reconsider because when that voice is muted, I cannot think of a single person who will take that place.

"I am honored, Fred, to be your friend. I am honored to have served with you for several decades, off and on, but most of all, I am honored that you have extended your arm to me in friendship, and for that I will be always grateful. I am as hard-headed as you can be, and I have great appreciation and aloha.

"There's one thing about Fred that has come across loud and clear to this Hawaiian: that he has always appreciated his place in these islands. I asked him when the surfers were honored to stand with them as a champion. He declined. He said, 'I'm not Hawaiian.' Fred, you are as Hawaiian as all of us, and for that, I say mahalo to you from one Hawaiian to another.

"Madam President, I have a certificate signed by all of us, and I would like to ask Senator Kim to present a lei to the honoree at this time. Thank you."

At this time, Senators Hee and Kim presented Senator Hemmings with a certificate and a lei.

Senator Kim rose on a point of personal privilege as follows:

"That's a very hard speech to follow—Senator Hee, you are always so eloquent—but I would be remiss not to say a few words.

"Certainly, I too have had the pleasure of serving with Senator Hemmings in the House, and we too have seen many, many years together. However, I've had the unique opportunity to serve side-by-side with him on a radio show called *Equal Time*, and unlike this body, where we stand up and give our remarks and we argue and we debate, on the radio show it was bantering back and forth every morning. And finally I had to give up because he was relentless. And it was very difficult to start every morning on that argumentative note that we had, but the people loved it, and even to this day I get phone calls asking me whether or not we still have that radio show together.

"But Fred, you have come to me often and asked the question whether or not your voice is heard, whether or not you should continue to speak your mind, and whether or not it is going on deaf ears. Well, I think from this morning, you know that your opposition, your point of view, your perspective have not gone on deaf ears. However, we may not agree at all times but certainly you have in fact provided that alternative perspective. And like Senator Hee from the Windward side, I too will miss you here, and perhaps you will reconsider as you leave us and have a couple months to really think about this. But congratulations and best wishes to you."

The Chair then said:

"Senator Hemmings do you have some words?"

Senator Hemmings rose on a point of personal privilege as follows:

"This will probably be the most difficult time I've ever talked.

"Senator Tokuda, there's nothing more precious than what you're holding in your arms, and I can tell you that, looking across this aisle, seeing that baby, made me realize what we should all be about.

"Senator Hee, our friendship is born of fire and it will endure until I die.

"Senator Kim, I remember those mornings so well. I pray to God you don't tell everything I said. I am your brother and you know I love you.

"This is bittersweet for me. I hope when I lie my head down to draw my last breath that I am the person I've spent my life trying to be. I have lived many lives, and I consider myself to be one of the wealthiest people, wealth that money cannot buy and wealth that cannot be given nor stolen. I'm blessed with an incredible family. I have lifelong friends who've brought all the human emotion to my life. I have you. I tried to write each one of you a note and express that though we may differ bitterly on certain issues, that each of you come to this floor with good intentions, that each of you has a gift, and each of you uses it so well.

My wealth goes so deep, and I want to share what it is. Senator Hee, you're right. The koko of your ancestors does not course through my veins, but hopefully the aloha in the heart of our people does. You see, I've stood on the top of Mauna Kea and felt the chill of the snow goddess Poliahu. As I've said before, I've had my heart beat like an ancient Hawaiian drum, running across the blistering lava fields of Kona. I have stood on the crest of Haleakalā and seen the morning sun's soft light caress these beautiful islands, Senator English. In the dark valley of Papalua on Moloka'i, I've slept by myself in a cave and heard the wind whisper of old Hawai'i. My back has ached paddling thousands of strokes across the Kaiwi Channel, battling huge seas. On O'ahu, I've rested in the shadow of

Konahuanui and felt the ghosts of 1795. On a full moon night, I've ridden the magical waves of Hanalei. My blessings in this life are being here. I am a child of Hawai'i.

"It's been difficult to stay true to the values that I hold, and I want to especially thank my colleague Senator Slom for keeping me.

"All I can say is thank you."

Senator Tsutsui rose on a point of personal privilege as follows:

"Madam President, colleagues, this afternoon I have the privilege of saying a few farewell remarks to one of our colleagues, the good Senator from Kaua'i. He, like myself, was elected into this body in 2002, and has served here for eight years. Prior to that, he served on the county council on Kaua'i for 4 years, and being a true leader for the State of Hawai'i for the last 12 year.

"Hooser, you are leaving, right? I mean, I'm not saying all these nice things about you, and you're going to show up and change your mind, are you? You're not. Okay.

"Then I'll continue, Madam President.

"You know, he's a strong proponent of renewable energy and education and has always had a lot of convictions, and, you know, he's going to truly be missed by all of us. I know many of us will miss all of his floor speeches, and we all remember every floor speech would start by, 'Madam President, I have a few brief comments,' or 'a few short remarks.' Needless to say, those comments usually went on for about 10 or 15 minutes. He also had the talent to really get under the skin of the Republican Party, a skill that hopefully he'll pass on to one of us once he leaves.

"We always really appreciated him reminding us of where the TV cameras were. He always knew where they were, which conference rooms they were in. Every morning, I would just have to notice if he was wearing his coat and tie with a lei, then the reporters were probably in the conference room. So, I appreciated him always giving us a heads up. He was also one who would communicate with his constituents through Twitter and Facebook and, you know, he was always reminding all of us what was being said about ourselves on Twitter or Facebook.

"And every morning, Madam President, every morning, he would always pass me in the hall and say, 'So, what? Do I look good today?' And it happened for, like, eight years now and you would think with the response I gave him (I said, 'Yeah, you look good, but not as good as me.') that he would change it up, but you know, hopefully in the future he has a different line for someone else.

"But Gary, on behalf of all of us, we truly appreciate you being a good friend and colleague, and not only were you a good legislator, but a great man; and I will always remember the many stories that we had and we could share about our families. And, you know, one of the things that really caught my attention early on was I remember seeing him one morning and he was gloating and I thought he'd pulled off the biggest coup in the world and I said, 'Well, what's up with you?' And he said, 'Guess what I just did?' And I said, 'Well, tell me.' He said, 'Today's my daughter's 16<sup>th</sup> birthday.' He said, 'I know what radio station she listens to every morning on the way to school.' And he said, 'I just got off the phone with the radio station to wish her a happy birthday, and I sent a bouquet of balloons to her school.' And this is the type of guy that he is. So, with all of that, Gary, again on behalf of all of us, I would like to thank you.

"And Madam President, at this time if I could be permitted to present a certificate on behalf of the entire Senate to Senator Hooser."

At this time, Senators Tsutsui and Baker presented Senator Hooser with a certificate and a lei.

Senator Ihara rose on a point of personal privilege as follows:

"Madam President, I'd like to acknowledge the senator of Kaua'i's eight years of outstanding service to our State of Hawai'i and to our Senate. In the Senate I've seen the role of Majority leader performed in a variety of ways over many years, and it's typically been quite a challenge. I know it's not always easy to find the balance between maintaining one's personal integrity while performing the role of Majority leader for the Majority caucus. I believe Senator Hooser has been a superb Majority leader. He has performed his duties exceptionally well, at the same time remaining a man of integrity.

"Senator Hooser has been a strong and staunch advocate of energy sustainability and a protector of our environment. He has demonstrated a commitment to good government principles and equal rights. He has kept a watchful eye out for Hawai'i's consumers and has been a leader on many other issues—in education, fiscal matters, and protecting Hawai'i's safety net for our most vulnerable.

"It's been a great pleasure working with Senator Hooser. He's been a true gentleman politician, a senator who is respectful of different views, sometimes very strongly but very respectful, even supporting their right to free speech and expressing their own views. I say all these things which are true for me because I would like to express my best wishes to Senator Hooser as you retire from the Senate. Best wishes!"

Senator Hooser rose on a point of personal privilege as follows:

"Madam President, colleagues, I will keep my remarks short. You know, I really don't know where to start. (Wait, is this camera the one that is working?)

"I tell Senator Tsutsui often, when he offers his clever remarks, I say, 'I don't need this here. I get this at home.' But, thank you very much. Thank you for your friendship, for your support over the years, and thanks to all of you here.

"You know, I want to back up just for a second. One lesson that I learned, and I'm sure each of you know this lesson, is that no matter how smart you are, no matter how hard you work, no matter how good you are in your heart, you cannot serve unless you get elected. And I wake up every single morning and thank God that I'm allowed to do the work that I do. And so without the support of the people of Kaua'i and Ni'ihau, I would not be able to be here today, and so I want to first and foremost thank those people. Hopefully, some of them are listening or watching because I truly love what I do. I'm truly thankful to do this work, and without the people of Kaua'i and Ni'ihau, I would not be able to do so.

"I'd also like to thank and recognize my staff, my office manager Mark Mararagan, Carl Miura, Steve Beaudry, JoAnn Nakashima; and we can all relate to that, to good staff. So, thank you very much. Stand please; let me recognize you here. Thank you.

"And I'll recognize the staff throughout the Senate—you know, the Clerk's office, the Sergeant-at-Arms—all of your staff, many of whom I've become friends with, and the hard work that they do.

“You know eight years ago, when I was first elected, I didn’t know what to expect. Didn’t really know what I was getting into, and it’s been quite an experience, an experience that I find has been very fulfilling, very stressful, very challenging. And I’ve come to know many of you very well. I’ve gained many, many close friends during these eight years; and even those that I do not agree with, those that we’ve bumped heads with, those that I’ve argued with, I’ve come to the conclusion that you are all good people. You are all good people trying to do the right thing, trying to make the world a better place, trying to make our community a better place, and though we may differ on values sometimes and differ on priorities, I’ve come to know that you are all good people. We’re all trying to do the best that we can, and quite frankly, that’s a refreshing thought. I think many in the community are not aware of that and may not share that, but having known each of you personally, I know that that’s the case.

“You know, many will say that this is a thankless job, and I’ve found myself that that’s not the case, that I have people who thank me quite frequently. I have people on Kaua’i who I’ve helped. You folks have heard this story before; I’ve helped people get teeth. You know, people who through no fault of their own have no teeth and cannot find work, cannot even leave their house, and are afraid to smile. And with the help of all of you here, with the leadership of Senator Chun Oakland specifically, I’ve helped specifically change people’s lives in my community around the state. We’ve all done that, and we should all be very proud of that. We’ve helped preserve agricultural land. We’ve helped create jobs. There’re many, many things we’ve done and that I personally am proud of. You know, some issues have been very difficult. House Bill 444 was one that came close to tearing a lot of us apart, jeopardize relationships, but we got through that and I am very proud of the Senate, particularly in their actions ultimately on that issue.

You know, I’m leaving, leaving this body after spending four years on the Kaua’i County Council. This is my eighth legislative session, and there are, I guess, five of us who may be gone. I want particularly to say goodbye to my good friend Senator Sakamoto I served with on the Education Committee for many years. We’ve many good times together, many good discussions about many things. Senator Hemmings, we’ve bumped heads, and for whatever reason I seem to get under the skin of my Minority colleagues, but I certainly respect your position, your feelings, and wish you all the best in the future. To our President Emeritus Senator Bunda, my hat’s off to you also and all the best in the future; and Senate President, I certainly wish you all the best.

“You know, I’m like all of you on a path, and I’ll close with one of my favorite quotes, a quote from Helen Keller. Helen Keller said, ‘True happiness does not come through self-gratification but through fidelity to a worthy purpose.’ Okay, and that rings particularly strong with me—‘fidelity to a worthy purpose’—and I believe we’re all on that path of fidelity to a worthy purpose. My path is changing now. I’m moving on in search of another purpose. I wish all of you well and look forward to a continuing friendship over the years. Aloha. Thank you.”

Senator Kim rose on a point of personal privilege as follows:

“Madam President, Senator Sakamoto and myself, we share Moanalua Gardens. We live about a mile apart from each other, and over the years we have certainly been a partner in working together for the community. And while I know that he will be moving on, that he will continue to be a voice in our community, and we will certainly look to him for that. But I can remember back in 1996, when he first decided he was going to run for office. I remember that because I have a cousin who also is a resident of Moanalua Gardens, and he wanted to run

for Senate. This is the year Ray Gaulty was running for re-election and there was some concern in the community, and so I told my cousin if he ran, I would support him. He decided not to, and Senator Sakamoto (of course he wasn’t a senator then) decided he was going to run. I found myself helping him in his election to the State Senate.

“So, we go back that far, and there is so much that we will remember Norman for. His very deep passion on many, many issues, and I can remember him tossing the HRS into the rubbish can one day on this floor because he was very passionate. I can’t remember what it was about, but it was certainly something that caused him to want throw that HRS into the rubbish can. We will remember him for his many prayers, as he often will pray for us during times of difficulty; and I know that I was the recipient of many, many of those prayers. He will be remembered for his passion for education, for charter schools, for the UH regents in their selection. He will be remembered for his blocks, which he happens to have on his desk; in true fashion, not one block but two blocks, and as you said, Madam President, he’s only allowed one block at a time. But, certainly, his blocks, his sheets of paper that we received from him often on—at the end of the session as we got from him yesterday—on some of the issues on education. We appreciate that, Norman, and we thank you for that.

“I guess the last thing that I would like to say is that the word that I would like to express to you, Senator Sakamoto, is ha’aha’a, which means humility, humbleness, and giving deference to others. We will miss your words—I guess some won’t miss it—but we will miss your words on the floor, your Hawaiian language lessons to us. And finally, the final word, Madam President, is aloha; means all good things. Aloha means to find goodness in every one of us, and finally, aloha means love, love to all that will be leaving us on this floor, and possibly a fifth one, that may be leaving this floor. So we say aloha ‘oe. Thank you.”

At this time, Senators Kim and Chun Oakland presented Senator Sakamoto with a certificate and lei.

Senator Sakamoto rose on a point of personal privilege as follows:

“Thank you so much, Senator Kim and colleagues. I guess there’s so much that can be said, and Senator Hooser, Senator Hemmings, Senator Bunda, and others, I really appreciate the opportunity to work together, and we’ll see each other more. And for each and every one of you, including all of the staff, I really appreciate it. And before I forget to acknowledge my staff up in the gallery, some of my staff, if they can stand when I call their name: Erin Conner, Caroline Julian, Valerie Ruiz, Carol Pang, Christin Wehrsig, Allen Awaya, and on the floor is Cherry Torres. I really appreciate all that you’ve done and thank you very much for working together this session and, for some, for many years. Mahalo.

“And as was mentioned, it’s a block but it’s actually the Rubik’s cube. For those who know the puzzle, in education or housing or any issue, we can always look at one side or one perspective, but if we look at one side and we say, ‘Can we make one side all white or all yellow,’ you flip the block to the other side and say, ‘Ai, all kapakahi! What’s wrong?’ So, in many of our issues, especially education, there are many sides. And people have asked me over the last month, ‘Oh, Sakamoto, what is the one most important thing that you’ve accomplished?’ And I have a difficulty answering it, and with this block we have pieced together parts of those handouts that I’ve given you, the cubes. And on facilities, whether it’s 2001, 2, 3, 4, 5, 6, 7, 8, 9, there are numerous measures that, not me, Madam President and colleagues, but that we have collectively moved—whether it’s the University of Hawai’i, learning, students, charter schools, early learning—there’s so many

different things that it's difficult for any of us, at least for me especially, to say what is the most important thing. But this part on the top, I've listed, including my current staff, staff over the years and many have been UH interns. Some people have worked, just as for many of you, volunteering to work; others for compensation. But it's just gratifying that we as a body have done many good things in terms of the University (more autonomy, changing their governance structure, their regents), early learning, creating the early learning council, creating more working together, and the Department of Education. Yet there is still more work to be done, but we've done the best we could with the tools we have available. And I hope all of you read what's just been published about the 6<sup>th</sup> Annual Citizenship awards honoring Hawai'i public school graduates. When you read something like this, it lessens so much of the criticism about the public schools because these students in our 42 public high schools are certainly examples of what is right. They say, 'I believe in attaining self-confidence, staying humble and grateful for everything. I always learned to be a positive person. Diversity is an integral part of who I am,' on and on and on.

"But please, and lest I go on, I'll say thank you to the senator from the Windward side and the senator from Hāna for helping with the 'ōlelo Hawai'i. This morning I have actually several, but one is: he ali'i ke aloha, he kilohana e pa'a ai—love is like a chief, the best prize is to have that love, that aloha. He ali'i ka la ai he hā kuma ke aloha: Where peace is, there love also abides. My family is not here today, but all of us would say thanks to our families for supporting us because all of us know that if not for our wives, our husbands, or our children, we would not be able to do this; and for those who do not have a spouse, certainly their significant others that have supported us, and aloha to all of them.

"Finally, I always need props, so in addition to these props I have a few other props. As Senator Slom knows there are still pictures painted up here, and for me, I like the visual. So at a later time I shall hand out to my colleagues a symbol because for me, if we can see the issue at hand, however complex it is, if we can see it, we can solve it. So I gave a little algebra equation, which maybe you don't have in front of you, but it's  $(S)^3 = (SI)^2$ . And as you boil it down, if you take  $(S)^3$ , the other one is  $(SI)^2$ , you take away the S's, you come down to  $S = I^2$ . Senator Sakamoto says, 'See it, solve it.' = See, 'ike 'ikena.

"So, God bless each of you. Much aloha; thank you so much for being colleagues, friends. In spite of differences, certainly we've been always respectful with each other, and I know this body will continue to do great work. God bless. Thank you very much."

Senator Hee rose on a point of personal privilege as follows:

"Madam President, we would be remiss if we did not wish you the best in your present endeavor and wish you success from one colleague to another, and express to you how difficult it will be not seeing you where you presently are situated. On behalf of all of us, we wish you the best. Thank you, Madam President."

The Chair responded:

"Thank you very much, Senator Hee."

At this time, the Chair made the following announcements:

"The program for the rest of this day, so we're all on cue (not yet, Senator Gabbard) will be: I will give some very short remarks and I will go through the announcements, and after that (and we just have one), I will ask that the good Senator Gabbard—as well as Senator Galuteria and every one of you who have bowed out from helping them—that we will sing 'Hawai'i Aloha'. Then after that we will go into a short

recess. I will call for a short recess to tell the House that we're ready to adjourn sine die. The representatives, whoever wants to go over will go over as we customarily do. Then I will at least ask that 13 of you return to the chamber so we can adjourn sine die. But with that, I will have some very short remarks.

At this time, the President delivered her closing remarks as follows:

"On behalf of the Senate I would like to, of course, thank Capitol TV, Mr. Booth and his staff, for covering us and of course always being on cue for Senator Hooser so he knows which room to go to. And of course, we'd like to thank the Clerk, Carol Taniguchi, and Laurel Johnston, her assistant, and the Clerk's office for all they have done for us. We must thank the Sergeant-At-Arms Ben Villafior, and his assistant Jayson Watts and the staff for doing everything that they do for us. And we cannot of course forget Data Systems. Over these four years that I have stood here at the podium, I must say that we have come a long way as a body and a lot of it thanks to Jon and his group. In addition, the Senate Minority Research Office with Keoki, and the Senate Majority Office with Shawn Nakama, for all that they have done for the both sides of the aisle; and the Legislative Reference Bureau and how they have chipped in as well.

"When we began this legislative session, we of course basically stripped down and didn't have the normal festivities because we knew what a difficult year this was going to be and what a difficult session it was going to be. And I was thinking, even when I was giving my very brief remarks on the opening day, how would we end? How would we end as a body? And I also was very concerned about one thing, and that is: How much damage would be done to us as a body? Because no matter what, no matter what, we are all 25 very independent, very definite, defined individuals, every single one of us, and no two of us are alike, and no two of us view a particular issue alike. And the thought of how would we address the critical issues that we're being faced with—Senator Hooser mentioned H.B. 444, which we had carried over from last year. We have always had the tensions of the budgets under Senator Kim and Senator Tsutsui and how do we balance that? We have had those of us who felt that the general excise tax had to be passed, and we have those of us who believe under no circumstance will the general excise tax be passed. We had very recently the debates over Act 221, also a major concern and a divisive issue that this body has had to deal with. And there have been a myriad of labor bills that Senator Takamine has had to deal with from unemployment insurance, as well as other issues, as we looked at how are we going to help the working men and women of this state? We've had the issues of not only our employees with Senator Chun Oakland's issues with human services about the cutting of 500 some-odd positions, replacing it with the EPOD system, and how do you do that transition? And at the same time, how do you keep the purchase of services both essential to the committees that Senator Ige and Senator Chun Oakland had to face with. We've had the troubles of the various law changes which Senator Taniguchi has had to deal with. And how do we do the Transportation issues of Senator English, and energy and environment issues of Senator Gabbard? And each and every one of you has played the role, whether as committee chairs. Senator Fukunaga and Senator Baker have led the charge on technology, and Senator Baker on all the various changes to our regulatory systems and those entities that we want to watch over and govern. And Senator Sakamoto doing double-time as Education Chair and how do we address the furloughs and how do we help people understand what the Legislature can do and what the Legislature cannot do in terms of collective bargaining. And of course, Senator Espero is now leading the charge on all of the public safety matters and the potential destruction of records. And of course, Senator Espero was front

and foremost when the whole furlough issue came about in trying to move that to resolution, along with of course Senator Hooser who was also there.

"I have had, in the four years that I've stood before you as Senate President, a very wonderful experience. It doesn't mean that it's ever been easy, but it's been wonderful, and a lot of it is because of the leadership team that we have put together as a body. You know, Senator Kim started as vice president and moved off to Ways and Means. Senator Kokubun picked up where she left off. And of course, we've had Senator Hooser, Senator Sakamoto, Senator Chun Oakland, Senator Ihara as our policy leader; Senator Ige and Senator Tokuda join us as well. And I will always, always, out of the corner of my eye always keep watch over Senator Hee. I don't want him to think I forgot him, but he is always there, out of the corner of my eye. Senator Nishihara has had to take on, of course, tourism in a time when they are our major economic engine that we have to keep viable and strong. And I know that Senator Galuteria, as his vice chair, was always there with him. And Senator Kidani, who has emerged really as someone, a very stabilizing rudder for us, transcending the various issues and truly standing for what she believes in. And Senator Green, never forgetting his constituent base, never forgetting that. And Senator Bunda being there as a—really, he probably never realized this—but sort of like a guiding light for us as did the president emeritus because he's led us for six years, and so six years we have to rely on and we have built what we are as an institution.

"And our two great Minority members. What can I say? People think that I'm with Sam Slom most of the time. How they get that impression, I don't know. And Senator Hemmings, we will miss you, and I would like to share that, you know, throughout this time Senator Hemmings was someone who was always there saying how much he appreciated the fact that the Majority always treated him and Sam fairly.

"You know, what more, what more, can we ask for than to feel that we have achieved that? That people feel that, in this body, that we are respectful. We can respectfully disagree, but we never, never act in a punitive manner, that they can feel that we have been treated fairly. What's scary about that thought is the fact that they feel that we can treat them versus the fact that we are all equal. No matter what, we are all equal. We all have one thing, one vote, and we cast it the way we each feel that we should and can cast that vote. And that is what we have all done. We have all voted the way we've wanted to, voted our conscience on many of these measures.

