

THIRTY-FIFTH DAY

Wednesday, March 19, 2014

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2014, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Fourth Day.

Senator Ihara noted that there were 11 interns participating in the Legislative Intern Program for the Senate, thanked the Senate President for speaking with the interns that morning, and introduced his intern, Yim Pham, a senior at Kaimuki High School whose interests include public service and politics.

Senator Baker introduced her interns, William Summers, a junior at Henry Perrine Baldwin High School whose interests include Army ROTC and law, and Stephanie Lawless, a senior at Lahainaluna High School whose interests include political science and civil law.

Senator Taniguchi introduced his intern, Annalisa Okimoto, a junior at President Theodore Roosevelt High School who plays in the school band.

Senator Gabbard introduced his intern, Noah Eckart, a sophomore at Kapolei High School whose interests include student government and public policy.

Senator Keith-Agaran introduced his intern, Brian Zamora, a senior at Maui High School and participant in the Secondary Students Conference whose interests include public service.

Senator Dela Cruz introduced his interns, Brianna Pasoquen-Rabago, a junior at Leilehua High School, and Candace Okouchi, a senior at Leilehua High School whose mother taught Senator Dela Cruz when he was in high school.

Senator Chun Oakland introduced her intern, Jeremy Tongpalan, a junior at President William McKinley High School whose interests include student leadership and law enforcement.

Senator Espero introduced his intern, Ka'io Akiyama, a junior at James Campbell High School whose interests include public policy and government.

Senator Kouchi introduced his intern, Autumn Warnock, a junior at Island School whose interests include Mock Trial, law, and psychology.

Senator Ihara rose to note that the Legislative Intern Program was co-sponsored by the Department of Education and the University of Hawai'i Uehiro Academy for Philosophy and Ethics in Education, and introduced intern educator Dr. Amber Makaiau.

Senator Ige congratulated the Pearl City High School boys varsity wrestling team on winning the 2014 Hawaii High School Athletic Association (HHSAA) State Wrestling Championship, and introduced the following team members and coaches: Jasper Cantorna, Dayton Higa, two-time State Champion Alex Ursua, Trevor Alvarado, Baylen Cooper, Matt Uyeno, Timmy Riviera, Josh Celentano, three-time State Champion Blake Cooper, Kristian Vaana-Kikuyama, Maui Lee, Paul Joe, Jackson Fuamatu, and Jordan Fuamatu; and Head Coach Michael Lee; Assistant Coaches Bryson Pascua and Justin Fuentes; volunteer assistants Torey Seminara, Ian Tominaga, Seth Ching, and Reynold Cooper; team parents Michael Lee, Sr. and Doris Lee; and trainers Kim Imamoto and Gabriel Bledsoe.

Senator Solomon rose to recognize representatives from Monsanto who were present in the gallery.

Senator English, on behalf of the Maui senators, welcomed a group of students from Maui who were present in the gallery.

Senator Nishihara rose to recognize representatives from Pioneer who had been visiting the Capitol that morning.

Senator Tokuda thanked Senators Baker, Chun Oakland, and Thielen for their participation in that morning's physical and wellness activities for Healthy Schools Day; and welcomed members of the Early Learning Advisory Board, Action Strategy participants, and Secondary Students Conference members who were present in the gallery.

Senator Tokuda then congratulated Sheena Alaisa for being selected as the 2013 Hawaii Middle School Principal of the Year and the 2014 National Association of Secondary School Principals (NASSP) National Middle School Principal of the Year while at King Intermediate School, and presented the following remarks:

"So now on Day 3 of Education Week, we definitely have some amazing educators to recognize on the floor, and I have the honor and privilege of beginning with our 2013 Principal of the Year and 2014 National Middle-Level Principal of the Year. Sheena Alaisa is the first educator from Hawai'i to be named National Middle-Level School Principal of the Year by MetLife and the National Association of Secondary School Principals.

"Sheena led King Intermediate, my alma mater, out of restructuring, creating a safe, personalized environment in which all students feel welcomed and valued. And by the way, if you go to any King student and ask them what 'SAM' means – and it's not the guy who wants to make you eat green eggs and ham – they will tell you, 'Student Achievement Matters,' and that's an outstanding accomplishment.