"And when I look at everyone—and I have not forgotten Senator Takamine, who has been a great insight as to how we differ from the House and how they do things and how we do things. And to each and every one of you, I must say the eloquence with which I heard the speeches made today and the looks on everyone's faces, we could not, could not have ended this session on a better note. It is something to lose all our colleagues, but you know this has been probably the best example of our ability to pull together. When people tell me, 'What is it about the Senate?' I always tell them the Senate is an entity. Believe me; 25 individuals with 25 different opinions, 25 different ways of looking at it, each able and very capable of expressing their opinions. But the one thing about the Senate is that the Senate never forgets the institution of the Senate. And hearing everyone today—I mean, who would have thought my testosterone battle would end with the biggest fan club that one could possibly imagine (height-wise, height-wise, height-wise). Now who would have thought that? Who would have thought that? But it is that because it is a reflection of all of you more than anything else.

"When people ask me, 'What does it mean to be Senate President?' I said, 'It means that I have earned the respect of

my colleagues. It is not me. It is not the fact that I stand here as the first woman to ever be president of the Senate or the first Asian woman to head that in the United States; it is a reflection of my colleagues because they have said, "You can serve us." They have said, "We believe in what you will do." And they have said, "You are fair." We may not agree, but the main thing is that we come together and we believe in each other and our ability to pull together as an institution.'

"So, my fellow members, it has been an honor to stand here at the podium for four years, and I thank you all for the support of all of the what may have been viewed as crazy initiatives, which they weren't. And on that note, Senator Ige: but for you, we would never have been able to push the Senate ahead, and if there's anyone that I believe that I owe a great deal of thanks to, it is you, Senator Ige, because of the initiatives of paperless that we have now been recognized nationally for and what we hope will change the legislative makeup not only here, but in the nation. It is something that we owe to you. And you know, through that, think about it: We are so transparent now; and in addition to that, we have made things so accessible to the public. Public Access Room has been so enhanced, and it is all thanks to your work, Senator Ige, and the support of your colleagues, albeit begrudgingly. And the one thing I do ask for next year: Somebody, somebody, do something about Sam Slom's blue binders. He has just got to join the rest of us. And I'm not sure we can make it Mac compatible, but you know, I mean, Sam, you got to just kind of go with the flow; you know, Sam?

"But thank you all very much. It has been an honor to be with all of you; and the reason why I'm not in the same category is because, you know, I said, 'Nobody's bachi-ing me. At least all of you are equally bachi-ed. But nobody's bachi-ing me.'

At this time, the Chair made the following announcement:

"So, with that, members, are there any further announcements? And the Chair has one announcement. The Clerk is directed to file in the Journal the communication from the Speaker and myself extending the Friday, April 23 final decking deadline. And if there's no further announcements, Senator Gabbard, Senator Galuteria, and whoever else you can get; and again members, after that we will be taking a short recess."

Senator Gabbard rose on a point of personal privilege as follows:

"I would be remiss, Madam President and colleagues, if I did not say mahalo to all of you. Last night I was at the Kapolei-Makakilo neighborhood board meeting, which, as you know, Madam President, tends to get a little raucous. Not a little, but a lot, and in my three minutes I brought up UH West O'ahu, a project that we had been waiting for, as you know, Madam President, on the west side for over 30 years. So I'd like to say mahalo to Senator Tsutsui, Senator Kim, on behalf of Senator Nishihara, Senator Kidani, Senator Espero, Senator Bunda, you, Senate President, and myself. It is a project that will change the lives and the face of UH West O'ahu. So, \$35 million two years ago; \$48 million this year. The first five buildings will open up to over 2,000 students in the spring of 2012; so again, we on the west side, we say thank you very much."

At this time, the members of the Senate and guests rose to sing "Hawai'i Aloha," led by Senators Gabbard and Galuteria.

The Chair then made the following announcement:

"Members, at this time we will be taking a short recess to inform the House that the Senate is ready to adjourn sine die."

At 12:47 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:22 p.m.

**ADJOURNMENT**

Senator Sakamoto moved that the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, adjourn Sine Die, seconded by Senator Slom and carried.

At 1:23 p.m., the President rapped her gavel and declared the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

**Gov. Msg. No. 533**, informing the Senate that on May 4, 2010, the Governor signed into law House Bill 1862, H.D. 1, S.D. 1, C.D. 1 as Act 75, entitled: "RELATING TO PUBLIC ORDER."

**Gov. Msg. No. 534**, informing the Senate that on May 4, 2010, the Governor signed into law Senate Bill 2323, H.D. 2 as Act 76, entitled: "RELATING TO EMPLOYMENT SECURITY."

**Gov. Msg. No. 535**, informing the Senate that on May 4, 2010, the Governor signed into law Senate Bill 2409, H.D. 3 as Act 77, entitled: "RELATING TO MARINE LIFE CONSERVATION DISTRICTS."

**Gov. Msg. No. 536**, informing the Senate that on May 5, 2010, the Governor signed into law House Bill 2351, S.D. 1 as Act 78, entitled: "RELATING TO VETERANS."

**Gov. Msg. No. 537**, informing the Senate that on May 5, 2010, the Governor signed into law Senate Bill 2172, S.D. 2, H.D. 1 as Act 79, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL."

**Gov. Msg. No. 538**, informing the Senate that on May 5, 2010, the Governor signed into law Senate Bill 2544, S.D. 2, H.D. 1 as Act 80, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU."

**Gov. Msg. No. 539**, informing the Senate that on May 6, 2010, the Governor signed into law Senate Bill 2400, S.D. 1, H.D. 1, C.D. 1 as Act 81, entitled: "RELATING TO FUNDS."

**Gov. Msg. No. 540**, informing the Senate that on May 6, 2010, the Governor signed into law House Bill 347, H.D. 2, S.D. 2, C.D. 1 as Act 82, entitled: "RELATING TO THE UNIVERSITY OF HAWAII."

**Gov. Msg. No. 541**, informing the Senate that on May 6, 2010, the Governor signed into law House Bill 2604, H.D. 2, S.D. 2, C.D. 1 as Act 83, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING."

**Gov. Msg. No. 542**, informing the Senate that on May 7, 2010, the Governor signed into law Senate Bill 2603, S.D. 2, H.D. 2, C.D. 1 as Act 84, entitled: "RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT."

**Gov. Msg. No. 543**, informing the Senate that on May 7, 2010, the Governor signed into law Senate Bill 2449, H.D. 1, C.D. 1 as Act 85, entitled: "RELATING TO DRIVER LICENSING."

**Gov. Msg. No. 544**, informing the Senate that on May 7, 2010, the Governor signed into law House Bill 2094 as Act 86, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH."

**Gov. Msg. No. 545**, informing the Senate that on May 10, 2010, the Governor signed into law Senate Bill 2702, S.D. 2, H.D. 1, C.D. 1 as Act 87, entitled: "RELATING TO A MAJOR DISASTER TRUST ACCOUNT."

**Gov. Msg. No. 546**, informing the Senate that on May 10, 2010, the Governor signed into law House Bill 1900, S.D. 1, C.D. 1 as Act 88, entitled: "RELATING TO MILITARY PERSONNEL."

**Gov. Msg. No. 547**, informing the Senate that on May 10, 2010, the Governor signed into law Senate Bill 910, S.D. 1, H.D. 2, C.D. 1 as Act 89, entitled: "RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES."

**Gov. Msg. No. 548**, informing the Senate that on May 11, 2010, the Governor signed into law Senate Bill 1230, S.D. 2, H.D. 1, C.D. 1 as Act 90, entitled: "RELATING TO TAXATION."

**Gov. Msg. No. 549**, informing the Senate that on May 11, 2010, the Governor signed into law Senate Bill 2643, S.D. 1, H.D. 1, C.D. 1 as Act 91, entitled: "RELATING TO GENERAL EXCISE TAX."

**Gov. Msg. No. 550**, informing the Senate that on May 11, 2010, the Governor signed into law House Bill 2016, S.D. 1 as Act 92, entitled: "RELATING TO COUNTIES."

**Gov. Msg. No. 551**, informing the Senate that on May 11, 2010, the Governor signed into law House Bill 1992, H.D. 1, S.D. 1, C.D. 1 as Act 93, entitled: "RELATING TO THE INTERMEDIATE APPELLATE COURT."

**Gov. Msg. No. 552**, informing the Senate that on May 11, 2010, the Governor signed into law Senate Bill 2691, S.D. 1, H.D. 1, C.D. 1 as Act 94, entitled: "RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS."

**Gov. Msg. No. 553**, informing the Senate that on May 11, 2010, the Governor signed into law House Bill 1863, H.D. 1, S.D. 1, C.D. 1 as Act 95, entitled: "RELATING TO PROSTITUTION."

**Gov. Msg. No. 554**, informing the Senate that on May 12, 2010, the Governor signed into law Senate Bill 358, S.D. 1, H.D. 2 as Act 96, entitled: "RELATING TO FIREARMS."

**Gov. Msg. No. 555**, informing the Senate that on May 12, 2010, the Governor signed into law Senate Bill 532, S.D. 1, H.D. 1, C.D. 1 as Act 97, entitled: "RELATING TO LIMITING CIVIL LIABILITY."

**Gov. Msg. No. 556**, informing the Senate that on May 12, 2010, the Governor signed into law Senate Bill 2661, S.D. 2, H.D. 2, C.D. 1 as Act 98, entitled: "MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

**Gov. Msg. No. 557**, informing the Senate that on May 12, 2010, the Governor signed into law House Bill 2129, H.D. 1, S.D. 1 as Act 99, entitled: "RELATING TO GRAFFITI."

**Gov. Msg. No. 558**, informing the Senate that on May 12, 2010, the Governor signed into law Senate Bill 2937, S.D. 1, H.D. 1, C.D. 1 as Act 100, entitled: "RELATING TO INFORMATION PRACTICES."

**Gov. Msg. No. 559**, informing the Senate that on May 12, 2010, the Governor signed into law House Bill 2505, H.D. 1, S.D. 1, C.D. 1 as Act 101, entitled: "RELATING TO THE ACCESS HAWAII COMMITTEE."

**Gov. Msg. No. 560**, informing the Senate that on May 12, 2010, the Governor signed into law Senate Bill 2187, S.D. 1, H.D. 2, C.D. 1 as Act 102, entitled: "RELATING TO THE HAWAII TOURISM AUTHORITY."

**Gov. Msg. No. 561**, informing the Senate that on May 12, 2010, the Governor signed into law House Bill 2297, H.D. 2, S.D. 2 as Act 103, entitled: "RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES."

**Gov. Msg. No. 562**, informing the Senate that on May 13, 2010, the Governor signed into law House Bill 1190, H.D. 1, S.D. 1, C.D. 1 as Act 104, entitled: "RELATING TO TRAFFIC ACCIDENT INVESTIGATION."

**Gov. Msg. No. 563**, informing the Senate that on May 13, 2010, the Governor signed into law House Bill 1854, S.D. 2, C.D. 1 as Act 105, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 564**, informing the Senate that on May 13, 2010, the Governor signed into law Senate Bill 2395, S.D. 2, H.D. 1, C.D. 1 as Act 106, entitled: "RELATING TO THE BUDGET."

**Gov. Msg. No. 565**, informing the Senate that on May 13, 2010, the Governor signed into law Senate Bill 2831, S.D. 1, H.D. 1, C.D. 1 as Act 107, entitled: "RELATING TO THE PROCUREMENT CODE."

**Gov. Msg. No. 566**, informing the Senate that on May 14, 2010, the Governor signed into law Senate Bill 2601, S.D. 1, H.D. 2, C.D. 1 as Act 108, entitled: "RELATING TO ATHLETIC TRAINERS."

**Gov. Msg. No. 567**, informing the Senate that on May 14, 2010, the Governor signed into law Senate Bill 2150, H.D. 1, C.D. 1 as Act 109, entitled: "RELATING TO APPELLATE JURISDICTION."

**Gov. Msg. No. 568**, informing the Senate that on May 14, 2010, the Governor signed into law House Bill 2721, H.D. 1, S.D. 1 as Act 110, entitled: "RELATING TO COURT REPORTERS."

**Gov. Msg. No. 569**, informing the Senate that on May 17, 2010, the Governor signed into law Senate Bill 2257, S.D. 2, H.D. 1, C.D. 1 as Act 111, entitled: "RELATING TO ELECTRONIC WARRANT VOUCHERS."

**Gov. Msg. No. 570**, informing the Senate that on May 17, 2010, the Governor signed into law House Bill 2594, H.D. 2, S.D. 1, C.D. 1 as Act 112, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

**Gov. Msg. No. 571**, informing the Senate that on May 17, 2010, the Governor signed into law Senate Bill 2729, S.D. 2, H.D. 1, C.D. 1 as Act 113, entitled: "RELATING TO IMMUNIZATION."

**Gov. Msg. No. 572**, informing the Senate that on May 17, 2010, the Governor signed into law House Bill 840, H.D. 1, S.D. 1 as Act 114, entitled: "RELATING TO CHARGING BY WRITTEN INFORMATION."

**Gov. Msg. No. 573**, informing the Senate that on May 17, 2010, the Governor signed into law Senate Bill 2371, S.D. 2, H.D. 1, C.D. 1 as Act 115, entitled: "RELATING TO LIMITED BENEFIT HEALTH INSURANCE."

**Gov. Msg. No. 574**, informing the Senate that on May 18, 2010, the Governor signed into law Senate Bill 2697, S.D. 1, H.D. 1, C.D. 1 as Act 116, entitled: "RELATING TO INSURANCE."

**Gov. Msg. No. 575**, informing the Senate that on May 18, 2010, the Governor signed into law Senate Bill 2399, S.D. 1, H.D. 1, C.D. 1 as Act 117, entitled: "RELATING TO MIXED MARTIAL ARTS."

**Gov. Msg. No. 576**, informing the Senate that on May 18, 2010, the Governor signed into law Senate Bill 2054, S.D. 2, H.D. 1, C.D. 1 as Act 118, entitled: "RELATING TO CIVIL DEFENSE."

**Gov. Msg. No. 577**, informing the Senate that on May 18, 2010, the Governor signed into law House Bill 2692, H.D. 1, S.D. 1, C.D. 1 as Act 119, entitled: "RELATING TO DISASTER PREPAREDNESS PLANNING."

**Gov. Msg. No. 578**, informing the Senate that on May 18, 2010, the Governor signed into law House Bill 2157, H.D. 1, S.D. 1, C.D. 1 as Act 120, entitled: "RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES."

**Gov. Msg. No. 579**, informing the Senate that on May 19, 2010, the Governor signed into law Senate Bill 2220, S.D. 1, H.D. 2, C.D. 1 as Act 121, entitled: "RELATING TO CONSTRUCTION SITES."

**Gov. Msg. No. 580**, informing the Senate that on May 19, 2010, the Governor signed into law House Bill 1978, H.D. 2, S.D. 2, C.D. 1 as Act 122, entitled: "RELATING TO TOWING."

**Gov. Msg. No. 581**, informing the Senate that on May 19, 2010, the Governor signed into law Senate Bill 2745, S.D. 2, H.D. 1, C.D. 1 as Act 123, entitled: "RELATING TO CONTROLLED SUBSTANCES."

**Gov. Msg. No. 582**, informing the Senate that on May 19, 2010, the Governor signed into law Senate Bill 2385, S.D. 1, H.D. 1, C.D. 1 as Act 124, entitled: "RELATING TO THE UNIVERSITY OF HAWAII."

**Gov. Msg. No. 583**, informing the Senate that on May 19, 2010, the Governor signed into law Senate Bill 2811, S.D. 2, H.D. 2, C.D. 1 as Act 125, entitled: "RELATING TO PHARMACIES."

**Gov. Msg. No. 584**, informing the Senate that on May 20, 2010, the Governor signed into law House Bill 2397, H.D. 1, S.D. 1, C.D. 1 as Act 126, entitled: "RELATING TO PRIMARY ELECTIONS."

**Gov. Msg. No. 585**, informing the Senate that on May 20, 2010, the Governor signed into law Senate Bill 2825, S.D. 1, H.D. 1, C.D. 1 as Act 127, entitled: "RELATING TO STATE FUNDS."

**Gov. Msg. No. 586**, informing the Senate that on May 20, 2010, the Governor signed into law House Bill 1684, H.D. 2, S.D. 2, C.D. 1 as Act 128, entitled: "RELATING TO INVASIVE SPECIES."

**Gov. Msg. No. 587**, informing the Senate that on May 21, 2010, the Governor signed into law Senate Bill 1062, S.D. 1, H.D. 1, C.D. 1 as Act 129, entitled: "RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS."

**Gov. Msg. No. 588**, informing the Senate that on May 21, 2010, the Governor signed into law Senate Bill 2809, S.D. 2, H.D. 1, C.D. 1 as Act 130, entitled: "RELATING TO UTILITIES REGULATION."

**Gov. Msg. No. 589**, informing the Senate that on May 21, 2010, the Governor signed into law Senate Bill 950, S.D. 2, H.D. 3, C.D. 1 as Act 131, entitled: "RELATING TO ELECTRIC GUNS."

**Gov. Msg. No. 590**, informing the Senate that on May 21, 2010, the Governor signed into law House Bill 2000, H.D. 2, S.D. 2, C.D. 1 as Act 132, entitled: "RELATING TO THE JUDICIARY."

**Gov. Msg. No. 591**, informing the Senate that on May 24, 2010, the Governor signed into law House Bill 2575, H.D. 2, S.D. 2, C.D. 1 as Act 133, entitled: "RELATING TO TRAUMA."

**Gov. Msg. No. 592**, informing the Senate that on May 24, 2010, the Governor signed into law Senate Bill 930, H.D. 2, C.D. 1 as Act 134, entitled: "RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES."

**Gov. Msg. No. 593**, informing the Senate that on May 24, 2010, the Governor signed into law Senate Bill 2716, S.D. 2, H.D. 2, C.D. 1 as Act 135, entitled: "RELATING TO CHILD PROTECTIVE ACT."

**Gov. Msg. No. 594**, informing the Senate that on May 24, 2010, the Governor signed into law House Bill 1987, H.D. 2, S.D. 2, C.D. 1 as Act 136, entitled: "RELATING TO FIREWORKS."

**Gov. Msg. No. 595**, informing the Senate that on May 24, 2010, the Governor signed into law Senate Bill 2019, S.D. 1, H.D. 2, C.D. 1 as Act 137, entitled: "RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING."

**Gov. Msg. No. 596**, informing the Senate that on May 25, 2010, the Governor signed into law Senate Bill 2806, S.D. 2, H.D. 1, C.D. 1 as Act 138, entitled: "RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

**Gov. Msg. No. 597**, informing the Senate that on May 25, 2010, the Governor signed into law Senate Bill 2565, S.D. 1, H.D. 1, C.D. 1 as Act 139, entitled: "RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."

**Gov. Msg. No. 598**, informing the Senate that on May 25, 2010, the Governor signed into law Senate Bill 506, S.D. 1, H.D. 3, C.D. 1 as Act 140, entitled: "RELATING TO PROCUREMENT."

**Gov. Msg. No. 599**, informing the Senate that on May 25, 2010, the Governor signed into law Senate Bill 2105, S.D. 2, H.D. 1, C.D. 1 as Act 141, entitled: "RELATING TO PARKING FOR DISABLED PERSONS."

**Gov. Msg. No. 600**, informing the Senate that on May 25, 2010, the Governor signed into law House Bill 2831, H.D. 2, S.D. 2, C.D. 1 as Act 142, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

**Gov. Msg. No. 601**, informing the Senate that on May 25, 2010, the Governor signed into law Senate Bill 2124, S.D. 2, H.D. 1, C.D. 1 as Act 143, entitled: "RELATING TO THE HAWAII HURRICANE RELIEF FUND."

**Gov. Msg. No. 602**, informing the Senate that on May 26, 2010, the Governor signed into law Senate Bill 2589, S.D. 2, H.D. 1, C.D. 1 as Act 144, entitled: "RELATING TO CHARTER SCHOOLS."

**Gov. Msg. No. 603**, informing the Senate that on May 27, 2010, the Governor signed into law Senate Bill 2116, S.D. 2, H.D. 2, C.D. 1 as Act 145, entitled: "RELATING TO INDEMNIFICATION OF COUNTY AGENCIES."

**Gov. Msg. No. 604**, informing the Senate that on May 27, 2010, the Governor signed into law House Bill 2349, H.D. 1, S.D. 2, C.D. 1 as Act 146, entitled: "RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL."

**Gov. Msg. No. 605**, informing the Senate that on May 28, 2010, the Governor signed into law House Bill 2725, H.D. 1, S.D. 1, C.D. 1 as Act 147, entitled: "RELATING TO ANIMALS."

**Gov. Msg. No. 606**, informing the Senate that on May 28, 2010, the Governor signed into law Senate Bill 2169, S.D. 2, H.D. 2, C.D. 1 as Act 148, entitled: "RELATING TO SHARK FINS."

**Gov. Msg. No. 607**, informing the Senate that on May 28, 2010, the Governor signed into law Senate Bill 2154, S.D. 1, H.D. 1, C.D. 1 as Act 149, entitled: "RELATING TO ADULT PROBATION RECORDS."

**Gov. Msg. No. 608**, informing the Senate that on May 28, 2010, the Governor signed into law Senate Bill 2607, S.D. 2, H.D. 1, C.D. 1 as Act 150, entitled: "RELATING TO ACTIVITY DESKS."

**Gov. Msg. No. 609**, informing the Senate that on May 28, 2010, the Governor signed into law House Bill 2450, H.D. 1, S.D. 2, C.D. 1 as Act 151, entitled: "RELATING TO RENEWABLE ENERGY FACILITIES."

**Gov. Msg. No. 610**, informing the Senate that on May 28, 2010, the Governor signed into law House Bill 2631, H.D. 2, S.D. 2, C.D. 1 as Act 152, entitled: "RELATING TO ENERGY INDUSTRY REPORTING."

**Gov. Msg. No. 611**, informing the Senate that on June 1, 2010, the Governor signed into law House Bill 2020, H.D. 2, S.D. 2, C.D. 1 as Act 153, entitled: "RELATING TO COUNTIES."

**Gov. Msg. No. 612**, informing the Senate that on June 1, 2010, the Governor signed into law Senate Bill 633, S.D. 1, H.D. 2, C.D. 1 as Act 154, entitled: "RELATING TO WATER."

**Gov. Msg. No. 613**, informing the Senate that on June 1, 2010, the Governor signed into law House Bill 2595, H.D. 1, S.D. 2, C.D. 1 as Act 155, entitled: "RELATING TO GENERAL EXCISE TAX."

**Gov. Msg. No. 614**, informing the Senate that on June 1, 2010, the Governor signed into law House Bill 2661, H.D. 2, S.D. 2, C.D. 1 as Act 156, entitled: "RELATING TO ANATOMICAL GIFTS."

**Gov. Msg. No. 615**, informing the Senate that on June 1, 2010, the Governor signed into law Senate Bill 2599, S.D. 2, H.D. 2, C.D. 1 as Act 157, entitled: "RELATING TO HEALTH INSURANCE."