"I always think back to that moment when we were all huddled in the gym, waiting to surprise her with the announcement that she had won the national award. There were hundreds of students, principals from the entire complex area, teachers, community members; we all had tears in our eyes, leis in our hands, and it was all so deeply personal to every single one of us, as if we had all won that national award with her. And I think that's actually a direct reflection on the kind of leadership style that Sheena has. It's never just about her: it's always about raising up the people around her, and I think that's what makes her absolutely so special to all of us.

"I remember preparing the comments to the national committee when we were helping to support her nomination, and I remember telling them that, for me – as both an alumna, as a future parent of King Intermediate students, and as the niece of a former principal (I believe the first principal, actually) of King Intermediate School – I am most thankful and grateful to Sheena because she gave us something back that we were struggling to regain: she made us proud of our school.

"So, thank you so very much on behalf of myself, my family, and my community for giving us that back, Sheena. We are forever grateful. So, please join me in, once again, congratulating not just our Middle School Principal of the Year, but our National Middle-Level School Principal of the Year, Sheena Alaisa."

Senator Tokuda then recognized Naomi Matsuzaki of Kahalu'u Elementary School for being selected as the 2013 National Association of Elementary School Principals (NAESP)

Hawaii Distinguished Principal of the Year, and presented the following remarks:

“Naomi Matsuzaki is our 2013 Hawaii Elementary School Principal of the Year, but Naomi couldn’t be here today, so we actually have her outstanding principal daughter, Wendy Matsuzaki, here to accept on her behalf. Wendy is the principal of Waiahole Elementary School. Well, actually, Wendy, you’re acting principal now at King Intermediate, right? Okay.

“Naomi was awarded the National Distinguished Principal Award in 2013 by the National Association of Elementary School Principals and the Hawaii Elementary and Middle School Administrators’ Association. Naomi served as principal at Benjamin Parker Elementary School – my husband’s alma mater – and King Intermediate School and is currently the principal at Kahalu’u Elementary School. I wish we had their nationally recognized Kahalu’u ‘Ukulele Band here to perform for us, and I should mention, under Mrs. Matsuzaki’s leadership, they have been invited to play, I believe, next year in Washington, D.C. So congratulations to them, as well.

“She’s been instrumental in leading the Kahalu’u School out of restructuring and into unconditional good standing. So, congratulations again to Naomi Matsuzaki, our 2013 Hawaii Elementary School Principal of the Year.”

Senator Slom congratulated CeliaAnn Main-Anakalea of Kaimuki Middle School for being selected as the 2013 Hawaii Vice Principal of the Year, and presented the following remarks:

“Thank you, Madam President, and thank you, Senator Tokuda. I love Education Week. It’s wonderful, and we get to meet some wonderful people, like the person that I am honored to introduce right now: Hawai’i’s Vice Principal of the Year, CeliaAnn Main-Anakalea.

“CeliaAnn is vice principal at Kaimuki Middle School. She’s been there for seven years, and everyone agrees that she has provided a high-quality environment for the students at Kaimuki Middle School. She is respected for her collaborative leadership and she’s dedicated to supporting the involvement of families as well as community and organizations at Kaimuki. And her efforts at the school reflect high expectations for her teachers, students, and staff. CeliaAnn Main-Anakalea.

“And in the gallery, in support, we have Violet Anakalea, David Main, Roxanne Main, and David Alexander Main; stand and be recognized. Thank you all very much.”

Senator Nishihara recognized Keith Hayashi of Waipahu High School for receiving the 2013 Masayuki Tokioka Excellence in School Leadership Award, and presented the following remarks:

“Thank you, Madam President. At this time, I’d like to introduce Keith Hayashi, the 2013 Masayuki Tokioka Excellence in Leadership awardee. Mr. Hayashi has been an educator for 25 years. He’s been the principal of Waipahu High School since 2009. He has developed several innovative programs with one area of focus being on achieving students’ career and college goals. The College Readiness Academy Success Hawaii, or CRASH (I hope it’s not indicative of the program), is another unique program developed by Mr. Keith Hayashi to help students and their parents obtain financing for secondary education.

“And at this time, I’d like to also recognize in the gallery Mr. Hayashi’s wife, Donna; Kira and Kami, their daughters; Amy Hayashi, his mother; and Shige and Laura Honda, father-in-law and mother-in-law.”

Senator Kidani congratulated the Mililani High School “We the People” team on winning top honors at the 2014 “We the

People: The Citizen and the Constitution” program, and presented the following remarks:

“During this recognition of Education Week, it is my distinct pleasure this morning to welcome to the Senate an outstanding group of students from Mililani High School. They comprise the Advanced Placement class in government and politics that together won the top position in the state’s finals for the ‘We the People’ competition.

“That program seeks to education our young people in elementary, middle, and high schools about the rights and responsibilities of U.S. citizenship by teaching the history and principles of the U.S. Constitution and the Bill of Rights. After having studied the Constitution and having prepared for the competition through the school year, the Mililani team appeared at the state finals on February 1. Their essays and answers to questions were presented before a panel of Supreme Court justices, distinguished members of the legal community, college professors, and others including, by the way, our own colleague, Senator Glenn Wakai. At the end of the day, Mililani High School emerged victorious and the team will now travel to Washington, D.C. late next month to represent Hawai’i in the national ‘We the People’ finals. Their part in the finals will be to testify as though at a congressional hearing on aspects of constitutional history and interpretation.

“Colleagues, there are 16 members on the winning team from Mililani; 4 of them, selected by their fellow students to represent the team, are with us on the floor this morning: Isis Osborne, Daniel Smith, Joby Celozza, and Caytlin Yoshioka. The remaining team members are seated in the gallery: Kanoë Ackerly, Gilbert Caraveo, Princess De Dios, Stephanie De Juan, Marcus Dunn, Justin Hara, Aina Iglesias, Josh Lopez, Allysen Manding, Miguel Menjivar, Joseph Tagorda, and last but not least – and you should be nice to her, because her daddy is somebody you all know – Myla Pereira. She’s the daughter of TV reporter Andrew Pereira. And also with them is the team’s teacher and coach for the competition, Dr. Amy Perruso.

“We would also like to acknowledge the Hawai’i Judiciary History Center that has coordinated the ‘We the People’ program since 1987, the bicentennial anniversary of the U.S. Constitution. For your information, Hawai’i has sent a ‘We the People’ team to Washington, D.C. every year since 1993, to compete with teams from all 50 states. Over the course of that time, Hawai’i has placed 2 teams in the top 10 and won regional and unit awards. Dr. Perruso has told me that while there are 16 young men and women on the team, the Hawai’i contingent traveling to D.C. may actually be one of the smaller teams there for the finals. That means that a couple of these students are going to have double up on their areas of expertise to effectively challenge their counterparts from the mainland, who normally have 30 on their team.

“We have every confidence that Hawai’i will be very well-represented at the finals, and we wish them Godspeed and good luck as they continue to prepare. Go, Trojans!”

Senator Tokuda rose to introduce Norris and Risha Alaiasa, members of Sheena Alaiasa’s family who were present in the gallery, as well as Department of Education Superintendent Kathryn Matayoshi.

Senator Wakai rose to extend congratulations to the Mililani High School “We the People” team, who stood head and shoulders above the rest of the public and private schools. Senator Wakai judged the competition a month ago, and noted that while other schools did very well, including noted competitor Kahuku High School, the Mililani team was well-prepared and well-versed in the material, showing a thorough understanding of the history of the United States Constitution and how it applies to our lives today. Senator Wakai also

commended their teacher, Dr. Amy Perruso, for her efforts that help the Mililani team excel every year, and acknowledged the hard work of the students, teachers, and administrators in our education system.

Senator Ihara noted that the Hawaii Association of Independent Schools (HAIS) was learning about the Legislative Intern Program to consider implementing it into private school curriculum, and introduced HAIS representative Lauren Calhoun of Island School on Kauai.

Senator Slom rose to speak on a point of personal privilege as follows:

"I would like to add my congratulations to Mililani and to the program. And I would like to suggest that perhaps we need a couple of teams here in the State Senate – about the Constitution, knowledge of our history – and perhaps we could call on the good people from Mililani to help instruct us with that. Thank you, Madam President."