**Gov. Msg. No. 616**, informing the Senate that on June 2, 2010, the Governor signed into law Senate Bill 2885, S.D. 2, H.D. 1, C.D. 1 as Act 158, entitled: "RELATING TO HEALTH SAVINGS ACCOUNTS."

**Gov. Msg. No. 617**, informing the Senate that on June 2, 2010, the Governor signed into law House Bill 2676, H.D. 1, S.D. 1, C.D. 1 as Act 159, entitled: "RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION."

**Gov. Msg. No. 618**, informing the Senate that on June 2, 2010, the Governor signed into law House Bill 1808, H.D. 3, S.D. 1, C.D. 1 as Act 160, entitled: "RELATING TO COASTAL AREAS."

**Gov. Msg. No. 619**, informing the Senate that on June 2, 2010, the Governor signed into law Senate Bill 2115, S.D. 1, H.D. 2, C.D. 1 as Act 161, entitled: "RELATING TO PREAUDITS FOR PROPOSED PAYMENTS."

**Gov. Msg. No. 620**, informing the Senate that on June 3, 2010, the Governor signed into law Senate Bill 2472, S.D. 2, H.D. 1, C.D. 1 as Act 162, entitled: "RELATING TO MORTGAGE FORECLOSURES."

**Gov. Msg. No. 621**, informing the Senate that on June 3, 2010, the Governor signed into law House Bill 2077, H.D. 1, S.D. 1, C.D. 1 as Act 163, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 622**, informing the Senate that on June 3, 2010, the Governor signed into law Senate Bill 2859, S.D. 2, H.D. 1, C.D. 1 as Act 164, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT."

**Gov. Msg. No. 623**, informing the Senate that on June 8, 2010, the Governor signed into law Senate Bill 2441, S.D. 2, H.D. 2, C.D. 1 as Act 165, entitled: "RELATING TO ENDANGERED SPECIES."

**Gov. Msg. No. 624**, dated June 9, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2401, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 9, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2401

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2401, entitled 'A Bill for an Act Relating to State Finances.'

The purpose of this bill is to suspend claims for the High Technology Business Investment Tax Credit and the Technology Infrastructure Tax Credit for tax years 2010, 2011 and 2012.

This measure is objectionable because it negatively impacts Hawaii's economy and makes it more difficult to sustain our current efforts to recover. It may not achieve its purpose of generating revenues to cover the state budget shortfall, and the bill may impact the state's future credit worthiness ratings.

First, this bill negatively impacts Hawaii's economy and business climate by increasing the uncertainty of doing business in the State. In 2009, Hawaii was ranked forty-second in the nation in an assessment of its state business climate by the Small Business and Entrepreneurship Council. This measure would continue to perpetuate that perception by making Hawaii's tax law unfriendly to businesses and investors.

Investors and businesses make decisions to hire, expand or start up a company based on assessments of the risks and rewards involved. One of the factors examined is the government's tax and regulatory structure. When government policies change with little notice or rationale, businesses become wary because they are no longer able to assess the future risks of putting money into Hawaii. The fact that this bill would change the tax credit rules retroactively, implies people who put capital in Hawaii can no longer trust the State Government to keep its word. This is bad economic policy and bad public policy.

Second, this bill may not actually generate revenue as stated in the committee report for the H.D. 1 version of this measure.

Rather the measure would delay a total of \$168,400,000 in state financial obligations to fiscal years 2013-2014 and 2014-2015. Because a number of investors and businesses have already stated their intent to challenge this measure in court if it becomes law, their additional tax payments under this measure will likely be transferred to the Litigated Claims Fund until all matters are resolved. As such, it is highly uncertain whether the revenues from this measure can be counted toward the financial plan, since there is a possibility that revenues will not be deposited into the general fund as expected in fiscal years 2010-2011, 2011-2012, and 2012-2013, when the budget shortfall is most severe.

Finally, while Moody's maintained Hawaii's Aa2 rating on approximately \$4,700,000,000 in outstanding general obligation bonds this past February, the agency also revised the outlook on those bonds from stable to negative. One of the reasons for that revision is 'Hawaii's narrowed financial operations as underscored by significantly lower reserve levels and payment deferrals,' as well as 'out-year structural gaps due to one-time solutions already incorporated in the enacted budget.' This bill adds \$168 million to that future structural gap by delaying our tax credit obligations. As such it could negatively impact the assessment of Hawaii's credit worthiness by adding to the payment deferrals of the State.

For the foregoing reasons, I am returning Senate Bill No. 2401 without my approval.

Respectfully,

/s/ James R. Aiona, Jr.  
JAMES R. AIONA, JR.  
Acting Governor of Hawaii"

**"P R O C L A M A T I O N**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2401, entitled 'A Bill for an Act Relating to State Finances,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2401 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JAMES R. AIONA, JR., Acting Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2401 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 9th day of  
June, 2010.

/s/ James R. Aiona, Jr.  
JAMES R. AIONA, JR.  
Acting Governor of Hawaii"

**Gov. Msg. No. 625**, informing the Senate that on June 14, 2010, the Governor signed into law Senate Bill 2897, S.D. 2, H.D. 3, C.D. 1 as Act 166, entitled: "RELATING TO HIGHWAY SAFETY."

**Gov. Msg. No. 626**, informing the Senate that on June 15, 2010, the Governor signed into law House Bill 2486, H.D. 2, S.D. 2, C.D. 1 as Act 167, entitled: "RELATING TO EDUCATION."

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 627**, dated June 21, 2010, transmitting proclamations giving notice of the Governor's plans to return the following bills with objections: House Bill Nos. 415, 444, 865, 921, 1015, 1212, 1665, 1907, 2083, 2133, 2152, 2239, 2283, 2289, 2318, 2377, 2441, 2497, 2583, 2644, 2708, and 2774; and Senate Bill Nos. 1105, 2001, 2020, 2045, 2165, 2324, 2434, 2473, 2491, 2534, 2547, 2566, 2610, 2849, 2883, 2919, and 2951, which read as follows:

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 415, entitled 'A Bill for an Act Relating to Public Safety,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 415, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 415 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 444, entitled 'A Bill for an Act Relating to Civil Unions,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 444 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 444 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 865, entitled 'A Bill for an Act Relating to Transportation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 865, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 865 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 921, entitled 'A Bill for an Act Relating to Public Lands,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 921, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 921 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1015, entitled 'A Bill for an Act Relating to Obligations of the Department of Hawaiian Home Lands Trust Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1015, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1015 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1212, entitled 'A Bill for an Act Relating to Information Practices,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1212, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1212 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1665, entitled 'A Bill for an Act Relating to Hawaiian Fishponds,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1665, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1665 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1907, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1907, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1907 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2083, entitled 'A Bill for an Act Relating to Milk Labeling,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2083, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2083 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle

LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2133, entitled 'A Bill for an Act Relating to Procurement,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2133, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2133 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2152, entitled 'A Bill for an Act Relating to Building Design for Persons with Disabilities,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2152, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2152 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2239, entitled 'A Bill for an Act Relating to the Deposit Beverage Container Program,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2239, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2239 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2283, entitled 'A Bill for an Act Relating to Public Procurement,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2283, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2283 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2289, entitled 'A Bill for an Act Relating to Gift Certificates,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2289, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2289 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2318, entitled ‘A Bill for an Act Relating to the Homeless,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2318, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2318 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2377, entitled ‘A Bill for an Act Relating to Education,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2377, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2377 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2441, entitled ‘A Bill for an Act Relating to Procurement,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2441, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2441 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2497, entitled ‘A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2497, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2497 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2583, entitled 'A Bill for an Act Relating to Impounded Vessels,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2583, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2583 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2664, entitled 'A Bill for an Act Relating to Solid Waste,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2664, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2664 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2708, entitled 'A Bill for an Act Relating to Transportation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2708, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2708 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2774, entitled 'A Bill for an Act Relating to Human Services,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2774, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2774 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1105, entitled 'A Bill for an Act Relating to Legislative Hearings and Procedures,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1105, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1105 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2001, entitled ‘A Bill for an Act Relating to Taxation,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2001, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2001 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2020, entitled ‘A Bill for an Act Relating to Real Property,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2020, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2020 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2045, entitled ‘A Bill for an Act Relating to Crime,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2045, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2045 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2165, entitled ‘A Bill for an Act Relating to Private Guards,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2165, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2165 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2324, entitled ‘A Bill for an Act Relating to Unemployment Insurance Benefits,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2324, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2324 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2434, entitled 'A Bill for an Act Relating to Salaries,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2434, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2434 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2473, entitled 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2473, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2473 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE

Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2491, entitled 'A Bill for an Act Relating to Telemedicine,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2491, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2491 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2534, entitled 'A Bill for an Act Relating to Bail,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2534, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2534 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2547, entitled 'A Bill for an Act Relating to Small Boat Harbors,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2547, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2547 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2566, entitled 'A Bill for an Act Relating to Medical and Rehabilitation Benefits,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2566, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2566 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2610, entitled 'A Bill for an Act Relating to Conveyance Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2610, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of

the State of Hawaii, giving notice of my plan to return Senate Bill No. 2610 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2849, entitled 'A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2849, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2849 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2883, entitled 'A Bill for an Act Relating to Employment Practices,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2883, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2883 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2919, entitled 'A Bill for an Act Relating to the Hawaii State Hospital,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2919, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2919 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**“PROCLAMATION**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2951, entitled 'A Bill for an Act Relating to Agriculture,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2951, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2951 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**Gov. Msg. No. 628**, informing the Senate that on June 22, 2010, the Governor signed into law House Bill 2503, H.D. 1, S.D. 2, C.D. 1 as Act 168, entitled: “RELATING TO THE ENVIRONMENT.”

**Gov. Msg. No. 629**, informing the Senate that on June 22, 2010, the Governor signed into law House Bill 2288, H.D. 1, S.D. 2, C.D. 1 as Act 169, entitled: “RELATING TO PRIVATE TRANSFER FEES.”

**Gov. Msg. No. 630**, informing the Senate that on June 22, 2010, the Governor signed into law Senate Bill 1059, S.D. 2, H.D. 3, C.D. 1 as Act 170, entitled: “RELATING TO FIREWORKS.”

**Gov. Msg. No. 631**, informing the Senate that on June 23, 2010, the Governor signed into law House Bill 1948, H.D. 1, S.D. 1, C.D. 1 as Act 171, entitled: “RELATING TO TAXATION.”

**Gov. Msg. No. 632**, informing the Senate that on June 23, 2010, the Governor signed into law House Bill 2775, H.D. 2, S.D. 2, C.D. 1 as Act 172, entitled: “RELATING TO AGRICULTURE.”

**Gov. Msg. No. 633**, informing the Senate that on June 23, 2010, the Governor signed into law Senate Bill 2523, S.D. 2, H.D. 2 as Act 173, entitled: “RELATING TO AGRICULTURAL INSPECTIONS.”

**Gov. Msg. No. 634**, informing the Senate that on June 24, 2010, the Governor signed into law House Bill 2845, H.D. 1, S.D. 1, C.D. 1 as Act 174, entitled: “RELATING TO LANDS CONTROLLED BY THE STATE.”

**Gov. Msg. No. 635**, informing the Senate that on June 25, 2010, the Governor signed into law Senate Bill 2563, S.D. 1, H.D. 2, C.D. 1 as Act 175, entitled: “RELATING TO ENERGY EFFICIENCY.”

**Gov. Msg. No. 636**, informing the Senate that on June 25, 2010, the Governor signed into law House Bill 2688, H.D. 1, S.D. 2, C.D. 1 as Act 176, entitled: “RELATING TO HEALTH.”

**Gov. Msg. No. 637**, informing the Senate that on June 25, 2010, the Governor signed into law House Bill 2061, H.D. 1, S.D. 2, C.D. 1 as Act 177, entitled: “RELATING TO CHILDREN.”

**Gov. Msg. No. 638**, dated June 24, 2010, transmitting the Governor's statement of objections to House Bill No. 415, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” which was returned to the Senate without approval and reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
June 24, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 415

Honorable Members  
Twenty-Sixth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 415, entitled 'A Bill for an Act Relating to Public Safety.'

The purpose of this bill is to require the Auditor to conduct an audit of the Department of Public Safety's contracts for prison beds and services outside Hawaii, and the department's contract with the federal detention center. As part of her comparison, the Auditor is directed to 'address the closure of Kulani correctional facility' and make a recommendation on 'whether the continued housing of Hawaii inmates in mainland facilities and in the federal detention center in Honolulu is advisable, in view of the explicit requirements of Chapter 353H.'

This bill is objectionable because, it forces the Auditor to go beyond her duties as specified in HRS 23-4, requiring her to give a legal opinion and make a policy judgment outside the

scope of a normal audit. The bill is ineffective because it proposes no solutions to the problems previously identified over many years regarding the lack of funds and facilities to house prisoners in Hawaii.

Further, the audit would duplicate an independent audit that is regularly conducted by a third party covering the fiscal conditions and finances of the Department. The redundant work would consume an estimated \$60,000 in State funds that would result in the loss of resources in the State Department of Defense, a State agency charged with protecting the safety of State residents.

For the foregoing reasons, I am returning House Bill No. 415 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 639**, informing the Senate that on June 28, 2010, the Governor signed into law Senate Bill 2600, S.D. 2, H.D. 2, C.D. 1 as Act 178, entitled: "RELATING TO HEALTHCARE."

**Gov. Msg. No. 640**, informing the Senate that on June 28, 2010, the Governor signed into law House Bill 2533, H.D. 1, S.D. 2, C.D. 1 as Act 179, entitled: "RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS."

**Gov. Msg. No. 641**, informing the Senate that on June 28, 2010, the Governor signed into law House Bill 2200, H.D. 1, S.D. 2, C.D. 1 as Act 180, entitled: "RELATING TO THE STATE BUDGET."

**Gov. Msg. No. 642**, informing the Senate that on June 28, 2010, the Governor signed into law Senate Bill 2173, S.D. 1, H.D. 1, C.D. 1 as Act 181, entitled: "RELATING TO STATE BONDS."

**Gov. Msg. No. 643**, informing the Senate that on June 28, 2010, the Governor signed into law Senate Bill 2842, S.D. 2, H.D. 1, C.D. 1 as Act 182, entitled: "RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT."

**Gov. Msg. No. 644**, informing the Senate that on June 29, 2010, the Governor signed into law Senate Bill 2068, S.D. 2, H.D. 1, C.D. 1 as Act 183, entitled: "RELATING TO EARLY EDUCATION."

**Gov. Msg. No. 645**, informing the Senate that on June 29, 2010, the Governor signed into law Senate Bill 2346, S.D. 1, H.D. 1, C.D. 1 as Act 184, entitled: "RELATING TO THE HAWAII TEACHER STANDARDS BOARD."

**Gov. Msg. No. 646**, informing the Senate that on June 30, 2010, the Governor signed into law House Bill 2897, H.D. 1, S.D. 1 as Act 185, entitled: "RELATING TO CONTRACTORS."

**Gov. Msg. No. 647**, informing the Senate that on June 30, 2010, the Governor signed into law Senate Bill 2231, S.D. 1, H.D. 2, C.D. 1 as Act 186, entitled: "RELATING TO ELECTRIC VEHICLES."

**Gov. Msg. No. 648**, dated July 1, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2001, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

July 1, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2001

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2001, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of this bill is to repeal the High Technology Business Investment Tax Credit and the Technology Infrastructure Renovation Tax Credit retroactively on May 1, 2010, rather than December 31, 2010. This bill also extends the Tax Credit for Research Activities by one year, from December 31, 2010 to December 31, 2011.

This measure is objectionable because it raises fundamental doubts about the reliability and veracity of the State and adversely impacts the technology industry by extending support to specific parts of the technology sector at the expense of others.

Investors, entrepreneurs, and businesses make decisions to hire staff, expand operations, or start a new enterprise based on assessments of the risks and rewards they face. When government policies and commitments change with little notice or rationale, investors and firms understandably decide to pull back and invest their capital elsewhere.

This bill's retroactive elimination of a fundamental tax credit that numerous firms and individuals have depended upon since 1999, implies that people who invest in Hawaii can no longer trust State Government to keep its word. This is poor public policy and will have long-term adverse implications for the State's ability to attract and retain new jobs and new investment.

Hawaii's technology industry is diverse in its makeup, including computer software, renewable energy, digital media, bioengineering, and defense-related companies. Depending on the field, function and maturity of these firms, research and development may or may not be a part of their ongoing functions. According to the Department of Taxation, there were a total of 203 qualified high technology companies using the business investment tax credit to attract investors in 2008, of which 76 companies also claimed the research tax credit. Many of these 76 research-oriented companies are in the fields of biotechnology and defense.

While these two sectors have contributed significantly to Hawaii's technology industry, it is vital for Hawaii to develop a diverse and vibrant industry that includes all sectors of innovation and technological development. This bill unfairly divides the industry and sacrifices companies with less research-oriented functions for the sake of companies oriented toward research and development. The State should not be in the business of picking winners and losers in the technology industry when the goal is to ensure the whole industry thrives in all its diversity.

For the foregoing reason, I am returning Senate Bill No. 2001 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 649**, dated July 1, 2010, transmitting the Governor's statement of objections to House Bill No. 1907, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 1, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1907

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1907, entitled 'A Bill for an Act Relating to Taxation.'

The purposes of this bill are to: (1) place a cap on itemized deductions claimed on State income tax returns and (2) remove the refunding feature of the capital goods excise tax credit and delay its effectiveness for five years.

The bill is objectionable because it is a defacto tax increase that will adversely hurt certain individuals and businesses at a time when we should be encouraging investment and spending to recharge the economy. The tax increase not only impacts taxpayers, but also disincentivizes activities such as charitable giving and homeownership. Since itemized deductions are allowed for qualifying medical and dental expenses, contributions to qualifying charitable organizations, payment of certain taxes, home mortgage interest, and qualifying job-related expenses, capping the deduction will act to discourage these expenses. Non-profits and charitable organizations that depend on contributions to serve needy populations are particularly concerned that their ability to raise funds through donations and charitable giving would be adversely affected.

This tax increase targets a specific group of income taxpayers and businesses who file their taxes as individuals. Through the Legislature's veto overrides last session and this session, these entities are already being squeezed by an income tax increase, an income tax personal exemption phase out, and an estate tax reinstatement that amount to tax increases of almost \$97 million per year.

Second, Part II of this bill changes the terms of the capital goods excise tax credit and delays the effectiveness of this credit for five years. This is not sound economic policy since the credit serves as an incentive for companies to invest in machinery and equipment that expands and upgrades their operations at a time when we want firms to make these types of investments and encourage job growth.

For the foregoing reasons, I am returning House Bill No. 1907 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 650**, informing the Senate that on July 2, 2010, the Governor signed into law House Bill 1015, H.D. 1, S.D. 2, C.D. 1 as Act 187, entitled: "RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND."

**Gov. Msg. No. 651**, informing the Senate that on July 5, 2010, the Governor signed into law Senate Bill 2828, S.D. 1,

H.D. 3, C.D. 1 as Act 188, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 652**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 444, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 444

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 444, entitled 'A Bill for an Act Relating to Civil Unions.'

There are many aspects to House Bill No. 444, but in its language, this legislation seeks to change Hawaii's current laws to allow partners in a civil union 'all the same rights, benefits, protections, and responsibilities under law, whether derived from statutes, administrative rules, court decisions, the common law, or any other source of civil law, as are granted to those who contract, obtain a license, and are solemnized pursuant to chapter 572,' our marriage statute. It is essentially marriage by another name.

I have been open and consistent in my opposition to same gender marriage, but my personal opinion is not the basis for my decision against passage of this legislation.

This decision is of such societal significance that the people of Hawaii deserve the right to directly decide whether the changes contemplated by House Bill No. 444 should become law. It would be a mistake to allow a decision of this magnitude to be made solely on the views of a single individual or by 76 elected officials out of a population of 1,300,000. Ours is a system of representative government, but also one that recognizes that, from time to time, there are issues that require the reflection, collective wisdom, and consent of the people and reserves to them the right to directly decide those matters. This is one such issue.

The subject of this legislation has touched the hearts and minds of our citizens as no other social issue of the day, and it has touched me deeply as well.

I have been deliberative in undertaking an extensive review of this matter, inviting public testimony that has provided me with thousands of responses in the form of poignant letters, calls, emails, petitions, and personal meetings.

I have read commentaries and legal opinions, and held sessions with numerous individuals and groups, both for and against House Bill No. 444. I am extremely grateful to all who have taken the time to share with me their thoughts and feelings on this important matter.

Through this process I have gained a greater respect, understanding, and appreciation of the deeply felt emotions and beliefs that people hold on this issue and of the passion of both sides in advocating for something in which they believe so strongly.

This process has convinced me that my personal beliefs alone should not be the basis for my decision.

I have weighed the legal arguments and opinions offered on the bill and heard concerns over ambiguities that some have

cited as reason enough for disallowing its passage. But this is also not a matter that should ultimately be determined on the basis of technical issues. It is a decision that should only be made based on what we as a society are willing to support.

It is not only a question as to whether expanded legal recognition of same gender couples should be allowed, but a question of who should make that determination and how it should be made.

Unfortunately, the manner in which this bill has been handled has brought into question the fairness of the legislative process. A member of the majority party in the House said, 'This is one of the most important votes any legislator will ever make. It is a shame that the vote couldn't have been done in a more dignified and open way.' That member went on to assert, 'When the legislative process is manipulated – whether unintentionally or deliberately – the public feels deceived.'

I have chosen not to allow House Bill No. 444 to become law because of the respect that I have for the importance of this issue. It is one that should be decided not behind closed doors but behind the curtain of a voting booth. I have full faith and confidence that the good people of Hawaii, if given the opportunity, will choose what is best for our society.

Therefore, I call upon the members of the Legislature to allow Hawaii's citizens the right to determine whether we reserve marriage and its rights, benefits, protections, and responsibilities to heterosexual couples or expand the definition of marriage to include same gender unions by placing on the ballot at the next opportunity a straightforward question that settles this important issue.

For the foregoing reasons, I am returning House Bill No. 444 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 653**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 865, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 865

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 865, entitled 'A Bill for an Act Relating to Transportation.'

The purpose of this bill is to establish a working group to determine the feasibility of transferring state highway maintenance functions to the county of Maui. The bill tasks the Director of Transportation and the Director of the Public Works Department of the County of Maui with responsibility for assembling and overseeing the work and specifies the type of findings and recommendations that shall be contained in the report.

This bill is objectionable because it requires the Department and the County of Maui to undertake this work within an

unrealistic time frame without resources or staffing to handle the task.

The transfer of State highways to the counties has been an issue which has been examined and discussed for many years. The issues are serious enough that they cannot be adequately addressed within a period of less than six-months, which is all the time that is allowed under this bill.

Further, the bill fails to provide funding or staff positions to conduct the workload, meaning both the county and the State will need to divert resources from other high priority transportation and public works projects. Clearly to do an adequate job will require travel, analysis, and extensive consultation with federal officials and the legal community. There are concerns that any contemplated transfer could impact the allocation of federal highway funds, which must be spent within the constraints imposed at the Federal level. Issues of liability and the transfer of responsibility for these highways would need to be thoroughly and effectively addressed.

This measure fails to understand the complexity of the task or the impacts that may be involved and will detract from higher priority duties both the county and the State must undertake.

For the foregoing reasons, I am returning House Bill No. 865 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 654**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 921, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 921

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 921, entitled 'A Bill for an Act Relating to Public Lands.'

The purpose of this bill is to expand the potential assignees of a homestead lease to include trustees of land trusts created for the purposes of managing and holding a homestead for the benefit of the lessee and lessee's family members.

This bill is objectionable because it does not address the underlying issue of how best to resolve family disputes. The bill states that homestead leases are becoming increasingly difficult to manage as conflicts often arise between family members who may have an interest in a homestead lease. Setting up land trusts to hold and manage these leases will not resolve the conflict among surviving family members with respect to their share of the lessee's lease. The establishment of a trust can complicate the process because descendants must now also agree on the process of setting up the trust, appointing the trustee, and naming the beneficiaries. Current law, section 171-100, Hawaii Revised Statutes, allows the Office of Hawaiian Affairs to establish a successor determination program to help families with these issues.

Further, this bill would require the Board of Land and Natural Resources to take actions involving trust laws outside of their sphere of expertise.

For the foregoing reasons, I am returning House Bill No. 921 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 655**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 1212, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1212

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1212, entitled 'A Bill for an Act Relating to Information Practices.'

The purpose of this bill is to expand the information in which a licensee has a significant privacy interest by only allowing the record of complaints that have been resolved against a licensee to be subject to public disclosure. As a consequence, the information about licensees available to consumers will be limited, and no longer include pending complaints.

Currently, individuals who are granted licenses in the State do not have a significant privacy interest in the record of complaints, including all dispositions, received about them. Consumers have been, and should be, encouraged to obtain licensing and complaint information prior to consulting and retaining licensed professionals. The disclosure of a licensee's complete complaint record results in increased consumer awareness and informed decision-making. This bill will decrease information available to consumers and thereby hinder this process.

Although proponents of this bill are concerned that current practices allow frivolous complaints to become public, the procedures used by the Department of Commerce and Consumer Affairs Regulated Industries Complaints Office screen out over half of all complaints because they are frivolous, cannot be substantiated, do not involve a licensing violation, or can be resolved between the parties. Only when sufficient grounds have been found to start an investigation, does a complaint get disclosed in the Complaint History Report available to the public. As a courtesy, the State notifies the parties involved prior to the posting.

Unfortunately, this bill would restrict the Department's ability to disclose a significant number of the complaints that are currently available to over 500,000 individual reviewers who access this site each year. If complaints cannot be disclosed without an outcome, even if an investigation is underway, the complaint history becomes less useful to consumers. The report will no longer provide up to date information about licensees, and leaves consumers to question whether businesses and professionals not on the complaints list are those who truly have not received any complaints or those who have complaints pending. While improvements can be

made to the complaint history record in a reasonable manner to accommodate licensee concerns, this bill is overly-broad and inappropriate.

For the foregoing reasons, I am returning House Bill No. 1212 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 656**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2083, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILK LABELING," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2083

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2083, entitled 'A Bill for an Act Relating to Milk Labeling.'

The purpose of this bill is to require milk pasteurized, distributed, or offered for sale in Hawaii to be labeled with the date the contents were pasteurized or packaged for distribution or sale.

This bill is objectionable for three reasons.

First, while it would require this type of labeling for pasteurized milk, it would exempt ultra-high temperature pasteurized milk from the labeling mandate. 'Pasteurized milk' in this bill refers only to fresh milk processed by heating to at least 145 degrees Fahrenheit for a minimum of thirty minutes, or to at least 161 degrees Fahrenheit for a minimum of fifteen seconds, but does not include ultra-high temperature pasteurized milk, which is processed under different heat and time conditions. There is no good reason for this exclusion.

Second, the bill does not specify which pasteurization date should be used. Some milk shipped into the State is pasteurized twice, and using the second pasteurization date would make it seem fresher, than it actually is, including appearing fresher than locally produced milk.

Third, this bill is inconsistent with the National Conference of Interstate Milk Shippers' Pasteurized Milk Ordinance, which has been adopted in Hawaii by administrative rules. The Ordinance prohibits the sale of unpasteurized milk, and its labeling provisions require only that milk be labeled 'pasteurized' or 'ultra-pasteurized' and show the place of pasteurization. This bill would take Hawaii out of compliance with the Ordinance, which all fifty states currently follow pursuant to guidance from the Food and Drug Administration.

For the foregoing reasons, I am returning House Bill No. 2083 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 657**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2133, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2133

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2133, entitled 'A Bill for an Act Relating to Procurement.'

The purpose of this bill is to require the State Procurement Office to authorize local reseller agreements as part of any multi-state contracting agreement and to place orders with local resellers having a principal place of business or ancillary headquarters located within the state, and not less than thirty-five per cent of the reseller's employees residing within the state.

Although I support increased competition among resellers of vendors contracted under multi-state contracts entered into by the Western States Contracting Alliance (WSCA), this measure does not help the State realize greater discounts in its purchases or improved servicing support. On the contrary, this bill has the potential to increase the cost of goods and services for state agencies.

This bill's definition of 'local reseller' is problematic, because if a reseller is authorized and designated by a WSCA multi-state contract but does not meet the thirty-five percent residency requirement, it could nullify the reseller being able to participate, and in effect interfere with the operations and business decisions of the vendor. This could hurt vendors, and by extension, the State, because the purpose of multi-state contracting is to benefit the State with reduced pricing. Interfering with vendor business decisions and decreasing the availability of resellers is antithetical to this goal. As such, the bill has the potential to increase the cost of goods and services for state agencies.

Local resellers conducting business in Hawaii may already be included on the procurement list of the State Procurement Office. WSCA solicitation allows vendors to designate resellers, including those based in Hawaii. Based on the original vendor's list of authorized resellers, the State Procurement Office adds the resellers to its procurement list to allow State agencies to solicit and procure competitive, cost-effective goods and services. Thus, requiring the use of local resellers when authorized by the vendor is unnecessary, as they may already be utilized if they are authorized by the vendor.

For the foregoing reasons, I am returning House Bill No. 2133 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 658**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH

DISABILITIES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2152

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2152, entitled 'A Bill for an Act Relating to Building Design For Persons With Disabilities.'

The purpose of House Bill No. 2152 is to allow the Disabilities and Communication Access Board ('DCAB') to charge fees for the review of construction plans and designs starting January 1, 2011, and to establish such fees in statute until DCAB revises the fees in rulemaking. Currently, DCAB does not charge a fee for its review services.

This bill is objectionable because it increases the cost of public projects, private and non-profit housing and commercial and industrial developments that impact public right of ways. This fee not only increases costs for taxpayers who ultimately finance public projects, but Hawaii residents who are seeking to build or remodel a structure or firms interested in undertaking projects that will create construction jobs. This bill is particularly ill-timed since the economy has not yet returned to full speed and my Administration is taking steps to control costs and fees that would hamper our economic recovery.

While it is understandable that the Disabilities and Communication Access Board would seek ways to address budget issues, the fiscal year 2010-2011 supplemental budget for the Executive Branch, which was signed into law as Act 180, appropriates \$323,820 in general funds for the 5.5 DCAB positions that review construction plans and designs for ADA compliance. Further, even if this bill became law the fees imposed would be deposited into the general fund and would not accrue to the Board to handle the Americans with Disabilities Act review function.

For the foregoing reasons, I am returning House Bill No. 2152 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 659**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2239, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2239

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my

approval, House Bill No. 2239, entitled 'A Bill for an Act Relating to the Deposit Beverage Container Program.'

The purpose of this bill is to expand the Hawaii Beverage Container Deposit Program by removing the current recycling program exemption for liquid dietary supplement containers starting July 1, 2010.

This bill is objectionable because the inclusion of liquid dietary supplement containers will make it difficult to recycle these containers, it will not be possible to implement by the bill's effective date, and will have a negative impact on consumers during these difficult economic times.

First, this bill would include liquid dietary supplement containers in the Deposit Beverage Container Program on July 1, 2010. There is no phase-in period, as there was when the original program began. As a result, the industry will not be able to comply with the bill's requirements since it would become law on July 1, 2010, and that date has already passed.

Second, this additional fee on liquid dietary supplement containers will impact Hawaii consumers by increasing the cost of drinking dietary supplements and health-related beverages. The fee increase would occur at a time when Hawaii families are still feeling the impacts of the recession and when it is important for Government to take steps to limit the cost of living increases imposed on our families.

Finally, redeeming the refund value of these containers will be inconvenient because reverse vending machines do not accommodate energy drink and dietary supplement containers, many of which are neither standard in size nor shape. Currently, reverse vending machines already have trouble identifying non-standard containers with HI5 labels, thus forcing consumers to either make another trip to a redemption center or throw away the containers, thus losing their refund.

For the foregoing reasons, I am returning House Bill No. 2239 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 660**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2377, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2377

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2377, entitled 'A Bill for an Act Relating to Education.'

This bill would implement the amendment to Article X, Section 2 of the Hawaii State Constitution, upon its ratification, as proposed in House Bill No. 2376. This measure creates a ten-member Board of Education, establishes a seven-member Board of Education Selection Advisory Council, and exempts this Council from the open meeting and public transparency provisions of Chapter 92, Hawaii Revised Statutes.

This bill is objectionable because it is a narrowly prescribed process for selecting Board of Education members that is intended to limit the number of candidates that a Governor can consider. Rather than permit the Governor to select candidates from the State's entire community, this bill transfers that duty to a seven member council that can recommend as few as only two names to the Governor to fill a position on the Board of Education.

I am also concerned that the process established in this bill fails to ensure that the Board of Education will be composed of members who reflect the best interests of the Department of Education and the State. Four of the seven members of the Selection Advisory Council will be selected by the Hawaii P-20 Council. The Hawaii P-20 Council is not a statutorily-based organization and is made up of approximately thirty-two members representing a variety of public and private interests. This process will not provide the public with a better understanding of who is accountable for setting the policies that guide our public education system.

This approach contradicts what public citizen trusteeship should be—that is, citizens who are independent in their individual and collective judgment and who serve the people of Hawaii, not special interest groups, as Board of Education members. Instead, House Bill No. 2377 establishes a narrowly focused constituency-based selection council with members appointed by separate interests. These individuals can recommend as few as only two names to fill a vacancy on the Board of Education, further contributing to the partisan and narrow focus of potential Board of Education candidates.

I am also troubled by the exemption of the selection council from Part I, Chapter 92, of the Hawaii Revised Statutes covering open meetings, also known as the Sunshine Law. This blanket exemption would allow this council to conduct its proceedings behind closed doors away from public scrutiny. This makes it difficult for the selection council members to be held accountable for the recommendations they make since the public will be unable to observe how candidates were selected, how qualifications were applied, what screening process was utilized, and whether political or partisan considerations were used.

A selection process that operates in secrecy benefits no one. It injures the people it seeks to serve, damages the integrity of the operation, breeds distrust, and dampens the enthusiasm of citizens to consider serving as Board of Education members.

I affirmatively state that I support the proposed Constitutional amendment to establish an appointed Board of Education and urge its ratification. I propose that the next Governor offer implementing legislation that ensures the Board of Education members are selected directly by the Governor allowing for a fair, open and accountable process with the integrity this critical task deserves.

For the foregoing reasons, I am returning House Bill No. 2377 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 661**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2441, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2441

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2441, entitled 'A Bill for an Act Relating to Procurement.'

The purposes of this bill are to (1) require the Department of Hawaiian Home Lands and the Department of Transportation, to award project contracts within thirty days of the bid opening date; and (2) provide that a gift to the State shall not be deemed to constitute a procurement contract but the agency accepting the gift must report the gift to the State Procurement Office.

Although the intentions of this measure are understandable, I must object to this bill because the rigid award deadlines are counterproductive, unrealistic, and violate procurement rules. The gifts exemption is not conducive to transparency in government.

Part I of this measure would require the Department of Hawaiian Home Lands and Department of Transportation to award contracts within thirty days of the bid opening date. This provision may work against efforts to speed up awards and is unrealistic for certain kinds of procurements. Complex project bids can require hundreds of hours of staff time to review and verify the documentation. If a department was not able to meet the new statutory timeline, the solicitation would be invalid, requiring a repeat solicitation that would further delay the procurement process. The review process could also be delayed by the offeror not furnishing the necessary documentation in a timely manner, or by protests of an award. If an award was made after the imposed statutory deadlines, it would likely result in a procurement violation.

In addition, this bill would require an award within forty-five days of the bid opening for contracts for design professional services. However, procurement of professional services is qualification-based and does not involve a bid opening. Statements of qualifications are requested by an agency and a review committee places the qualified applicants on a listing. When a need or project arises, a selection committee reviews the statements of qualifications, ranks the submittals, and begins negotiations with the first-ranked provider. A time limitation is therefore not conducive to the professional services procurement method and also would likely constitute a procurement violation.

Part II of this bill specifies that gifts made to the State shall not be deemed to constitute or require a procurement contract. I have concerns that gifts to the State of certain types of material, labor or equipment could influence the procurement of future projects that involve these same or similar materials, labor, or equipment. Exempting gifts from procurement contracting might encourage a 'donate to play' arrangement where the donor subsequently receives residual compensation for equipment, parts, service, repair, maintenance or other realizations, 'locking-in' the donor to future contracts. For example, a donor might give free materials to the State, but those materials could require maintenance or further equipment or upgrades at a cost. Rather than eliminate procurement contracting for all gifts to the State, it is better for certain gifts to go through the transparent process under the Procurement Code that clearly delineates the benefits to the donor, and gives other parties an opportunity to gift the same materials or equipment to the State.

For the foregoing reason, I am returning House Bill No. 2441 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 662**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2497, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2497

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2497, entitled 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds.'

The purpose of this bill is to authorize the issuance of special purpose revenue bonds under part V, chapter 39A, Hawaii Revised Statutes, in a total amount not to exceed \$40,000,000, for the purpose of assisting Carbon Bio-Engineers, Inc., or a partnership in which Carbon Bio-Engineers, Inc., is a general partner.

This bill is objectionable because the firm in question and members of its management have not satisfactorily resolved issues associated with the patent and licensing of a process developed by the University of Hawaii. After resolving these issues, Carbon Bio-Engineers, Inc., may approach the Legislature to request authorization of special purpose revenue bonds.

For the foregoing reasons, I am returning House Bill No. 2497 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 663**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2583, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2583

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2583, entitled 'A Bill for an Act Relating to Impounded Vessels.'

The original purpose of this bill was to clarify that all costs and expenses associated with the impoundment and disposal of an impounded vessel are to be borne by the vessel owner. The original bill also clarified that mooring fees incurred prior to impoundment are also the responsibility of the vessel owner, regardless of whether the vessel owner repossesses the vessel. Amendments made to the bill added a new section 1 to establish civil and administrative penalties for shark feeding, including seizure and impoundment or forfeiture of any commercial marine license, vessel, and fishing equipment, and administrative fines, fees, and costs.

This bill is objectionable because it violates Section 14 of Article III of the Hawaii Constitution, which states that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The subject of this bill that is expressed in its title is 'impounded vessels.' The establishment of civil and administrative penalties for shark feeding appears to go beyond the scope of the subject expressed in the title of this bill.

For the foregoing reasons, I am returning House Bill No. 2583 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 664**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2644, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2644

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2644, entitled 'A Bill for an Act Relating to Solid Waste.'

The purpose of this bill is to amend section 342G-62, Hawaii Revised Statutes, to require the solid waste disposal surcharge of 35 cents per ton to apply, in addition to all solid waste disposal facilities, to solid waste that is disposed of out-of-state.

This bill is objectionable because Hawaii should continue to encourage responsible, environmentally appropriate options for disposing of solid waste including the shipment of this waste to out-of-state facilities. The shipment of solid waste out-of-state is one approach to addressing cost and space issues related to Hawaii's landfills. Imposing a fee on the movement of refuse that leaves Hawaii sends a signal that the State may want to discourage this option. It is inappropriate to do so at a time when these programs are still in their inception.

Additionally, expanding the existing surcharge is contrary to my Administration's general policy against creating or expanding fees during difficult economic periods.

For the foregoing reason, I am returning House Bill No. 2644 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE

Governor of Hawaii"

**Gov. Msg. No. 665**, dated July 6, 2010, transmitting the Governor's statement of objections to House Bill No. 2708, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2708

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2708, entitled 'A Bill for an Act Relating to Transportation.'

The purpose of this bill is to require the Department of Transportation to develop and use a public involvement process for public review and comment in carrying out the statewide transportation planning process, including development of all state transportation projects.

The Department of Transportation has an established public involvement policy that is applicable to all modal divisions. This policy was updated last year and can be revised whenever it is necessary and appropriate.

Implementing the public involvement process proposed in this bill requires administrative rules that will be time-consuming, and will make updating said policies inflexible, more costly, and less responsive to the general public.

For the foregoing reasons, I am returning House Bill No. 2708 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 666**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 1105, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1105

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1105, entitled 'A Bill for an Act Relating to Legislative Hearings and Procedures.'

The purpose of this bill is to require reports of studies and audits requested by the Legislature or mandated by law to be submitted to the Clerk of each house of the Legislature, the President of the Senate, the Speaker of the House of Representatives, the Chair of the applicable subject matter

committee of each chamber of the Legislature, and the Legislative Reference Bureau library. Furthermore, the Chairs of the subject matter committees must conduct a public hearing or an informational briefing within one year of receipt of the report, unless explicitly waived by the President of the Senate or the Speaker of the House of Representatives.

I support greater transparency in government, but this measure does not help realize this goal. Rather, this measure unnecessarily burdens state agencies with the task of appearing at mandated hearings and briefings.

Legislative briefings entail a great deal of groundwork and preparation by agencies that impacts time and staff resources. It is also well understood that not all reports are worthy of receiving a hearing or briefing. However, under this measure, even if the hearing or briefing is eventually waived, agency resources will have been expended preparing for the anticipated briefing or hearing.

Moreover, the Legislature already has the authority to hold a briefing or hearing on any area of interest, including legislative reports and audits. Mandating such hearings and briefings removes the discretion of legislative committee chairs, creating a procedural rigidity that is counterproductive. The current system, in which committees use their best judgment to determine whether or not a hearing or briefing is warranted, is more practical and efficient than the mandate proposed in this bill.

For the foregoing reasons, I am returning Senate Bill No. 1105 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 667**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2020, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2020

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2020, entitled 'A Bill for an Act Relating to Real Property.'

The purpose of this bill is to extend the sunset date of Act 189, Session Laws of Hawaii 2009 (Act 189), from June 30, 2010, to June 30, 2013. Act 189 contained several provisions pertaining to renegotiations of commercial and industrial leases, and in particular specified that the term 'fair and reasonable' annual rent of certain leases of commercial or industrial leasehold property be construed in a specific manner.

The constitutionality of Act 189 has been litigated in the United States District Court for Hawaii in a lawsuit brought by HRPT Properties Trust which owns significant amounts of land in the Mapunapuna area. The District Court recently provided its written inclination (a summary of the court's thinking) to find that Act 189 violates the Contracts Clause of the United States Constitution. Although a written order to that effect has

not yet been issued, it appears probable that the Court will soon issue a ruling that Act 189 is unconstitutional.

Extending the life of Act 189 for three additional years serves no useful purpose, and may expose the State to an increasing amount of attorneys' fees. Allowing Act 189 to sunset may reduce or eliminate the State's liability in this case.

For the foregoing reasons, I am returning Senate Bill No. 2020 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 668**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2045, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2045

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2045, entitled 'A Bill for an Act Relating to Crime.'

The purposes of this bill are to create two new criminal offenses of Sexual Human Trafficking in the First Degree and Sexual Human Trafficking in the Second Degree, and to add Sexual Human Trafficking to the list of offenses covered under the government witness protection program.

This bill is objectionable because the proposed new offenses seek to prohibit conduct that is already prohibited under Hawaii law, and because the proposed new offenses do not clearly define prohibited conduct in such a way that they can be enforced and prosecuted in court.

The language in this measure is poorly drafted, overly broad, redundant, and inaccurate so as to make it virtually impossible to bring to trial and convict those who engage in human trafficking. The bill also fails to establish clear standards for a person knowingly or intentionally engaging in this behavior, thus jeopardizing the case that a prosecutor would have to present in a court of law.

In addition to the inadequately defined terms, the proposed offenses of sexual human trafficking do not clearly establish prohibited conduct that can be reasonably understood.

This bill is also objectionable because most of the conduct that the proposed offenses attempt to prohibit is already covered by existing statutes.

Advancing or profiting from the prostitution of a minor is prohibited by section 712-1202, Hawaii Revised Statutes, Promoting Prostitution in the First Degree. Under section 712-1202, the State need only prove that: (1) the actor knowingly advances or profits from prostitution, and (2) the prostituted person is less than eighteen years old. In contrast, proposed section 707-B of this bill would impose additional elements (enticement, fraud, or coercion; maintenance, management, supervision, or control; and transportation) that

the State must prove. The additional elements would make it more difficult to obtain convictions in cases involving prostitution of minors. There is no logical reason to add them.

The proposed offenses refer to prostitution or sexually-explicit activity obtained or maintained through coercion. The use of coercion is prohibited by existing statutes. Section 712-1202, Promoting Prostitution in the First Degree, prohibits knowingly '[a]dvanc[ing] prostitution by compelling a person by force, threat, or intimidation to engage in prostitution, or profit[ing] from such coercive conduct by another.' Section 707-764, Hawaii Revised Statutes, Extortion, prohibits obtaining, or exerting control over, the property, labor, or services of another with intent to deprive another of property, labor, or services by threats of word or conduct; and prohibits intentionally compelling or inducing another person to engage in conduct from which another has a legal right to abstain, or to abstain from conduct in which another has a legal right to engage, by threats of word or conduct.

I support the goals of preventing human trafficking and bringing its perpetrators to justice. Unfortunately, those goals will not be achieved by the enactment of this bill and this bill will make it more difficult to achieve the objectives of penalizing those who engage in sexual human trafficking.

For the foregoing reasons, I am returning Senate Bill No. 2045 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 669**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2324, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2324

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2324, entitled 'A Bill for an Act Relating to Unemployment Insurance Benefits.'

The purpose of this bill is to allow a partially unemployed individual who quits his or her part-time job without valid reason, or is terminated for cause, to still receive unemployment insurance benefits.

This bill is objectionable because it violates the foundation upon which the unemployment insurance benefits system was based, namely a person should receive financial assistance only when they lose their job through no fault of their own. If this bill became law, a partially unemployed individual would continue to be paid unemployment benefits even if the individual voluntarily quit a part-time job without good cause or was discharged for misconduct connected with work. All other unemployed individuals are subject to disqualification for voluntarily quitting full-time employment or when they are discharged for misconduct.

Additionally, payment of benefits resulting from this bill would increase the fiscal demands on the Unemployment Insurance Trust Fund, which could eventually increase employers' contributions. This impact would occur at a time when the fund is experiencing significant draw downs due to higher than anticipated unemployment rates. It would not be responsible public policy to add beneficiaries who don't meet the appropriate threshold to enjoy these dwindling benefits.

For the foregoing reasons, I am returning Senate Bill No. 2324 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 670**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2434, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2434

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2434, entitled 'A Bill for an Act Relating to Salaries.'