At 12:04 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 p.m.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2912) recommending that H.B. No. 2059, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2059, H.D. 2, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2913) recommending that H.B. No. 1893, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1893, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2914) recommending that H.B. No. 1539, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1539, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY'S ADMINISTRATION OF THE HOUSING CHOICE VOUCHER PROGRAM," 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. 2915) recommending that H.B. No. 1576, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," passed Second

Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Tokuda, for the Committee on Human Services and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 2916) recommending that H.B. No. 1756, 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 Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1756, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," 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. 2917) recommending that H.B. No. 1889, H.D. 1 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1889, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HOMELESS PERSON'S BILL OF RIGHTS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2918) recommending that H.B. No. 2448, H.D. 2 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2448, H.D. 2, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2919) recommending that H.B. No. 2298, H.D. 1 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2298, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE TO CHILDREN PURSUANT TO THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2920) recommending that H.B. No. 2251, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2251, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," 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. 2921) recommending that H.B. No. 2581, 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 Espero, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2581, H.D. 3, 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 Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2922) recommending that H.B. No. 2269, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2269, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2923) recommending that H.B. No. 1882, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1882, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRISTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2924) recommending that H.B. No. 1830, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1830, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2925) recommending that H.B. No. 2045, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2045, H.D. 1, 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 Friday, March 21, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2926) recommending that H.B. No. 2019, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2019, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2014.

Senators Chun Oakland and Nishihara, for the Committee on Human Services and the Committee on Agriculture, presented a joint report (Stand. Com. Rep. No. 2927) recommending that H.B. No. 2560, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2560, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," passed Second Reading and was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Senators Nishihara and Gabbard, for the Committee on Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2928) recommending that H.B. No. 1932, 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 Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1932, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2929) recommending that H.B. No. 2347, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2347, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TAXATION CRIMINAL INVESTIGATORS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2930) recommending that H.B. No. 2363, 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 Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2363, 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.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2931) recommending that H.B. No. 1024, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1024, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2932) recommending that H.B. No. 1570, H.D. 1 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBER," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2933) recommending that

H.B. No. 1664, H.D. 1 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1664, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION FOR FIREWORKS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2934) recommending that H.B. No. 1858 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2935) recommending that H.B. No. 2139, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2139, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2936) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kauai and Niihau of the following:

JANET BRADFORD, in accordance with Gov. Msg. No. 519;

WAYNE HARADA, in accordance with Gov. Msg. No. 520; and

LEIANA ROBINSON, in accordance with Gov. Msg. No. 527.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2936 and Gov. Msg. Nos. 519, 520 and 527 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2937) recommending that the Senate advise and consent to the nominations to the State Board of Chiropractic Examiners of the following:

JAMES PLEISS, in accordance with Gov. Msg. No. 539; and

LINA KIKUTA, in accordance with Gov. Msg. No. 540.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2937 and Gov. Msg. Nos. 539 and 540 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2938) recommending that the Senate advise and consent to the nomination of ALAN KAUFMAN to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 541.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2938 and Gov. Msg. No. 541 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2939) recommending that the Senate advise and consent to the nomination of GERALD SILVA to the Cable Advisory Committee, in accordance with Gov. Msg. No. 542.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2939 and Gov. Msg. No. 542 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2940) recommending that the Senate advise and consent to the nomination of ALAN NAKAMURA to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 543.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2940 and Gov. Msg. No. 543 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2941) recommending that the Senate advise and consent to the nomination of LORAIN FLEMING to the State Board of Nursing, in accordance with Gov. Msg. No. 544.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2941 and Gov. Msg. No. 544 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2942) recommending that the Senate advise and consent to the nomination of JO ANN TSARK to the Board of Directors of the Hawaii Health Connector, in accordance with Gov. Msg. No. 545.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2942 and Gov. Msg. No. 545 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2943) recommending that the Senate advise and consent to the nomination of EDWARD PUNUA to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 546.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2943 and Gov. Msg. No. 546 was deferred until Thursday, March 20, 2014.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2944) recommending that the Senate advise and consent to the nomination of BRUCE KAWANO to the State Boxing Commission of Hawaii, in accordance with Gov. Msg. No. 547.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2944 and Gov. Msg. No. 547 was deferred until Thursday, March 20, 2014.

Senator Solomon, Chair of the Committee on Water and Land, requested waivers of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1823, H.D. 1 and H.B. No. 193, H.D. 1.