The purposes of this bill are to adjust the salaries and to provide annual performance bonuses for the Superintendent of Education, the Deputy Superintendent, the Assistant Superintendents, and the Complex Area Superintendents and to provide an annual performance bonus for the State Librarian, beginning with the 2011-2012 school year.

This bill is objectionable because it could impact the funding of other education programs and comes at a time when other state workers are losing their jobs, taking furloughs, or are subject to decreased pay.

The Department of Education and the Hawaii Public Library System will be obligated to fund the salary increases and bonuses within their current resources. It is unclear how the department will find the funding to meet new fiscal obligations without a reduction or elimination of other programs and priorities. Schools have already experienced reductions or elimination of certain educational programs and parents are now being asked to pay more for school transportation and school meals.

While I fully realize that the intent of this measure is to attract a wider range of potential candidates for senior positions in the Department of Education, it should be noted that the Superintendent already receives a considerably higher salary than many other critical positions in State Government, such as the Director of Human Services and the Director of Health who are both responsible for the well-being for many individuals.

For the foregoing reasons, I am returning Senate Bill No. 2434 without my approval.

Respectfully,

/s/ Linda Lingle

LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 671**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2473, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2473

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2473, entitled 'A Bill for an Act Relating to Housing.'

The purpose of this bill is to allow grandparents residing in State-operated elderly housing projects to temporarily house their minor grandchildren for not more than three months in certain family crisis situations.

While I personally understand the importance of allowing grandparents to step in when family needs require their assistance, this bill is objectionable because it places additional liabilities on the State, could impact the State's coverage under the Federal Fair Housing Act, and addresses an issue that has been handled by the Hawaii Public Housing Authority through its procedures.

The Federal Fair Housing Act exempts public elderly housing if the State meets specified admission rules, population requirements, and demonstrates clear intent to limit these facilities to elderly only. Enactment of this bill could result in the Hawaii Public Housing Authority being placed in a situation where this exemption could be challenged.

The bill does not limit the number of grandchildren who are entitled to stay with a grandparent, which could conflict with occupancy limits established by building codes and other health and safety laws. Elderly housing projects are not designed to accommodate young children and do not have the safety features family housing must abide by such as higher window heights and enclosed walkways and stairways.

Moreover, while the accommodation of grandchildren is intended as a temporary accommodation of not more than three months, without a clear provision in this bill to the contrary, entitlement to a larger unit may be an unintended consequence of this bill. This would create burdens on the HPHA to coordinate larger units within a limited inventory, and may expose the HPHA to further liability if a larger unit is not available.

I am pleased that the Hawaii Public Housing Authority has recognized the need to address this matter in a manner that allows a child in need to stay with a grandparent for a limited time until more appropriate accommodations can be found, while ensuring that public elderly housing remains available for those who meet the criteria of age 62 or older.

For the foregoing reasons, I am returning Senate Bill No. 2473 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE

Governor of Hawaii"

**Gov. Msg. No. 672**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2491, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2491

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2491, entitled 'A Bill for an Act Relating to Telemedicine.'

The purposes of this bill are to: (1) Require the Insurance Commissioner to conduct a study regarding the impact of telehealth services on medical malpractice policies and rates and report the findings to the Legislature at least twenty days prior to the next legislative session; and (2) Add a new section to Hawaii Revised Statutes chapter 346 prohibiting the Department of Human Services from requiring its approval for health plans under its Medicaid or Quest services to deliver telehealth services or in-person visits to qualify any telehealth service for the foregoing Medicaid or Quest program. The foregoing mandate applies to mobile medical van programs offering telehealth services in counties with a population less than 250,000.

Although I support the expansion of telemedicine and telehealth initiatives due to their potential to increase the availability of health care services to the public, the approach taken in Part II of this bill is inappropriate.

The expansion of telehealth services provided for in this bill would have to be funded entirely by state dollars, since this expansion of services has not received federal approval, and is therefore ineligible for federal reimbursement. Indeed, the mobile medical van envisioned in this bill may offer services in conflict with federal requirements and be ineligible for funding. General funds to cover the costs of these services are not included in the bill, and therefore this bill presents the Department of Human Services with an unfunded mandate.

Enacting this bill would also set an undesirable precedent of statutorily requiring the Department of Human Services to cover the cost of a service over which it has no authority for prior review and approval. Because of the significant growth in the Medicaid budget, the Department of Human Services is continually looking at approaches to reduce costs without compromising patient safety. The provisions of this bill are an impediment to the efforts by the Department of Human Services to responsibly manage the program.

For the foregoing reason, I am returning Senate Bill No. 2491 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 673**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2534, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO BAIL," which was returned to the Senate without approval and reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2534

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2534, entitled ‘A Bill for an Act Relating to Bail.’

This bill requires any law enforcement agency in the county in which the person is detained to accept cash bonds, surety bonds, and recognizance bonds on weekends and holidays, to allow for the prompt discharge of a person from custody or imprisonment. It requires that the payment of a bond to a law enforcement agency be accompanied by a bond filing fee of \$60, payable in cash, and allocates the fee between the processing agency and the State general fund.

This bill is objectionable because it would adversely impact the workload of law enforcement agencies that are not staffed or trained to handle this function.

The definition of ‘law enforcement agency’ in this bill is very broad. It could apply to the Sheriff and Narcotic Enforcement Divisions of the Department of Public Safety, the Department of Taxation, the Insurance Division of the Department of Commerce and Consumer Affairs, the Harbors Division of the Department of Transportation, the Conservation and Resources Enforcement Division of the Department of Land and Natural Resources, the Benefit, Employment and Support Services Division of the Department of Human Services, the Department of the Attorney General, the county liquor commissions, and the county prosecutors.

All of these law enforcement agencies may be required to establish weekend and holiday units that would be available to receive bail bonds and bond filing fees and have the capability to process these receipts, verify the custody status of the defendant, communicate with the custodial agencies, effectuate the release of the defendant, and follow up with the courts. Most of these agencies do not have the resources or capabilities to address the new responsibilities created by this bill.

For the foregoing reasons, I am returning Senate Bill No. 2534 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**Gov. Msg. No. 674**, dated July 6, 2010, transmitting the Governor’s statement of objections to Senate Bill No. 2547, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,” which was returned to the Senate without approval and reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2547

Honorable Members

Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2547, entitled ‘A Bill for an Act Relating to Small Boat Harbors.’

The purpose of this bill is to impose a condition on small boat harbor commercial permittees to require a crew member to accompany all fare paying passengers that the permittee expects will visit and participate in recreational activity on state property adjacent to quasi-public property in a county of less than 150,000 population.

Although I understand the frustration of the residents of Lanai, this bill is objectionable because this is not the correct way to address the problem. This bill requires the Department of Land and Natural Resources to impose and enforce a permit condition on permittees using a state boating facility as a means of resolving land-based conflicts on non-state land. This is not the best use of the resources of the Department of Land and Natural Resources.

Further, the bill would be difficult to enforce. Enforcement of the condition set forth in this bill would require the Department of Land and Natural Resources to prove that the permittee has the expectation that its fare paying passengers will visit and participate in recreational activity on state property adjacent to quasi-public property before the conclusion of the excursion. It is counterproductive to require a permit condition that the Department of Land and Natural Resources either cannot, or does not have the resources to, enforce.

For the foregoing reasons, I am returning Senate Bill No. 2547 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

**Gov. Msg. No. 675**, dated July 6, 2010, transmitting the Governor’s statement of objections to Senate Bill No. 2566, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS,” which was returned to the Senate without approval and reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2566

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2566, entitled ‘A Bill for an Act Relating to Medical and Rehabilitation Benefits.’

The purpose of this bill is to provide under the State’s workers’ compensation law, that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation with a specialist, and the request for or provision of such diagnostic services shall not be subject to contest by an insurer or employer. Furthermore, this bill provides that the one-time consultation may be made regardless of whether the specialist works in a medical facility in which the physician or surgeon has a financial interest.

This bill is objectionable because it unnecessarily increases workers' compensation costs in Hawaii by creating an unintended bias against employers and insurance carriers, who pay for the workers' compensation treatments. This measure denies them the opportunity to challenge services that may not be medically necessary. In addition, because it allows a consultation at a medical facility in which the referring physician or surgeon has a financial interest, this bill may allow situations to occur that involve a conflict of interest.

For the foregoing reasons, I am returning Senate Bill No. 2566 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 676**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2610, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2610

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2610, entitled 'A Bill for an Act Relating to Conveyance Tax.'

The purpose of this bill is to require the Department of Taxation to provide free digital images of property conveyance certificates to county real property assessment divisions within ten days after the end of each week, or as soon thereafter as possible.

This measure is objectionable because it forces the Department of Taxation to reprioritize its workload to serve the counties' interests, to the detriment of the State. It is also objectionable to prevent the Department of Taxation from charging the counties for work that serves their real property assessment divisions.

This bill negatively impacts state tax collections by requiring the Department of Taxation to scan and provide conveyance certificates to the counties on a weekly basis. Currently, the Department of Taxation provides approximately 1,000 to 1,500 hardcopies of conveyance certificates to county real property assessment divisions on a weekly basis, and the Department also scans conveyance certificates after each year's tax season for its own archival purposes.

Unless the requirement to provide these images 'ten days after the end of each week, or as soon thereafter as possible' can be interpreted to allow the Department to provide the digital images after tax season, this measure effectively gives the same priority to scanning conveyance certificates as scanning tax documents, tax returns, and payment vouchers. Given that the collection of state taxes is of the utmost importance, it is objectionable to prioritize the counties' needs on the same level as that of the State's.

While I support and promote the use of technologies to expedite the work flow of public agencies, it is inappropriate for

the Legislature to require the Department of Taxation to undertake this task to the detriment of other State business.

For the foregoing reasons, I am returning Senate Bill No. 2610 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 677**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2849, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2849

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2849, entitled 'A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund.'

The purposes of this bill are to: (1) require all moneys appropriated to the Hawaii Employer-Union Health Benefits Trust Fund ('EUTF') to be transferred directly to the EUTF and not be subject to budget allotment procedures or the powers of the Governor and Director of Finance; (2) change the voting structure of the EUTF board of trustees so that each trustee has one vote and the votes of six trustees are required for any action; and (3) add 'surplus' to the description of what is to be held in trust for the exclusive use and benefit of EUTF beneficiaries, and not be subject to appropriation or transfer for any other purpose.

This bill is objectionable because it categorically exempts moneys appropriated for contributions to the EUTF from the allotment system. This system is necessary to control state expenditures, effectuate savings, promote efficient management of state agencies, and ensure general fund expenditures do not exceed general fund revenues, as required by the State Constitution. Under this bill, contributions would have to be made to the EUTF even if the EUTF does not need the contributions to cover the State's share of health benefit plan costs or the general fund expenditures exceed general fund revenues.

In addition, the bill is objectionable because it creates ambiguity and confusion over when appropriations are to be transferred to the EUTF and how much is to be transferred. Appropriations for the State's contributions to the EUTF are based on the Department of Budget and Finance's estimate of the State's share of EUTF benefit plan costs each year. This is because the number of beneficiaries enrolled in EUTF benefits plans changes constantly and premium costs or rates also change during the fiscal period. Under current law, the Department is required to pay the EUTF a monthly contribution for each of the State's EUTF beneficiaries, and the amount is used toward the payment of their EUTF benefit plan costs. Specifically, sections 87A-32(2) and 87A-33, Hawaii Revised Statutes, require that the monthly contribution shall not exceed the actual cost of the health benefit plans. Under this bill, the

Department would essentially pay the estimated EUTF contributions on the first day of each fiscal year, which for fiscal year 2010-2011 amount to \$478,025,239 as appropriated in the State supplemental budget. This conflict with current law would make it impossible to properly administer payments to the EUTF if this bill became law.

For the foregoing reasons, I am returning Senate Bill No. 2849 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 678**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2883, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2883

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2883, entitled 'A Bill for an Act Relating to Employment Practices.'

The purpose of this bill is to make it an unlawful practice for an employer to bar or discharge from employment, withhold pay from, or demote an employee because the employee uses accrued and available sick leave. The prohibition applies to employers who have a collective bargaining agreement and employ one hundred or more employees.

This bill is objectionable because the bill gives to the State Department of Labor and Industrial Relations the authority to find an employer in violation of state law if the employer bars, discharges from employment, or withholds pay from an employee. This determination will likely require the interpretation of the employer's negotiated sick leave and negotiated sick leave policies under a collective bargaining agreement. In Lingle v. Norge, 486 U.S. 399, 406, 108 S. Ct. 1877, 1881 (1988), the United States Supreme Court held that under section 301(a) of the Labor Management Relations Act of 1947, 29 U.S.C. section 185(a), state law is preempted if the state law depends upon the interpretation of the meaning of the collective bargaining agreement. This bill will likely require such an interpretation and therefore is preempted by federal statute.

This bill is also objectionable because the terms 'legitimate use' of sick leave and 'abuse of sick leave' used in the bill are vague and not defined, making enforcement and administration of its provisions difficult.

For the foregoing reasons, I am returning Senate Bill No. 2883 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 679**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2919

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2919, entitled 'A Bill for an Act Relating to the Hawaii State Hospital.'

The purpose of this bill is to require the Department of Public Safety ('PSD') to provide security for the Hawaii State Hospital.

While the security of this facility is paramount, this bill is objectionable because this added responsibility will require resources that PSD does not have and that the Legislature has not adequately provided. Securing the entire Hawaii State Hospital ('HSH') requires an extraordinary amount of additional personnel, training and expertise. The population at HSH and its special needs also require security personnel to have a different kind of training specifically geared toward addressing situations that can be anticipated with this resident population that suffer the full spectrum of mental health disorders. Failure to adequately address this assignment would expose the State to unnecessary liability.

For the foregoing reason, I am returning Senate Bill No. 2919 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 680**, dated July 6, 2010, transmitting the Governor's statement of objections to Senate Bill No. 2951, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which was returned to the Senate without approval and reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL  
NO. 2951

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2951, entitled 'A Bill for an Act Relating to Agriculture.'

The purpose of this bill is to provide additional remedies to lessees of public land leases for intensive agricultural and pasture uses upon the withdrawal or taking of leased lands and to extend all remedies to such lessees when an easement is

placed on the leased land that prevents the lessee from using the land as originally intended.

This bill is objectionable because it disproportionately and inappropriately compensates these lessees of public lands above other lessees of State lands. Current law, as embodied in Chapter 171 of Hawaii Revised Statutes, already provides procedures for the withdrawal of leased lands. Lessees must be given reasonable notice of the planned withdrawal. Their lease rents must be adjusted to reflect the portion of lands withdrawn and they must be compensated for the value of any improvements on the withdrawn portion. Further, if there are crops on the land, the lands cannot be withdrawn until the crops are harvested or the State pays for the value of the crops.

It should be noted these lessees have been paying rent well below market rates and enter into the leases knowing that leased land may be withdrawn for public purposes. Extraordinary compensation for costs attributable to the diminished use of the leased land, for the value of breeding stock that are not a part of the real property, and for the placement of easements, will discourage and impede the use of public land for valid and necessary public purposes.

For the foregoing reasons, I am returning Senate Bill No. 2951 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 681**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2454, S.D. 2, H.D. 1, C.D. 1 as Act 189, entitled: "RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2454 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 2454, entitled 'A Bill for an Act Relating to Public Agency Meetings and Records' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Judiciary to assess fees on the public for the copying of court documents, but allows the court to exempt state agencies from these fees.

While I understand that it takes resources to copy court records, I remain concerned with the practice of continuing to operate government programs and services by burdening the public with higher fees. I am particularly concerned that this proposed fee structure would come at a time when our residents are dealing with economic challenges and many are having difficulty making ends meet.

Further, the fiscal impact on the public is not known since the bill gives the courts the ability to set the fees. I would urge the members of the Judiciary to be mindful that many of the people who must use our court system are of modest socio-economic means. They should not be denied legitimate access to legal records because they cannot afford to pay the fees imposed.

For the foregoing reasons, I allowed Senate Bill No. 2454 to become law as Act 189, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 682**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2256, S.D. 1, H.D. 1, C.D. 1 as Act 190, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2256 SD1 HD1 CD1

On July 6, 2010, Senate Bill No. 2256, entitled 'A Bill for an Act Relating to the Department of Education' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Department of Education to assess fees for parking on roadways and parking areas under its jurisdiction, and to adopt administrative rules relating to the assessment and collection of parking fees.

The intent of the bill is to create another source of revenue for the Department of Education. I remain concerned with the practice of continuing to operate government programs and services by burdening the public with higher fees during difficult economic times. Further, the exact fiscal impact on the public is unknown since the bill does not specify who will be assessed parking fees and the parameters and scope of fee assessment and collection.

I am also concerned that the deposit of parking fees into the Department of Education's Use of School Facilities special funds does not meet the criteria of Section 37-52.3, Hawaii Revised Statutes, which states that special and revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users and beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining.

For the foregoing reasons, I allowed Senate Bill No. 2256 to become law as Act 190, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 683**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2469, S.D. 2, H.D. 2, C.D. 1 as Act 191, entitled: "RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2469 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2469, entitled 'A Bill for an Act Relating to the Emergency and Budget Reserve Fund' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to appropriate a total of \$23,717,136 from the Emergency and Budget Reserve Fund (EBRF) to 42 state programs or non-profit organizations to maintain various programs in fiscal year 2010-2011.

Although I understand the intent of this measure, the State continues to face a precarious fiscal future. It is unlikely State revenues will reach pre-recession levels until 2012 and prudent fiscal management requires the State to retain its reserves in the event serious financial or non-financial emergencies occur during the interim.

While I am allowing this bill to become law without my signature, it is important to note that each appropriation must still be scrutinized by the designated expending agency as well as the Department of Budget and Finance prior to the release of funds. I have instructed the Departments to not take actions to consider any of the proposed appropriations in this bill until after the first quarter of FY 2011 is completed and updated Council on Revenues estimates are available.

For the foregoing reasons, I allowed Senate Bill No. 2469 to become law as Act 191, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 684**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2452, H.D. 1, S.D. 2, C.D. 1 as Act 192, entitled: "RELATING TO NON-GENERAL FUNDS."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2542 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2542, entitled 'A Bill for an Act Relating to Non-General Funds' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to reallocate an estimated \$100,000,000 from various non-general funds and programs to the general fund. This measure transfers \$46,000,000 from specific non-general funds to the general fund on July 1, 2010; and retains in the general fund approximately \$54,000,000 in cigarette tax distributions that are intended for health-related programs from July 1, 2010 to June 30, 2013.

This measure originally would have transferred a total of \$10,000,000 from five non-general funds to the general fund. However, this measure was significantly amended to transfer \$46,000,000 from 25 different non-general funds, and withhold another \$54,000,000 in cigarette tax distributions from three health special funds. While I understand the need to address the state budget deficit, I am concerned that the magnitude of these reallocations will negatively impact the operation of many important public programs and services.

Although this measure authorizes the Director of Finance to transfer a total of \$46,000,000 from various non-general funds to the general fund on July 1, 2010, I do not believe all these transfers are appropriate. To ensure programs and services will not be dramatically impacted, transfers will only be made by the Director of Finance in cases where they have been determined to be appropriate and necessary.

Also I am concerned that any reduction of moneys in the State Highway Fund will further impact our ability to repair and maintain the roadways in our State. I have worked hard to ensure these funds remain intact for much needed repairs.

For the foregoing reason, I allowed House Bill No. 2542 to become law as Act 192, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 685**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 1818, H.D. 2, S.D. 2, C.D. 1 as Act 193, entitled: "RELATING TO COGNITIVE RESTRUCTURING."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 1818 HD2 SD2 CD1

On July 6, 2010, House Bill No. 1818, entitled 'A Bill for an Act Relating to Cognitive Restructuring' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to authorize the Department of Public Safety to offer reentry/reintegration programs within Hawaii's correctional facilities that include cognitive behavioral therapy with cultural and other interventions. This measure also requires the Department of Public Safety to submit an annual report to the Legislature on these programs in Hawaii's correctional facilities no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2011.

Although I support the implementation of reentry programs that are effective and help offenders transition back into the community, the Department of Public Safety already has the authority to implement the types of programs specified in this measure. Thus, this bill is unnecessary. Moreover, this legislation does not address the level of funding for such programs, which is the primary impediment to conducting these and other kinds of programs and treatments.

Additionally, the provision of this bill that requires the Department of Public Safety to report certain statistical and demographic data fails to define key terms, such as 'native Hawaiian' and 'recidivism', which are important for the collection of accurate and useful data.

For the foregoing reasons, I allowed House Bill No. 1818 to become law as Act 193, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 686**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2266, H.D. 1, S.D. 1, C.D. 1 as Act 194, entitled: "RELATING TO CORRECTIONS."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2266 HD1 SD1 CD1

On July 6, 2010, House Bill No. 2266, entitled 'A Bill for an Act Relating to Corrections' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Department of Public Safety to place priority upon establishing appropriate

counseling services for sexual assault within twenty-four hours of the report of an assault, and to issue policies and standards to achieve a zero-tolerance policy regarding sexual assault. In addition, this bill requires the Department of Public Safety to provide an annual report to the Legislature about its efforts to implement the federal Prison Rape Elimination Act of 2003 (PREA).

The Department of Public Safety already has implemented policies and procedures that accomplish the measure's stated purpose. The Department provides counseling services for sexual assault victims and currently has a zero tolerance policy on sexual assault. Consequently, this legislation is duplicative and unnecessary.

Additionally, implementing regulations have not yet been adopted by the Federal Government for PREA, making this bill's reporting requirements on PREA implementation premature.

For the foregoing reasons, I allowed House Bill No. 2266 to become law as Act 194, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 687**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2289, H.D. 2, S.D. 1, C.D. 1 as Act 195, entitled: "RELATING TO GIFT CERTIFICATES."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2289 HD2 SD1 CD1

On July 6, 2010, House Bill No. 2289, entitled 'A Bill for an Act Relating to Gift Certificates' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to amend Hawaii's gift certificate law by (1) extending the minimum expiration date on certain gift certificates from two to five years; (2) conforming Hawaii's definition of 'gift certificate' to the definition under federal law; and (3) permitting issuers of gift certificates to charge a limited activation fee.

I support extending the minimum expiration date on gift certificates and conforming Hawaii's definition of 'gift certificate' to the federal definition as these amendments have the potential to benefit consumers. However, I question permitting gift card issuers to charge an activation or issuance fee for the purchase of a gift card. Currently, such fees are prohibited under Hawaii law. This bill does limit the fee to the lesser of ten percent of the face value of the certificate or \$5, and requires the fee to be disclosed in advance.

I understand the fees will cover some of the cost of producing, shipping and marketing gift cards. Nevertheless, I would have preferred that the current total prohibition on fees be kept intact, as Hawaii consumers deserve to have their money go towards the items that may be purchased with the gift cards, and not fees imposed by the card issuers.

For the foregoing reasons, I allowed House Bill No. 2289 to become law as Act 195, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle

LINDA LINGLE"

**Gov. Msg. No. 688**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2832, H.D. 1, S.D. 2, C.D. 1 as Act 196, entitled: "RELATING TO TARO SECURITY."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2832 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2832, entitled 'A Bill for an Act Relating to Taro Security' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Office of Hawaiian Affairs (OHA) to seek available federal, state, county or private funding to restore taro and lo'i cultivation. The bill also requires the Taro Security and Purity Task Force to submit reports to the 2014 and 2015 legislative sessions.

This bill raises several concerns. First, it should be noted that OHA already has the authority to seek federal, state, local and private funding for projects. Thus this bill does not grant that organization any powers it does not already possess.

However, the measure is troubling in that it proposes the implementation of recommendations that may not be in the best interests of the public, including the taro farming community. It would be unfortunate if projects were undertaken that did not address the needs and concerns of commercial taro growers that provide the foodstuff many of us enjoy and depend on. The bill would also support implementation of proposals that would violate other sections of the Hawaii Revised Statutes, including the manner in which fair lease rents are determined for the use of public lands.

I urge OHA and members of the Task Force to proceed with caution and to ensure that projects are in the best interest of all of the residents of our islands.

For the foregoing reasons, I allowed House Bill No. 2832 to become law as Act 196, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 689**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2919, H.D. 1, S.D. 2, C.D. 1 as Act 197, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2919 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2919, entitled 'A Bill for an Act Relating to the Employees' Retirement System' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to allow sewer maintenance, service and inspection supervisors enrolled in the State Employees' Retirement System (ERS) to retire early like their sewer worker subordinates, starting on July 1, 2011.

Although I am not opposed to providing equal benefits for equal work, and do not believe government employees working in the same capacity should be treated differently, I am fundamentally concerned with whether ERS benefits provided at current levels are financially sustainable. Over the years, the expansion of ERS benefits has led to increases in unfunded liability, which only eased recently with the moratorium on benefits expansion, pursuant to Act 256, Session Laws of Hawaii 2007. However, the current ERS unfunded liability is approximately \$6.2 billion and the moratorium is expected to sunset on January 2, 2011.

This large unfunded liability calls into question whether retirement benefits can be maintained at current levels. Just as Hawaii's Medicaid benefits must be restructured to ensure the program remains financially sustainable and available to help the State's most needy; ERS benefits, such as early retirement benefits, must also be reassessed to ensure the system remains financially sustainable to provide for future retirees. Although current retirement benefits have already been promised to certain state and county employees, we must consider whether those benefits are reasonable and financially feasible in the future.

For the foregoing reasons, I allowed House Bill No. 2919 to become law as Act 197, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 690**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2545, S.D. 2, H.D. 2, C.D. 1 as Act 198, entitled: "RELATING TO INTOXICATING LIQUOR."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2545 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2545, entitled 'A Bill for an Act Relating to Intoxicating Liquor' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill has several purposes. First, it creates a new class of liquor license to regulate certain 'bring-your-own-beverage' establishments. Second, it changes the conditions of Class 14 brewpub licenses on brewpubs. Third, this bill attempts to create an exemption to the liquor liability insurance requirements for certain retail dealers.

The provisions of this bill regarding bring-your-own-beverage (BYOB) establishments, balances the right of the public to peace and safety with the right of the business community to operate without unduly burdensome regulation. The brewpub amendments contained in this bill are also satisfactory.

Unfortunately, I find the last portion of this bill more emblematic of the legislation that typically reaches my desk. During the 2009 session, the Legislature passed Act 177, which imposed a blanket requirement for \$1,000,000 in liquor liability insurance for hundreds of local businesses. In my Statement of Concerns, I noted that the bill would likely put some small establishments out of business.

The measure now before me, Senate Bill No. 2545, incorporates an attempt to mitigate the adverse impacts of last year's Act by creating an exemption for certain businesses. Unfortunately, the language is poorly drafted. Exempting

'convenience minimarts' without a clear definition of what a 'convenience minimart' is creates confusion and is unlikely to help the small businesses that need it the most. This bill makes a feeble attempt at defining a 'convenience minimart' as a 'mom and pop store,' but also fails to define what qualifies as a 'mom and pop store.' Does this automatically exclude unmarried owners of small convenience stores or persons who are related but not married? This ambiguity is unfortunate because it involves the livelihood of island families.

However, because of the multi-faceted nature of this bill, a veto of this measure would stifle the beneficial provisions. The flawed language in this bill regarding liquor liability insurance will have to be corrected in a future legislative session. The public would be better served if the Legislature considered the impacts of burdensome regulation before enacting laws, not afterwards. This would avoid multi-year attempts at fixing legislation after the fact, as we see here with this bill.

For the foregoing reasons, I allowed Senate Bill No. 2545 to become law as Act 198, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 691**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2698, H.D. 2, S.D. 2, C.D. 1 as Act 199, entitled: "RELATING TO TECHNOLOGY."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2698 HD2 SD2 CD1

On July 6, 2010, House Bill No. 2698, entitled 'A Bill for an Act Relating to Technology' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Director of Commerce and Consumer Affairs to promote telework and the expansion of broadband services in the State. This bill also requires the administrator of the Department of Commerce and Consumer Affairs' Cable Television Division to: (1) convene and chair the Telework Promotion and Broadband Assistance Advisory Council and advise the Department of Commerce and Consumer Affairs on promoting telework and broadband services in the State, and (2) convene a work group to discuss and develop procedures to streamline the State and County permitting process for broadband services. This measure also appropriates moneys from the Compliance Resolution Fund for fiscal year 2010-2011 to fund telework and broadband activities, and requires DCCA to report annually to the legislature on all expenditures of federal moneys received pursuant to the American Recover and Reinvestment Act (ARRA) of 2009.

This bill represents a modest approach to the advancement of broadband services in the State of Hawaii. Far more comprehensive broadband initiatives were under consideration by the Legislature, including proposals introduced by the Senate Majority, House Majority, House Minority, and this Administration. These alternative proposals recognized the evolution and convergence of telecommunications technology by consolidating regulation of communications services (cable and telephone) under a new Hawaii Communications Commission, in order to expedite the availability of the latest communications services at the earliest possible time to Hawaii's residents. The Commission would have been funded from existing fees and would have been directed to achieve

transformational goals, including creating broadband access on a competitive basis at reduced prices, increasing service penetration and quality, streamlining the permit process, and providing access to businesses and residents by 2012 at prices and speeds that would have made Hawaii a world leader. Regrettably, the Legislature decided to pass this bill instead, which, although helpful, is primarily concerned with promotion, advocacy and advice with respect to broadband matters.

Additionally, this measure adds functions related to telework to the responsibilities of the Department of Commerce and Consumer Affairs that are not a part of its core mission. The Department's function is to protect consumers from unfair business practices while 'upholding fairness in the marketplace.' The Department's mission does not and should not include promoting telecommuting by state and county employees.

For the foregoing reasons, I allowed House Bill No. 2698 to become law as Act 199, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 692**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2548, S.D. 2, H.D. 1, C.D. 1 as Act 200, entitled: "RELATING TO INFORMATION TECHNOLOGY."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2548 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 2548, entitled 'A Bill for an Act Relating to Information Technology' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish the position of Chief Information Officer within the Office of the Governor, create an Information Technology Steering Committee within the Governor's office, and set up a Shared Services Technology Special Fund to be funded by an unspecified percentage of central services fees. This bill also requires the Governor to submit a report to the 2011 Legislature recommending the state agency to house the Chief Information Officer, the funding level for the special fund, and legislation necessary to implement the Governor's recommendations.

I support improvements in Information Technology (IT) management and my Administration has demonstrated this through leadership that has automated numerous state functions that now allow the public to interact with state agencies electronically. We have also consolidated State Information Technology functions and enhanced the functions of the Information and Communication Services Division (ICSD) within the Department of Accounting and General Services (DAGS).

This legislation raises legal, fiscal and structural concerns that will need to be addressed in future legislation.

First, by failing to place the Chief Information Office and Steering Committee within a principal department, this bill likely violates Section 6 of Article V of the State Constitution which requires all executive offices, departments and instrumentalities of the State to be allocated within one principal department. A permanent location will need to be found for this office, which is recognized by this bill since it

instructs the next Governor to determine where the function should be located.

Further this bill does not appear to provide an organizational structure or framework within which the Chief Information Officer can effectively manage and oversee statewide information technology governance. This bill has the Chief Information Officer bypassing the Director of DAGS and supervising the Department's ICSD. This creates reporting difficulties for the ICSD staff and will blur the lines of accountability for information technology functions.

Additionally, the special fund established in this bill does not meet the requirements of Section 37-52.3 and 37-52.4 of the Hawaii Revised Statutes which require such funds to have a clear nexus between the benefits sought and the charges levied. The bill does not create an appropriate means of financing the information technology functions.

Fortunately the Legislature recognized these failings and the measure contains language asking the Governor to propose legislation to correct these flaws.

For the foregoing reasons, I allowed Senate Bill No. 2548 to become law as Act 200, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 693**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2817, S.D. 1, H.D. 1, C.D. 1 as Act 201, entitled: "RELATING TO SOLAR ENERGY DEVICES."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2817 SD1 HD1 CD1

On July 6, 2010, Senate Bill No. 2817, entitled 'A Bill for an Act Relating to Solar Energy Devices' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require private homeowners associations to revise their rules by July 1, 2011, so as not to impose conditions or restrictions that render a solar energy device more than 25 per cent less effective; increase the cost of installation, maintenance, and removal of a solar energy device by more than 15 per cent; or until June 20, 2015, require an encumbrance on title because of the placement of the solar energy device.

Solar energy technology remains an integral part to achieving Hawaii's 70% clean energy goals by 2030. I believe that facilitating access to and expanding the use of renewable energy technology, such as solar energy panels, helps the community achieve this critical goal.

However, I am concerned that this bill gives too much latitude to homeowners in community, condominium, and apartment associations. The legislation fails to address installation and placement of solar energy devices and does not consider the necessity for association control over common areas and structural elements. This bill impacts the planned community associations' ability to monitor community aesthetics and uniform conditions which may adversely impact the property values of homeowners.

Further, the bill would limit the ability of homeowner associations for a period of five years to ensure that the liability

and costs of these devices are properly borne by the individual homeowner who benefits from its installation. Exposing homeowners associations to the electrical costs, repairs, maintenance and possible damage caused by a solar device without recourse to take action against the homeowner's property could create undue fiscal and legal liabilities.

For the foregoing reasons, I allowed Senate Bill No. 2817 to become law as Act 201, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 694**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2386, H.D. 1, C.D. 1 as Act 202, entitled: "RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2386 HD1 CD1

On July 6, 2010, Senate Bill No. 2386, entitled 'A Bill for an Act Relating to the University of Hawaii Capital Improvements Program Project Assessment Special Fund' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to create a University of Hawaii Capital Improvements Program Project Assessment Special Fund to cover certain administrative costs, including staff salaries, involved in carrying out capital improvements program projects managed by the University. The special fund is to be funded by assessments made on capital improvement projects that are managed by the University.

My Administration remains concerned with the practice of using borrowed funds to pay short-term costs, such as salaries and administrative expenses. Such a practice increases the debt burden of a jurisdiction, is misleading regarding the current and future costs of government operations, and results in considerably higher operating costs when both principal and interest are calculated as part of the carrying costs for these personnel.

I am also concerned that the special fund does not meet the requirements of Sections 37-52.3 and 37-53.4, Hawaii Revised Statutes, including: 1) reflecting a clear nexus between the benefits sought and the charges made; 2) providing an appropriate means of financing for the program or activity; and 3) demonstrating the capacity to be financially self-sustaining.

For the foregoing reasons, I allowed Senate Bill No. 2386 to become law as Act 202, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 695**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2084, H.D. 1, S.D. 1, C.D. 1 as Act 203, entitled: "RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2084 HD1 SD1 CD1

On July 6, 2010, House Bill No. 2084, entitled 'A Bill for an Act Relating to the Federal Disproportionate Share Hospital Funds' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to extend the lapse date to June 30, 2011 for a \$12,291,054 appropriation out of the general fund authorized by Act 23, Special Session Laws of Hawaii 2009. The appropriation would serve as a State match required to access \$15 million in federal funding available through the federal Disproportionate Share Hospital payment program.

Although the purpose of this bill holds merit, the State general funds continue to show revenue levels considerably below operating costs. As a result the State has had to postpone making payments, cut funding to selected programs, and reduce staffing. The state's six year financial plan reflects the assumption that money lapses. Since the appropriation in Act 23 was valid until June 30, 2010 but this bill did not take effect until July 6, 2010, after the lapse date, the provisions of this bill are effectively moot.

I am proud that my Administration has found innovative approaches to drawing down additional federal Medicaid money through a special waiver program arranged by the State Department of Human Services. Hospitals in Hawaii have received a total of \$84 million in additional federal money since 2005, including \$14.4 million in fiscal year 2010 to help cover charitable and uncompensated care. Using federal rather than State funds to help our hospitals is the most prudent approach during these lean budget times.

For the foregoing reasons, I allowed House Bill No. 2084 to become law as Act 203, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 696**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2461, S.D. 2, H.D. 2, C.D. 1 as Act 204, entitled: "RELATING TO TRANSPORTATION."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2461 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2461, entitled 'A Bill for an Act Relating to Transportation' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to raise the rental motor vehicle customer facility surcharge from \$1.00 per day to \$4.50 per day, effective September 1, 2010; and appropriate funds from the Rental Motor Vehicle Customer Facility Charge Special Fund for the planning, design, and construction of consolidated rental car facilities at our state airports.

I support the State Airport Modernization Plan and other initiatives that improve motor vehicle facilities and services at Hawaii's airports. This not only attracts visitors and businesses to Hawaii, but also improves our state's reputation as a world class destination.

I previously expressed concern about the fiscal impact of Act 226, Session Laws of Hawaii 2008, which established the \$1.00 per day surcharge on car rentals at Hawaii airports. I continue to have reservations with this bill because the significant impact of \$4.50 per day surcharge may negatively affect the visitor industry by increasing the cost of vacationing in Hawaii. The fee would cost an additional \$45,000,000 per year and comes at a time when the State is trying to encourage and support visitor arrivals, not make it more costly to come and enjoy Hawaii.

In addition, I also note that the surcharge special fund will lose an estimated \$1,700,000 in revenue during the months of July and August 2010, after the current \$1.00 surcharge is repealed on July 1, 2010 and before the new \$4.50 surcharge is imposed on September 1, 2010.

For the foregoing reasons, I allowed Senate Bill No. 2461 to become law as Act 204, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 697**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2774, H.D. 2, S.D. 2, C.D. 1 as Act 205, entitled: “RELATING TO HUMAN SERVICES.”

“Dear Madam President and Members of the Senate:

Re: House Bill No. 2774 HD2 SD2 CD1

On July 6, 2010, House Bill No. 2774 entitled ‘A Bill for an Act Relating to Human Services’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purposes of this bill are to lift the restriction on the use of generic psychotropic medications for patients on Medicaid; to adjust the state death benefit to match the Federal Social Security Administration death benefit; and to limit the ability of the Administration to effectively use Medicaid moneys to address job creation and economic recovery.

The lifting of the restriction on the use of generic brand medications will help address the growing costs of prescription drugs for those patients that rely on psychotropic medicines. Requiring the State to only pay for brand name medications has placed an undue cost on the program without any proof that lower-cost generic drugs can not satisfactorily treat these patients.

Likewise, the bill ensures that the relatives of low-income individuals receiving government assistance payments receive similar lump sum amounts when the recipient passes away. This will have a modest cost savings for the state and provide equity in the treatment of these individuals who receive public assistance.

It is troubling that this bill contains a restriction against allowing my Administration and the next Administration to propose creative ideas on the use of federal and state Medicaid funds. Earlier this year, with the approval of senior federal officials in Washington DC, we launched the Hawaii Premium Plus program. This program allows the State to use Medicaid funds to help offset the health care costs of new employees. This helps overcome one of the barriers employers face when deciding whether to hire or rehire an individual during difficult economic periods.

I am pleased that the program was approved by the Centers for Medicare and Medicaid Services (CMS) and the Department is working with local employers to start the hiring process. I am concerned that the ambiguities created by this bill’s language made some businesses hesitant to participate and has cost us precious time in starting to enroll the unemployed in new jobs. This is indeed unfortunate, since getting people off of unemployment and back into the work force should be our united goal.

It should be noted that based on our legal analysis of this measure, we conclude the funding cap applies only to the state portion of the funds that will be spent for the Hawaii Premium Plus program.

For the foregoing reasons, I allowed House Bill No. 2774 to become law as Act 205, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 698**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 466, S.D. 2, H.D. 1, C.D. 1 as Act 206, entitled: “RELATING TO POLLUTION.”

“Dear Madam President and Members of the Senate:

Re: Senate Bill No. 466 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 466, entitled ‘A Bill for an Act Relating to Pollution’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to ban the use of leaf blowers in or around residential areas except, between 8:00 a.m. to 6:00 p.m. on Mondays through Saturdays and 9:00 a.m. to 6:00 p.m. on Sundays and state or federal holidays. This bill also prohibits persons from operating a leaf blower in such a way that debris is deposited onto adjacent properties or public rights of way. The bill imposes a maximum fine of \$500 on violations. This ban does not apply to government entities operating leaf blowers and is effective July 1, 2010.

Although leaf blowers can be a nuisance, it is unfortunate that a specific type of landscaping equipment is being considered for regulation by law because neighbors cannot communicate with each other, or do not have the common courtesy to operate this equipment responsibly. Moreover, it is uncertain whether enforcement of this ban will be effective since leaf blowers are portable and citations cannot be issued without proof of violations.

However, the exceptions provided for in this ban still allow landscaping companies to operate during regular business hours and allows homeowners to do yard work on weekends and holidays.

For the foregoing reasons, I allowed Senate Bill No. 466 to become law as Act 206, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 699**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2283, H.D. 2, S.D. 1, C.D. 1 as Act 207, entitled: "RELATING TO PUBLIC PROCUREMENT."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2283 HD2 SD1 CD1

On July 6, 2010, House Bill No. 2283, entitled 'A Bill for an Act Relating to Public Procurement' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require public employees, and actual or prospective bidders, offerors, contractors, and businesses, when participating in public procurements, to do so in an ethical manner. The bill provides for specific ethical standards.

I support ethical practices in public procurement. This measure is redundant of existing administrative rules. Similar standards of ethical behavior are already required of public procurement participants by Hawaii Administrative Rule section 3-131-1.02. Consequently, this bill is another example of unnecessary legislation.

For the foregoing reasons, I allowed House Bill No. 2283 to become law as Act 207, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 700**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

Senate Bill No. 2165, S.D. 1, H.D. 2, C.D. 1 as Act 208, entitled: "RELATING TO PRIVATE GUARDS."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2165 SD1 HD2 CD1

On July 6, 2010, Senate Bill No. 2165, entitled 'A Bill for an Act Relating to Private Guards' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to impose new registration, training, classroom instruction, education, and criminal history requirements for all guards and employees of guard agencies who act in a guard capacity. In so doing, this measure repeals the current regulatory exemption for guards who are employed solely by an employer in connection with the affairs of the employer. The new registration requirements take effect July 1, 2013, and are repealed on July 1, 2016.

Raising the professional standards for security guards in Hawaii is an admirable goal. However, I have concerns about some of the impacts of these new registration requirements on business and industry in Hawaii, as well as the amount of state resources it will take to implement these new requirements.

First, the costs associated with guard services for certain private employers will likely increase since this bill mandates that the guard employees of any private business entity that provides its own in-house guard services are now subject to regulation. Some members of the retail industry have indicated that these new requirements are manageable, and believe that rule-making by the Board of Private Detectives and Guards will afford them the opportunity to craft appropriate procedures to implement these new registration requirements. I support them in this effort.

Second, there are cost and staffing implications for the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, an estimated 10,700 individual guards will require registration. Prior to implementation of the new registration requirements, the Division will need the staff and resources to meet these demands. Given current fiscal realities, this may not be the best use of limited resources. Moreover, this bill would require the establishment of procedures to register all guards, promulgation of rules to effectuate this measure, and the expenditure of moneys for implementation, only to have the law sunset on July 1, 2016.

Third, it may not be appropriate to apply these new registration and training requirements to armored car guards. Guards in the armored car industry have their own training standards, as the function of armored car guards is substantially different from the duties of other security guards. Consequently, the public and the industry would likely be better served with separate training requirements for armored car guards. I encourage stakeholders in the armored car industry to become involved in the rule-making process, so that their concerns might be addressed. Additionally, there is still time to address these and other concerns via statutory amendment prior to implementation of the new registration requirements in 2013.

For the foregoing reasons, I allowed Senate Bill No. 2165 to become law as Act 208, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 701**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 979, H.D. 1, S.D. 1, C.D. 1 as Act 209, entitled: "RELATING TO THE ENVIRONMENT."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 979 HD1 SD1 CD1

On July 6, 2010, House Bill No. 979 entitled 'A Bill for an Act Relating to the Environment' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill temporarily authorizes moneys from the Special Land and Development Fund and the Land Conservation Fund to be used for invasive species control and to promote reforestation.

Although species control, erosion control and reforestation are worthwhile activities, it is not appropriate to fund these programs at the expense of other high priority public projects and activities. The Land Conservation Fund is used to protect cultural, natural and historic resources through the purchase of private lands where these resources are located.

The Special Land Development Fund supports the operations of the Office of Conservation and Coastal Lands. I am particularly concerned that this fund also supports our Dam Safety programs that should remain a high priority with sufficient funding to protect the safety of the public. It would have been better if the Legislature had identified alternative sources of funding for invasive species control and reforestation projects.

For the foregoing reasons, I allowed House Bill No. 979 to become law as Act 209, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 702**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 1665, H.D. 1, S.D. 2, C.D. 1 as Act 210, entitled: "RELATING TO HAWAIIAN FISHPONDS."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 1665 HD1 SD2 CD1

On July 6, 2010, House Bill No. 1665, entitled 'A Bill for an Act Relating to Hawaiian Fishponds' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Under current law (171-52 HRS) land acquired by condemnation that is in excess of the needs for which condemned, may be disposed of by the Board of Land and Natural Resources. This bill would prevent the Department of Transportation from asking the Board to dispose of two parcels that contain fishponds even though they were acquired by condemnation and are excess to the Department's needs.

While I understand the cultural and economic significance of preserving existing Hawaiian fishponds, I am concerned this bill will require the Department of Transportation to continue to maintain these properties when it has limited resources to do so.

The Department of Transportation has not been successful in convincing other government agencies to assume responsibility for these fishponds which require considerable maintenance. Federal law requires the Department to be compensated at fair market value for parcels which are acquired using federal funds. When a parcel is transferred, the fair market value must be recouped via another piece of land of equal or greater value. This bill did not address the fair market value issue and does not provide a mechanism to allow the transfer of these fishponds to another entity.

Given that the sale of state lands is currently subject to approval by the Legislature through concurrent resolution pursuant to chapter 171-64.7, Hawaii Revised Statutes, this measure also does not increase the protections for government-owned Hawaiian fishponds since the Legislature already retained the power to preserve them through their authority to approve or disapprove land sales.