Senator Solomon noted:

"H.B. No. 1823, H.D. 1: subject matter chairs request this measure to be heard to continue the discussion on appraisal disputes through nonbinding mediation.

"A proposed S.D. 1 for H.B. No. 193, H.D. 1 has already been posted for public hearing. Due to new content made to the proposed S.D. 1, the subject chairs are requesting this waiver to

update the hearing notice of H.B. No. 193, H.D. 1, S.D. 1 Proposed.”

The Chair granted the waivers.

Senator Solomon announced that the Committee on Water and Land and the Committee on Judiciary and Labor would be holding a public hearing on H.B. No. 1823, H.D. 1 on Thursday, March 20, 2014, at 1:20 p.m. in Conference Room 225.

Senator Solomon announced that the Committee on Water and Land and the Committee on Economic Development, Government Operations and Housing and the Committee on Public Safety, Intergovernmental and Military Affairs would be holding a public hearing on H.B. No. 193, H.D. 1 on Thursday, March 20, 2014, at 3:30 p.m. in Conference Room 224.

Senator Espero, Chair of the Committee on Public Safety, Intergovernmental and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2521, H.D. 1.

Senator Espero noted:

“This measure provides an appropriation to remove dangerous trees or branches that pose a hazard to properties and to help clean streams and stabilize unstable rock and other land areas. We are requesting a waiver because we missed our deadline and there was some confusion on whether we were going to hear this measure or not.”

The Chair granted the waiver.

Senator Espero announced that the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Water and Land would be holding a public hearing on H.B. No. 2521, H.D. 1 on Thursday, March 20, 2014, at 1:18 p.m. in Conference Room 225.

Senator Tokuda noted that Education Week activities would continue the following day with a presentation on Creating New Best Practices for Public Education in Hawai‘i, as well as R.E.A.C.H. (Resources for Enrichment, Athletics, Culture and Health) performances by students from Mililani Middle School including band, orchestra, hula and Tahitian dancing, and robotics.

Senator Wakai rose to speak on a point of personal privilege as follows:

“I stand here before you with much sorrow. I thought my tears were dried up already, but they aren’t. But I do want to convey to all of you, as well as the staff: thank you for your support. I’m sorry I wasn’t here for the past two days. I particularly would like to thank Senator Nishihara, who guided my Technology and Arts Committee through the past two days. For years, I’ve affectionately called him ‘my fadda,’ and now that takes on a new meaning for me.

“But I really am happy to be here with all of you today. It was a complete shock for me on Saturday, with my father’s passing. He had a brain hemorrhage; the good news is he passed in his sleep, so there was no pain. Being that I’m not a medical professional, I do think, in my diagnosis, he died of a broken heart. I was here five months ago to convey to you my sorrow when my mom passed away, and now my dad is gone. I have no parents to lean on any longer, and I appreciate the fact that I’ve been able to lean on everyone in this room as well as those outside of this room.

“For the past few days, I’ve been thinking about my particular role in this body, and I relish the fact that we’re able to create policy, direct different ways in which Hawai‘i grows. But I also take into consideration that for me, when I’m facing my end of life, I’ll be happy about the policies we’ve created,

but perhaps even more happy about the relationships that I’ve made through the course of my life. We all wish, probably, we could spend more time with those who we love, and I certainly have that level of regret that I didn’t spend enough time with my mom and dad.

“But what I was trying to convey is that when we’re facing the last days of our life, I think it’s going to be really acknowledging how many lives we’ve touched, how many lives have touched us, and not so much about the policies we created and the bickering that we have, but about the people that we’ve embraced with our sense of kindness. I’m not going to be in politics for the rest of my life – for me, politics is a pit stop in the course of my life – but what I really appreciate are the individuals here who have embraced me over my years here, and I will continue to enjoy and relish the relationships I have built here. So thank you, Senate members, as well as the staff who support everything that we do for the people of Hawai‘i.

“Thank you, Dad, for giving me this opportunity to race in the direction that I saw fit. Thank you, Dad. Thank you, God. Thank you to all of you here in the Senate.”

The Chair extended sympathies to Senator Wakai on behalf of the members and staff of the Senate, and shared that everyone’s thoughts and prayers were with him.

ADJOURNMENT

At 12:21 p.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, March 20, 2014.