For the foregoing reasons, I allowed House Bill No. 1665 to become law as Act 210, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 703**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2003, H.D. 3, S.D. 2 as Act 211, entitled: "RELATING TO CAMPAIGN FINANCING."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2003 HD3 SD2

On July 6, 2010, House Bill No. 2003, entitled 'A Bill for an Act Relating to Campaign Financing' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The primary purpose of this bill is to repeal and recodify, Chapter 11 of Hawaii Revised Statutes, the campaign spending laws.

I understand the need for a recodification of the campaign finance statute, and support such efforts to clarify their applicability. Nevertheless, although this measure is improved from House Bill No. 128 HD1 SD1 CD2, that I vetoed last year, it still retains certain provisions that were grounds for that veto with which I still have concerns. It also contains new provisions that raise equity issues.

First, this bill increases the limit on campaign contributions by nonresidents from the twenty percent presently specified in section 11-204.5, Hawaii Revised Statutes, to thirty percent of the total contributions received by a candidate or candidate committee in an election period. The Administration has taken the position that full disclosure of all contributions both Hawaii and mainland-based is more appropriate than artificial or politically-motivated limits on these contributions.

Second, this bill adds a new section that requires corporations to file reports with the Commission if they give donations of \$1,000 or more in the aggregate. However, this provision does not apply to labor unions or related associations that may also contribute and who, as a matter of equity, should be subject to the same reporting requirements.

For the foregoing reasons, I allowed House Bill No. 2003 to become law as Act 211, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 704**, dated July 7, 2010, informing the Senate that on July 6, 2010, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. 2318, H.D. 2, S.D. 1, C.D. 1 as Act 212, entitled: "RELATING TO THE HOMELESS."

"Dear Madam President and Members of the Senate:

Re: House Bill No. 2318 HD2 SD1 CD1

On July 6, 2010, House Bill No. 2318, entitled 'A Bill for an Act Relating to the Homeless' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish the Housing First Special Fund in the state treasury. Deposits to this special fund are to come from appropriations from the Legislature and gifts, donations, and grants from public agencies and private persons. The bill provides that each county may provide matching funds.

The bill also requires the Hawaii Public Housing Authority (HPHA), and the Department of Human Services, in consultation with the United States Department of Housing and Urban Development, to implement Housing First programs and services, as deemed appropriate, subject to the availability of funds.

Addressing the needs of the homeless has remained a priority for my Administration. Since 2006 we have built emergency shelters and transitional facilities to address the needs of

families with children and adults who seek a clean, safe place to sleep at night. We have partnered with non-profit, private and faith-based organizations to establish a continuum of care that has provided pathways for thousands of families and individuals to move out of homelessness. But we also are cognizant more needs to be done.

This bill recognizes there are those within the homeless community who have been without shelter for extended periods. Many of them suffer from substance abuse or mental health issues. This measure attempts to address the needs of these chronically homeless but fails to provide sustainable, long term funding to tackle this problem.

This bill establishes the Housing First Special Fund, but does not contain an appropriation. Although \$1,000,000 is appropriated out of the Emergency and Budget Reserve Fund through Senate Bill No. 2469, such funding is limited to only one year. A successful Housing First program would need to have dedicated funding for more than a year. Further it would be inappropriate to fund Housing First programs at the expense of current programs that serve those with children and those who are 'clean and sober.'

I am also concerned with the vague terminology in this measure. The bill defines 'chronically homeless' as 'a homeless individual who has an addiction or a mental illness, or both.' 'Addiction' and 'mental illness' are undefined. The resulting impact of the definition of 'chronically homeless' is that it is very broad. The definition covers individuals who have any kind of addiction or mental illness and do not have a home, regardless of the length of time or number of times spent without a home. Further, the bill fails to exclude persons who have the resources to rent or who have access to other housing alternatives. This does not serve the purpose of servicing the truly chronically homeless.

We should not underestimate the resources it will take to address this fact. I urge the departments involved to develop a reasoned, realistic funding plan that can be implemented over the coming years to mirror the progress we have achieved to date in helping families, children and adults to regain a place to live.

For the foregoing reasons, I allowed House Bill No. 2318 to become law as Act 212, effective July 6, 2010, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 705**, dated April 23, 2010, transmitting a Report on Social Security Number Disclosure, prepared by the Department of Accounting and General Services pursuant to Section 487J-4, HRS.

**Gov. Msg. No. 706**, dated April 30, 2010, transmitting a report to comply with the provisions of Act 10, SLH 2008, prepared by the Department of Accounting and General Services.

**Gov. Msg. No. 707**, dated May 3, 2010, transmitting a Report on Social Security Number Disclosure, prepared by the Department of Transportation pursuant to Section 487J-4, HRS.

**Gov. Msg. No. 708**, dated May 17, 2010, transmitting the Hawaii Health Systems Corporation Annual Audit and Report for FY 2009, pursuant to Section 323F-22, HRS.

**Gov. Msg. No. 709**, dated May 18, 2010, transmitting a Report on the Policies and Procedures Implemented by Hospitals to Reduce Elective Cesarean Sections and Induction

of Labor, prepared by the Department of Health, Maternal and Child Health Branch, pursuant to H.C.R. No. 215 (2009).

**Gov. Msg. No. 710**, dated June 3, 2010, transmitting the Department of Agriculture's Annual Report, pursuant to Act 100, SLH 1999.

**Gov. Msg. No. 711**, dated June 3, 2010, transmitting a Report on the Fight Against Invasive Species, prepared by the Department of Agriculture, Plant Industry Division, pursuant to Act 213, Section 9, SLH 2007.

**Gov. Msg. No. 712**, dated June 29, 2010, transmitting the Annual Report on the Operation of the Internet Portal, prepared by the Department of Accounting and General Services and the Access Hawaii Committee pursuant to Act 172, SLH 2007.

**Gov. Msg. No. 713**, dated July 8, 2010, transmitting a Report on the Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing, prepared by the Department of Agriculture and the Department of Land and Natural Resources pursuant to Act 176, Section 12, SLH 1999.

**Gov. Msg. No. 714**, dated July 15, 2010, transmitting the Department of Hawaiian Home Lands' 2009 Annual Report.

**Gov. Msg. No. 715**, dated July 19, 2010, transmitting the Dairy Industry Strategic Plan, prepared by the Department of Agriculture pursuant to Act 46, SLH 2008.

**Gov. Msg. No. 716**, dated July 21, 2010, transmitting the 2008-2009 Annual Report of the Department of Taxation pursuant to Section 231-3, HRS.

**Gov. Msg. No. 717**, dated August 26, 2010, transmitting a Report on the TANF Program, prepared by the Department of Human Services pursuant to Act 162, Section 159, SLH 2009.

**Gov. Msg. No. 718**, dated August 26, 2010, transmitting a Report on the TANF Program, prepared by the Department of Human Services pursuant to Act 162, Section 158, SLH 2009 and Section 346-51.5, HRS.

**Gov. Msg. No. 719**, dated September 1, 2010, transmitting an Addendum to the Report of September 2009 on Descriptive Statistics on the Operations of Qualified High Technology Businesses from 2000 through 2009, prepared by the Department of Taxation pursuant to Act 206, SLH 2007.

**Gov. Msg. No. 720**, dated September 2, 2010, transmitting the Variance Report for Fiscal Years 2009 and 2010, pursuant to Section 37-75, HRS.

**Gov. Msg. No. 721**, letter dated September 7, 2010, appointing Ronald D. Kouchi to fill the vacancy as the member from the Seventh Senate District; and Laura A. Figueira to fill the vacancy as the member from the Twenty-Second Senate District, Twenty-Fifth Legislature, State of Hawaii.

HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

**Hse. Com. No. 635**, informing the Senate that on April 29, 2010, the House reconsidered the following bill heretofore vetoed as set forth in a Governor's Message dated April 14, 2010, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i is entitled:

H.B. No. 1868, H.D. 1.

**Hse. Com. No. 636**, informing the Senate that on April 29, 2010, the House reconsidered the following bills heretofore vetoed as set forth in Governor's Messages dated April 25, 2010, and approved said bills by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i is entitled:

H.B. No. 2421, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2085, H.D. 1, S.D. 2;  
H.B. No. 2086, H.D. 2, S.D. 2;  
H.B. No. 2866, H.D. 2, S.D. 1, C.D. 1;  
S.B. No. 2159, H.D. 1;  
S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1; and  
S.B. No. 2840, S.D. 2, H.D. 1.

**Hse. Com. No. 637**, informing the Senate that on April 29, 2010, the House reconsidered the following bills heretofore vetoed as set forth in Governor's Messages dated April 22, 2010, and approved said bills by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-Fifth Legislature of the State of Hawai'i is entitled:

H.B. No. 1642, H.D. 1, S.D. 2, C.D. 1;  
S.B. No. 2394, H.D. 1; and  
S.B. No. 2501, S.D. 1, H.D. 1.

**Hse. Com. No. 638**, informing the Senate that on April 29, 2010, the House agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives:

H.B. No. 444, H.D. 1, S.D. 1; and  
H.B. No. 921, H.D. 1, S.D. 2.

**Hse. Com. No. 639**, informing the Senate that on April 29, 2010, H.B. No. 1948, H.D. 1, S.D. 1, C.D. 1 passed Final Reading in the House of Representatives.

**Hse. Com. No. 640**, informing the Senate that on April 29, 2010, H.C.R. No. 297, S.D. 1, C.D. 1 was finally adopted in the House of Representatives.

**Hse. Com. No. 641**, transmitting H.R. No. 277, entitled: "HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," which was adopted by the House of Representatives on April 29, 2010.

**RULES OF THE SENATE**  
of the  
**TWENTY-FIFTH LEGISLATURE OF THE STATE OF HAWAII**

**TABLE OF CONTENTS**

**PREAMBLE**

**PART I. ORGANIZATION, OFFICERS AND EMPLOYEES**

Rule 1.	Organization
Rule 2.	Officers and Employees
Rule 3.	The President
Rule 4.	The Vice-President
Rule 5.	President Pro Tempore
Rule 6.	The Clerk
Rule 7.	Assistant Clerk
Rule 8.	Invocation
Rule 9.	Sergeant-at-Arms
Rule 10.	Assistant Sergeant-at-Arms
Rule 11.	Responsibilities of Officers and Employees
Rule 12.	Majority and Minority Party Organization and Staff
Rule 13.	Pay of Members, Officers and Employees

**PART II. COMMITTEES**

Rule 14.	Committees: Types and Composition
Rule 15.	Committee Chairs and Vice Chairs
Rule 16.	Committees: Control and Excuse from Membership
Rule 17.	Standing Committees
Rule 18.	Standing Committees: General Responsibility
Rule 19.	Committee on Ways and Means: Special Responsibility
Rule 20.	Leadership Committees
Rule 21.	Meetings of Committees
Rule 22.	Decision-Making by Committee
Rule 23.	Public Hearings on Bills
Rule 24.	Committee Reports
Rule 25.	Committees: Factfinding and Content of Reports
Rule 26.	Committee of the Whole

**PART III. SESSIONS; ATTENDANCE; NOMINATIONS**

Rule 27.	Meetings
Rule 28.	Attendance
Rule 29.	Extension of Session
Rule 30.	Recessed Session
Rule 31.	Special Sessions
Rule 32.	Adjournments
Rule 33.	Motion to Adjourn
Rule 34.	Quorum
Rule 35.	Executive Session
Rule 36.	Clearing of the Senate
Rule 37.	Nominations; Appointments
Rule 38.	Meeting at Place Other than Capitol

**PART IV. ORDER OF BUSINESS**

Rule 39.	Order of Business: General
Rule 40.	Order of Business: Special
Rule 41.	Order of Business: Committee Reports and Gubernatorial Messages
Rule 42.	Order of Business: Order of the Day
Rule 43.	Order of Business: Unfinished Business
Rule 44.	Order of Business: Questions on Priority

**PART V. BILLS**

Rule 45.	Bills: Introduction
Rule 46.	Bills: Referral to Committee
Rule 47.	Bills: Required Readings
Rule 48.	Bills: First Reading
Rule 49.	Bills: Second Reading
Rule 50.	Bills: Third Reading
Rule 51.	Bills: Property of Senate

Rule 52.	Bills: Recall from Committee
Rule 53.	Matters Tabled
Rule 54.	Bills: Amendments
Rule 55.	Bills: Certification
Rule 56.	Bills: Received from House of Representatives
Rule 57.	Bills: Transmittal to House of Representatives
Rule 58.	Bills: Correction of Errors
Rule 59.	Bills: Order of Consideration
Rule 60.	Bills: Special Order of Consideration

**PART VI. RESOLUTIONS; MOTIONS**

Rule 61.	Resolutions and Motions: Form
Rule 62.	Motions: Disposition
Rule 63.	Motions Applicable to Pending Matters
Rule 64.	Matters Postponed Indefinitely
Rule 65.	Motion for Previous Question
Rule 66.	Motion for Reconsideration

**PART VII. PETITIONS AND COMMUNICATIONS**

Rule 67.	Petitions, Memorials, and Miscellaneous Communications
----------	--

**PART VIII. ORDER; DEBATE; VOTING**

Rule 68.	Questions of Order
Rule 69.	Debate: General Limitation
Rule 70.	Voting: Methods
Rule 71.	Voting: Rights of Members

**PART IX. DECORUM; DISCLOSURES; PEER REVIEW; PUNISHMENT**

Rule 72.	Misconduct; Procedure; Peer Review
Rule 73.	Decorum: Transgression of Rules
Rule 74.	Decorum: Address
Rule 75.	Decorum: Person Called to Order While Speaking
Rule 76.	Decorum: Presence in Senate
Rule 77.	Decorum: Conduct in Session
Rule 78.	Decorum: Disorderly Conduct in Session
Rule 79.	Decorum: Recording of Debate Called to Order
Rule 80.	Decorum: Smoking
Rule 81.	Standards of Conduct
Rule 82.	Decorum: Solicitation Prohibited
Rule 83.	Disclosures
Rule 84.	Violating Confidence
Rule 85.	Conflicts of Interest

**PART X. QUESTIONS TO STATE OFFICERS**

Rule 86.	Questions to State Officers
----------	-----------------------------

**PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES**

Rule 87.	Amendments; Suspension; Violations
Rule 88.	Parliamentary Procedure

**PART XII. MISCELLANEOUS POWER**

Rule 89.	Administrative and Financial Manuals
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**RULES OF THE SENATE  
OF THE  
TWENTY-FIFTH LEGISLATURE OF THE STATE OF HAWAII**

**PREAMBLE**

The members of the Senate do hereby reaffirm the Senate's dedication to upholding the Constitutions of the United States and the State of Hawaii, to providing for openness and fairness in all of its proceedings, and to promoting collaboration and consultation in its committee work.

The Senate stands as a people-oriented institution that serves all of the people, whatever their background or persuasion. The Senate works for the public good and strives to give every person an equal opportunity to realize his or her highest potential. The Senate is an open public forum for organized debate and deliberative consideration of issues.

**RULES OF THE SENATE**

The following Rules shall be the Rules of the Senate of the Twenty-fifth Legislature of the State of Hawaii.

**PART I. ORGANIZATION, OFFICERS AND EMPLOYEES**

**Rule 1 Organization.**

(1) When the Senate convenes in the first Regular Session of each Legislature, the member from the First Senatorial District shall act as temporary chair, call the Senate to order, appoint a temporary Clerk, and a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the report of the Committee, it shall appear that a majority of the credentials are in order, the temporary Clerk shall call the roll.

(2) The temporary Chair shall then appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court Judge or a Circuit Court judge to administer the oath of office required by the Constitution. After the oath has been duly administered, the Senate shall organize.

(3) When the Senate convenes in any succeeding Sessions of the Legislature, the President or the Vice-President in the absence of the President, shall call the Senate to order.

**Rule 2 Officers and Employees.**

(1) The officers of the Senate shall consist of a President, Vice-President, Clerk, Assistant Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

**Rule 3 The President.**

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling for the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, call for votes upon the same and announce the results.

(6) To receive all communications, including but not limited to, Governor's messages, budget messages, and Judiciary communications, present them to the Senate and, unless otherwise provided in these Rules, refer these and other matters to the appropriate standing committees.

(7) To appoint all members of committees unless otherwise determined by the Senate.

(8) To authenticate by signature, all acts and doings of the Senate which require authentication.

(9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.

(10) To issue warrants and when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the issuance of subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of books, documents, or other evidence, in any manner pending before the Senate, or committee, as the case may be, or other orders of the Senate.

- (11) To decide and announce the result of any vote taken.
- (12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.
- (13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.
- (14) To control and have direction of the rooms, desks, passages, stairways, corridors, and balconies, in and about the building set apart for the use of the Senate, and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.
- (15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills, the dates for the mandatory recess pursuant to Article III, Section 10, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.
- (16) To mediate and resolve differences between two or more standing committees on the same bill.
- (17) To administer oaths to elected officers of the Senate who are not Senators and to witnesses who are compelled to testify under oath before the Senate or a committee thereof; provided that the President may appoint a designee to administer oaths as the President deems necessary.

**Rule 4 The Vice-President.**

- (1) The Vice-President and the President shall prepare and administer a budget for the Senate.
- (2) Except as otherwise provided in the Senate Rules, the Vice-President shall oversee permanent support staff of the Senate who are not directly employed or supervised by an individual Senator.
- (3) In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

**Rule 5 President Pro Tempore.**

- (1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the member of the majority party having the longest tenure in the Senate shall preside until a President pro tempore is chosen. If two or more members are equally qualified to preside, the eldest qualified member shall preside.
- (2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

**Rule 6 The Clerk.**

It shall be the duty of the Clerk:

- (1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.
- (2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be made available for inspection to any member upon request as soon as practicable. The Journal of each day shall be read the following day, immediately after the invocation. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . " (Giving the Year).
- (3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.
- (4) To forward at once all letters, messages, communications and other matters to the proper parties.
- (5) To immediately deliver to the Chair of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.
- (6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.
- (7) To draw on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the President.
- (8) To pay all bills and accounts as shall be approved by the President or the President's designees, or ordered by the Senate, and no others.
- (9) To be responsible for the acquisition and distribution of all of the property of the Senate.

(10) To note all questions of order with the decision thereon, collect the same, and append them to the Senate Journal at the close of the session.

(11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

(12) To supervise the Senate's Document Center and Journal.

(13) To supervise the Senate's Human Resources personnel.

**Rule 7 Assistant Clerk.**

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the Senate. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

**Rule 8 Invocation.**

Each day's sitting of the Senate shall open with an invocation.

**Rule 9 Sergeant-at-Arms.**

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders or process as directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of and be answerable to the President of the Senate.

**Rule 10 Assistant Sergeant-at-Arms.**

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the performance of all duties and attend to such duties as may be required when so directed by the President. In the absence of the Sergeant-at-Arms, the Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

**Rule 11 Responsibilities of Officers and Employees.**

The employees of the Senate shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President and, upon the President's consultation with the Vice President, shall perform all the President's orders and directions, subject to revision by the Senate and to confidentiality guided by standards of professional conduct. Employees under the supervision of a Senate member shall be directly answerable to the Senate member.

An oath of office shall be administered to each officer by the President.

**Rule 12 Majority and Minority Party Organization and Staff.**

(1) Members of the majority and minority parties may adopt rules of procedure and administration for their respective caucuses. The rules shall not be inconsistent with the Rules of the Senate, and any such rule of procedure for the caucus shall not be enforceable on the floor of the Senate.

(2) The establishment and staffing of the majority and minority staff offices shall be subject to budgetary constraints in the budget for the Senate that is prepared and administered under Rule 4.

**Rule 13 Pay of Members, Officers and Employees.**

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

**PART II. COMMITTEES**

**Rule 14 Committees: Types and Composition.**

(1) Standing Committees: The membership of each Standing Committee shall be appointed by the President subject to action by the Senate. The respective Chairs and Vice Chairs of each Standing Committee shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall to the extent practicable be represented on all Standing Committees on a proportional basis or on such basis as may be prescribed by the Senate.

(2) Leadership Committees shall include majority and minority members drawn from the ranks of the Senate leadership.

(3) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, include a member or members of the minority party, and upon consultation with the Majority and Minority Leaders, shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred. The Senate may establish investigative committees pursuant to Chapter 21, Hawaii Revised Statutes; such committees shall have such powers and be bound by such conditions as may be provided by law or by these Rules.

(4) Conference Committees shall consist of not less than three members each and be managed by the Chair of the Standing Committee having primary responsibility of the subject matter to be resolved, unless otherwise ordered by the Senate. The members of the Conference Committee shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred. The President may discharge a Conference Committee only upon concurrence with the Majority Leader.

(5) The Committee of the Whole Senate.

**Rule 15 Committee Chairs and Vice Chairs.**

The first person named on the committee shall be the Chair, and the second member named shall be Vice-Chair. The Chair of committees shall call meetings and preside. If a chair so requests, the vice chair shall call the meeting and preside.

The purview of the Vice Chair of the Committee on Ways and Means includes the Capital Improvement Project Program Budget for the State of Hawai'i.

**Rule 16 Committees: Control and Excuse from Membership.**

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if already a member of four other committees.

**Rule 17 Standing Committees.**

Standing Committees shall be appointed for major subject matter areas at the opening of the session, or as soon thereafter as possible. The Standing Committees and their areas of jurisdiction shall be as follows:

(1) Committee on Consumer Protection. The purview of this committee includes those programs relating to business regulation, professional and vocational licensing, consumer protection, financial institutions, insurance regulation; public utility regulation; and telecommunications regulation; the landlord tenant code, condominium property regimes, and leaseholds.

(2) Committee on Economic Development and Technology. The purview of this committee includes those programs relating to economic development, and other emerging industries development; financial and technical assistance to business; film and digital media production; astronomy, biochemistry, biomedicine, biotechnology and other scientific research and development activities; culture and arts; historic preservation; use of information storage, transmissions, processing and telecommunications; recreation including commercial ocean recreation activities, sports and athletics, and the Aloha Stadium.

(3) Committee on Education and Housing. The purview of this committee includes those programs relating to early education, public schools, continuing education, the public libraries, other matters relevant to primary education, including the Hawaii P-20 Initiative; housing development, including affordable housing and homeless and public housing.

(4) Committee on Energy and Environment. The purview of this committee includes those programs relating to energy resources including the development of alternative energy resources; population; and environmental quality control and protection, including litter control, recycling, wastewater treatment, endangered species, and hazardous waste.

(5) Committee on Health. The purview of this committee includes those programs relating to general health, maternal and child health, communicable diseases, dental health, medical and hospital services, mental health, developmental disabilities, and hospitals.

(6) Committee on Higher Education. The purview of this committee includes those programs relating to the University of Hawaii, community college system, private higher education bond financing, and other matters relevant to higher education, including the Hawaii P-20 Initiative.

(7) Committee on Human Services. The purview of this committee includes those programs relating to public assistance, Medquest, youth services, early childhood education and care programs under the Department of Human Services, and vocational rehabilitation; long term care; programs relating to the promotion of the general well-being of Hawaii's youth, families, and elderly population.

(8) Committee on Judiciary and Government Operations. The purview of this committee includes those programs relating to the courts; crime prevention and control, including juvenile justice matters; criminal code revision; statutory revision; campaign spending and elections; ethics; constitutional matters; the Attorney General, Public Defender and Judiciary; the purchase of visual art and administration of the Biennium Grants Program by the State Foundation on Culture and the Arts; government records and information practices; individual rights and civil liberties; and state government operations policy, including procurement and government efficiency; and state facilities not specifically identified herein.

(9) Committee on Labor. The purview of this committee includes those programs relating to public officers and employees, labor, employment opportunities and training, labor-management relations, collective bargaining; the Employees' Retirement System and the Hawaii Employer-Union Health Benefits Trust Fund.

(10) Committee on Public Safety and Military Affairs. The purview of this committee includes those programs relating to public safety, corrections, the narcotics division, and the sheriffs division; and military and veterans' affairs; space exploration and aerospace development; civil defense, and disaster readiness.

(11) Committee on Tourism. The purview of this committee includes those programs relating to tourism, including the Hawaii Convention Center, Hawaii Visitors and Convention Bureau, and the Hawaii Tourism Authority.

(12) Committee on Transportation and International and Intergovernmental Affairs. The purview of this committee includes those programs relating to air, water, and surface transportation; international affairs, international relations, foreign policy issues, and foreign relations; county and federal relations, and matters of concern to the counties.

(13) Committee on Water, Land, Agriculture, and Hawaiian Affairs. The purview of this committee includes those programs relating to state planning, sustainability, urban renewal, community development, and land and water use; coastal zone management, land reclamation, naturally occurring fisheries, and ocean resources; state parks and beaches, management areas including ocean recreation management areas; and small boat harbors, agriculture and aquaculture, including mariculture; burial councils; and Hawaiian affairs, including the Office of Hawaiian Affairs, sovereignty, and Hawaiian home lands.

(14) Committee on Ways and Means. The purview of this committee includes those programs relating to overall state financing policies, including revenue enhancement, taxation, other revenues, cash and debt management, and statewide implementation of planning, programming, budgeting and evaluation; and government structure and finance.

**Rule 18 Standing Committees: General Responsibility.**

(1) General Responsibility. On the bills referred to it, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Committee on Ways and Means, which shall make the final recommendation to the Senate.

(2) Subsequent referral committees; prior concurrence. On bills that have been referred to more than one committee, unless otherwise ordered by the Senate, the subsequent referral committee shall make no substantive change, except changes which affect the subject matter over which the subsequent referral committee has primary jurisdiction, without prior written approval of the preceding referral committee chair having primary jurisdiction over the subject matter affected by the change.

**Rule 19 Committee on Ways and Means: Special Responsibility.**

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas.

To the extent practicable, the Committee on Ways and Means shall make available to members of the Senate the contents of the General Appropriations Bill or the Supplemental Appropriations Bill during the 48-hour period prior to the passage of such bills on third and final reading.

Concerning all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available.

In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the recommendation of the chair of the Standing Committee responsible for the program area to which the appropriation relates.

**Rule 20 Leadership Committees.**

Leadership Committees, upon consultation and agreement with the Majority and Minority Leaders, may be appointed by the President at the opening of the session, or as soon thereafter as necessary. A leadership Committee on Legislative Management, upon consultation and agreement with the Majority and Minority Leaders, may be appointed by the President to perform the duties and responsibilities of the Committee as may be provided by law, or to make recommendations to the President on issues of Senate policy. Because Leadership Committees have jurisdiction over issues of organizational and institutional interest to the Senate, their membership shall include members drawn from the ranks of the Senate Leadership, thus assuring high-level consideration of these issues.

**Rule 21 Meetings of Committees.**

Meetings, including decision-making sessions, of leadership committees appointed by the President, and Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill.

Notice of meetings and decision-making sessions shall include the number and title of the bills or resolutions, and brief descriptions and committee referrals of each of the subject matters to be covered, and shall be publicly posted by first referral committees at least 72 hours before their meetings and by subsequent referral committees at least 48 hours before their meetings, no later than 4:00 p.m. on the last work day of the week, provided that these notice requirements may be waived with the approval of the President upon good cause shown. The 72 hour notice requirement is waived for the initial decision-making meeting for short form bills.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees that may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of a Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

**Rule 22 Decision-Making by Committee.**

(1) The chair of a standing committee may commence a decision-making meeting and open discussion on matters referred to the committee without a quorum; provided that the decision-making by the committee on matters that are referred to it shall be conducted with a quorum of the committee present. A quorum shall be a majority of the membership of the committee.

(2) A favorable vote of a majority of the members present at a decision-making meeting duly constituted with a quorum is required to report a matter out of committee. A member voting "with reservations" shall be counted as a favorable vote.

(3) The presence of a quorum and the final vote of each member who is present at the decision-making meeting of a standing committee shall be recorded by the chair or by a member of the committee designated by the chair. This record shall be attached to and shall be a part of the report of the standing committee.

**Rule 23 Public Hearings on Bills.**

(1) Subject to this rule, the selection and scheduling of a bill for public hearing shall be at the discretion of the chair of the committee having jurisdiction over the bill.

(2) The chair's determination that a bill will have a public hearing shall be final notwithstanding the opposition of a majority of the members of the committee.

(3) At the written request of a majority of the members of the committee, the chair shall schedule a bill for public hearing.

(4) If a bill:

- (A) Has been referred to more than one standing committee and more than one committee hearing is required for passage of the bill out of the Senate;
- (B) Contains any significant or substantial amendment made by a committee other than the last standing committee to which the bill has been referred; and
- (C) The public has not been provided with an opportunity to submit testimony on the significant or substantial amendment;

then, prior to reporting the bill out of the last standing committee, the last standing committee to which the bill has been referred shall hold a public hearing to provide the public with the opportunity to testify on the bill.

**Rule 24 Committee Reports.**

(1) The leadership committees as may be appointed by the President and Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members of each house appointed by their respective presiding officer have concurred in the report.

**Rule 25 Committees: Fact-finding and Content of Reports.**

(1) Whenever any matter shall be referred to a committee, it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate in accordance with the provisions of Chapter 21 of the Hawaii Revised Statutes. The President may exercise such powers authorized under Chapter 21, relating to the issuance of subpoenas, and the President, committee chair and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) The report shall also include a reference that testimony on the measure is available electronically on the Legislature's website and a brief summary of the positions taken in the testimonies submitted.

(4) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills referred to the committee.

(5) The committee shall report whenever a majority of the members present at the decision-making meeting duly constituted with a quorum is in favor of reporting the bill or resolution out of the committee. The report, after being made available, for review by the members of the committee, and after subsequent revisions thereto, if any, shall be the final report of the committee. The final report of the committee shall be attested to by the signature of the chair on behalf of the members of the committee. The action of the committee on the bill or resolution or any amendments thereto, if any, and the final vote of each member of the committee recorded by the chair or the chair's designee at a decision-making meeting shall not be changed in the review of the report, unless the change is made at an open decision-making meeting conducted with a quorum of the committee present. The minority of the members present at any decision-making meeting duly constituted with a quorum may report.

#### **Rule 26 Committee of the Whole.**

(1) The Senate from time to time may resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chair), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The Committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last. All amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

### **PART III. SESSIONS; ATTENDANCE; NOMINATIONS**

#### **Rule 27 Meetings.**

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at eleven-thirty o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

#### **Rule 28 Attendance.**

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

#### **Rule 29 Extension of Session.**

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request an extension of \_\_\_\_\_ days of the \_\_\_\_\_ session of \_\_\_\_\_ of the \_\_\_\_\_ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

#### **Rule 30 Recessed Session.**

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

#### **Rule 31 Special Sessions.**

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

“To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the \_\_\_\_\_ Legislature of the State of Hawaii be convened at \_\_\_\_\_.”

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate’s responsibilities under Article VI, Section 3, of the Constitution. The petition shall read:

“To the President of the Senate

Your petitioners, members of the Senate of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at \_\_\_\_\_.”

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

(3) A meeting of the Senate may be convened at any time for the purpose of carrying out the Senate’s responsibilities under Article III, Section 12, of the Constitution of the State of Hawaii, by a petition submitted to the Clerk of the Senate signed by a majority of the members to which the Senate is entitled. In such meeting, the Senate may organize itself, choose its officers, and adopt rules for its administration. The petition shall read:

“To the Clerk of the Senate

The petitioners, members of the Senate of the \_\_\_\_\_ Legislature of the State of Hawaii, shall convene a meeting of the Senate of the State of Hawaii at \_\_\_\_\_.

The meeting of the Senate shall be held for the purpose of carrying out the Senate’s responsibilities under Article III, Section 12, of the Constitution of the State of Hawaii to organize itself, choose its officers, and adopt rules for its administration.

The petition shall be in writing, above the signatures of the members.

When the Clerk of the Senate receives such a petition, and it is properly signed by a majority of the members to which the Senate is entitled, the Clerk of the Senate shall issue a notice of the meeting for the time and place sought in the petition.

### **Rule 32 Adjournments.**

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

### **Rule 33 Motion to Adjourn.**

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

### **Rule 34 Quorum.**

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

### **Rule 35 Executive Session.**

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

**Rule 36 Clearing of the Senate.**

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

**Rule 37 Nominations; Appointments.**

(1) Nominations made by the Governor and removal of the chief legal officer of the State which require the advice and consent of the Senate, and appointments which require the confirmation or consent of the Senate shall be referred to the standing committee having jurisdiction within five legislative days of receipt of the nomination or appointment. The standing committee to which a nomination, removal of the chief legal officer or appointment is referred, shall report to the Senate with a recommendation to advise and consent, confirm, or reject on or before the fifty-ninth day of the session.

(2) Except for the appointment of a justice or judge, a nomination or appointment made by the Governor which is received by the Senate after the forty-first day of the session of the Legislature shall be returned to the Governor without action, unless a confirmation or consent is required to further a public purpose which cannot be satisfied by an interim appointment. Notice of this rule shall be given to the Governor not later than the twentieth day of the session of the Legislature.

(3) The final question on nominations made by the Governor shall be: "Will the Senate advise and consent to this nomination?"

(4) The final question on the removal of the chief legal officer of the State shall be: "Will the Senate advise and consent to the removal of the chief legal officer of the State?"

(5) The final question on appointments made by the Governor which require the confirmation or consent of the Senate shall be: "Will the Senate confirm (or consent) to this appointment?"

(6) The final question on nominations, removal of the chief legal officer or on appointments shall not be put sooner than twenty-four hours from the time when the nomination or appointment is received, nor on the day in which it may be reported by a committee, unless by unanimous consent.

(7) Public hearings shall be held for all nominees, for the removal of the chief legal officer of the State, and for all appointees prior to confirmation or consent by the Senate.

(8) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

**Rule 38 Meeting at a Place Other than the Capitol.**

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

**PART IV. ORDER OF BUSINESS****Rule 39 Order of Business: General.**

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and senate resolutions and introduction of bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of the Leadership Committee on Legislative Management.
- (7) Reports of Standing Committees.
- (8) Reports of other Leadership Committees.
- (9) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (10) The Order of the Day.
- (11) Miscellaneous communications.
- (12) Any miscellaneous business on the President's table.

**Rule 40 Order of Business: Special.**

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

**Rule 41 Order of Business: Committee Reports and Gubernatorial Messages.**

Reports from Conference or Joint Committees, and from Leadership Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

**Rule 42 Order of Business: Order of the Day.**

(1) All floor votes on legislation will be posted on the order of the day.

(2) After the first seven orders of business set forth in Rule 39, it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

**Rule 43 Order of Business: Unfinished Business.**

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

**Rule 44 Order of Business: Questions on Priority.**

All questions relating to the priority of business to be acted upon shall be decided without debate.

**PART V. BILLS****Rule 45 Bills: Introduction.**

Any bill may be introduced on the report of the committee or by any member, except appropriation bills subject to the next paragraph, and except short form bills which may only be introduced by the majority leader or the minority leader after appropriate consultation with committee chairs and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for funding of collective bargaining agreements may be introduced only by the President. Each member may introduce only one bill appropriating money for capital improvements projects in the member's district. The majority leaders and the minority leader shall develop a policy governing introduction by individual members of bills intended to appropriate money or to authorize the issuance of state bonds.

Bills, which shall carry over from a regular session in an odd-numbered year to the next regular session, shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and stricken and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule, nor an amending bill where the intent and effect of the amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

**Rule 46 Bills: Referral to Committee.**

(1) Upon introduction, all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, and shall pass first reading.

(2) The majority research office shall make recommendations to the majority leadership on the referral of each such bill to appropriate Leadership or Standing Committees.

(3) Each such bill shall be referred by members of the majority leadership appointed by the President, to one or more appropriate Leadership or Standing Committees for consideration.

(4) Any referral may be reconsidered by the President upon written request of any chair who is aggrieved by the referral made within three working days. The President shall decide the request for reconsideration within a reasonable time, which decision shall be final. No request for reconsideration shall be considered if the timing of the request would have the effect of killing a bill or resolution.

(5) Each Leadership and Standing Committee shall consider the bills and other matters referred to it as expeditiously as may be possible.

**Rule 47 Bills: Required Readings.**

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

**Rule 48 Bills: First Reading.**

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

**Rule 49 Bills: Second Reading.**

A bill upon its second reading may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Leadership Committee, Standing Committee, or Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chair of such committee. When the bill is reported from committee, it shall take its place in the order of business for future consideration.

**Rule 50 Bills: Third Reading.**

(1) No bill shall pass third or final reading in the Senate unless copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A bill on its third or final reading may be read by its title only. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

(3) All bills, except on first reading, shall be identified by title on the Order of the Day before consideration by the members unless waived by the President.

**Rule 51 Bills: Property of Senate.**

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

**Rule 52 Bills: Recall from Committee.**

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

**Rule 53 Matters Tabled.**

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

**Rule 54 Bills: Amendments.**

(1) All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

(2) The fundamental purpose of any amendment to a bill shall be germane to the fundamental purpose of the bill.

(3) The Clerk shall prepare and distribute copies of any proposed floor amendment to each member of the Senate present.

(4) A floor amendment shall be deemed pending only after its proponent has been recognized by the President and its adoption has been properly moved and seconded.

(5) A floor amendment that relates to a different subject, is intended to accomplish a different purpose, incorporates any other bill pending before the Senate, or would alter the nature of the bill as reported, is not germane and shall not be considered by the Senate.

(6) An amendment to a floor amendment that is not germane to both the floor amendment and the bill as reported shall not be considered by the Senate.

**Rule 55 Bills: Certification.**

When a bill is passed, it shall be certified by the Clerk who shall note the day of its passage in the Journal along with a record of the ayes and noes.

**Rule 56 Bills: Received from House of Representatives.**

Whenever a House bill which has passed Third Reading in the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

**Rule 57 Bills: Transmittal to House of Representatives.**

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

**Rule 58 Bills: Correction of Errors.**

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the house last considering the bill for proper correction.

**Rule 59 Bills: Order of Consideration.**

(1) The Clerk shall ensure that bills that have passed first reading are made immediately available. When the bills have been made available to the members of the Senate, the Majority Leadership, appointed by the President, shall refer the bills to the various committees. When the committees have considered the bills and reported on them, the committees shall return the bills to the Clerk, and the Clerk shall place the bills in the Second Reading File. The Senate shall consider the bills in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

**Rule 60 Bills: Special Order of Consideration.**

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

**PART VI. RESOLUTIONS; MOTIONS****Rule 61 Resolutions and Motions: Form.**

All resolutions shall be typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory, commemorative or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so ordered.

**Rule 62 Motions: Disposition.**

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the mover at any time before an amendment has been adopted or before the decision on the motion if not amended.

**Rule 63 Motions Applicable to Pending Matters.**

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit or recommit, and
- (5) To amend, which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

A motion to recommit will require a floor vote.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

**Rule 64 Matters Postponed Indefinitely.**

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

**Rule 65 Motion for Previous Question.**

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a three-fifths vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 63, shall be put. The author or introducer may delegate to another such right to close.

**Rule 66 Motion for Reconsideration.**

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted on the side that did not prevail to move for a reconsideration thereof; but any member who voted on the prevailing side may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

## PART VII. PETITIONS AND COMMUNICATIONS

**Rule 67 Petitions, Memorials, and Miscellaneous Communications.**

(1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 61, shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.

(5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

## PART VIII. ORDER; DEBATE; VOTING

**Rule 68 Questions of Order.**

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

(2) Any question of order may be submitted to the Senate for its decision.

**Rule 69 Debate: General Limitation.**

No member shall speak more than twice, unless such member be the mover of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

**Rule 70 Voting: Methods.**

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice; Second, by raising of hands; Third, by rising; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote either by rising in their places, and they shall remain standing until counted, or by raising their hands and the result again shall be announced.

(4) The President shall, when one-fifth of the members present so request, and may, when one member so requests, allow a roll-call vote. Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No," if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(5) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

**Rule 71 Voting: Rights of Members.**

(1) No member, on any account, shall refrain from voting unless excused by the President. A member voting "with reservations" shall be counted as a favorable vote. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

**PART IX. DECORUM; DISCLOSURES; PEER REVIEW; PUNISHMENT**

**Rule 72 Misconduct; Procedure; Peer Review.**

No member of the Senate shall be subject to a charge for misconduct, disorderly behavior, or neglect of duty unless the person making the charge shall have first given notice of the charge to the President and to the member being charged.

Upon receipt of the charge, the President shall attempt to resolve the matter in an administrative proceeding. If the matter cannot be resolved administratively, the President may appoint a Special Committee to be chaired by the Vice-President or such other member as the President may designate to investigate, hear and report upon the conduct of the member charged for misconduct, disorderly behavior or neglect of duty. Any member so charged shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense before the Special Committee. Following its investigation and hearing, the Special Committee shall file its report with the President setting forth its findings and recommendations.

If the committee recommends dismissal of the charge or charges, the President may dismiss the charges without further hearing, or the President may present the report of the committee to the Senate for its consideration. The Senate, by a majority vote, may dismiss the charge or charges against the member without a hearing.

If there is no dismissal of the charge or charges, or if the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The member who is charged, shall be informed in writing of the presentation of the charge or charges of the committee report to the Senate and be given an opportunity to be heard in the member's own defense. The Senate, by a majority vote, may dismiss the charge or charges without a hearing, or with notice and an opportunity to be heard in the member's own defense, censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

At any stage of the charge against a member, the member shall have a right to be represented by a person or persons of the member's own choosing.

**Rule 73 Decorum: Transgression of Rules.**

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, the member immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

**Rule 74 Decorum: Address.**

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only

(e.g., “Senator from the \_\_\_\_\_ District”; “The Chair of the Committee on \_\_\_\_\_”; “The Majority Leader,”) and not by name and shall avoid personalities.

**Rule 75 Decorum: Person Called to Order While Speaking.**

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

**Rule 76 Decorum: Presence in Senate.**

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

**Rule 77 Decorum: Conduct in Session.**

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

No one shall cause any annoyance or disturbance on the Senate floor by use of sound-emitting electronic devices such as cell phones or pagers.

**Rule 78 Decorum: Disorderly Conduct in Session.**

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day’s session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Article III, Section 18 of the Constitution shall govern.

**Rule 79 Decorum: Recording of Debate Called to Order.**

If any Senator is called to order for words spoken in debate, upon the member’s demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

**Rule 80 Decorum: Smoking.**

No member or other officer shall smoke anywhere within the capitol building unless permitted by law.

**Rule 81 Standards of Conduct.**

(1) Members should conduct themselves in a respectful manner befitting the office with which they as elected officials have been entrusted, respecting and complying with the law and acting at all times in a manner that promotes public confidence in the integrity of the Senate.

(2) Members should not lend the prestige of public office to advance the private interests of themselves or others; nor should members convey or permit others to convey the impression that they are in a special position to unduly influence pending public business before them.

(3) Members should treat their fellow Senate members, staff, and the general public with respect and courtesy, regardless of political or religious beliefs, race, ethnicity, sex, sexual orientation, or physical disability.

(4) The legislative duties of members as prescribed by law and these Rules should take precedence over all of their other business or professional activities. Members should freely and willingly accept certain restrictions on their business activities and professional conduct that might be considered burdensome by an ordinary private citizen, and should perform the duties or elected office impartially and diligently. To the greatest extent reasonably possible, members should:

- (A) Refrain from allowing family, social, business, or other relationships to unduly influence the member’s legislative conduct or judgment.
- (B) Refrain from showing bias or prejudice, including but not limited to bias or prejudice based on political or religious beliefs, race, ethnicity, sex, sexual orientation, or physical disability, in the performance of their official duties.
- (C) Exercise patience, tolerance and courtesy to all those with whom they deal with in an official capacity, and require staff and others subject to their direction and control to maintain similar standards of conduct, fidelity, and diligence inherent in public service.
- (D) Exercise the power of appointment impartially and on the basis of merit, refraining from making unnecessary appointments and approving compensation of appointees beyond the fair value of services rendered.
- (E) Afford to every person who wishes to participate in the legislative process the opportunity to be heard according to established procedures.

- (F) Consider at all times whether their conduct would create in reasonable minds the perception that their ability to carry out legislative responsibilities with integrity and independence is either questionable or impaired.
- (G) Refrain from using, or permitting the use of, the privileges and prestige of their public office to derive undue personal, professional, or financial benefits for themselves, members of their families, or others with whom they maintain personal, business, or professional relationships.
- (H) Refrain from engaging in financial and business dealings that involve them in frequent transactions, or continuing business or professional relationships, with those persons likely to derive benefits from public financial matters either pending or already deliberated and voted upon by the Senate, to the extent that such conduct may reasonably be perceived as personal exploitation of their public office.

**Rule 82 Decorum: Solicitation Prohibited.**

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

**Rule 83 Disclosures.**

Each member shall file with the Ethics Commission of the State of Hawaii, a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

**Rule 84 Violating Confidence.**

If any matter covered in Rule 35 or 36 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Article III, Section 18 of the Constitution and in the manner as therein prescribed.

**Rule 85 Conflicts of Interest.**

(1) No member shall vote on any legislation if the member has a direct financial interest in the legislation, unless the member is part of the class of people affected by the official action based upon the member's profession, trade or business; provided that this rule shall not apply to votes on the recommendations of a committee when a member has disclosed a potential conflict. For the purposes of this rule, a "direct financial interest" means that the legislation affects the legislator's personal business, property, or financial interest.

(2) If a member is uncertain as to whether a conflict of interest exists, the member may request a ruling from the President by giving notice and disclosing the direct financial interest to the President prior to voting. When making a determination in cases where a portion of a measure may place a member in a conflict of interest, the President shall give due consideration to the context of that portion as it relates to the overall purpose of the measure. If the President determines that a conflict exists, the President shall excuse the member from voting.

**PART X. QUESTIONS TO STATE OFFICERS****Rule 86 Questions to State Officers.**

Any member of the Senate may ask any question of any state officer relating to the officer's respective department by reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

**PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES****Rule 87 Amendments; Suspension; Violations.**

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose upon a majority vote of the members of the Senate.

(3) Any violation of these Rules shall be referred to the President for appropriate action.

**Rule 88 Parliamentary Procedure.**

Mason's Manual of Legislative Procedures, 2000 edition, where not inconsistent with the Rules and practices of the Senate, shall govern.

**PART XII. MISCELLANEOUS POWER****Rule 89 Administrative and Financial Manuals.**

(1) The Senate shall adopt by majority vote an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate policies.