

FIFTY-SEVENTH DAY

Thursday, April 26, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2007, convened at 6:35 o'clock 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 with the exception of Senator Kim who was excused.

The President announced that she had read and approved the Journal of the Fifty-Sixth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 794 to 803) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 794, dated April 25, 2007, transmitting her statement of objections to Senate Bill No. 1063 which she has returned to the Senate without her approval and which reads as follows:

“EXECUTIVE CHAMBERS
HONOLULU
April 25, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1063

Honorable Members
Twenty-Fourth 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. 1063, entitled ‘A Bill for an Act Relating to Legislative Vacancies.’

The purpose of this bill is to require the Governor, in filling vacancies in the State Legislature and United States Senate, to select from a list of three names submitted by the political party of the former incumbent. Prospective appointees must have been members of the incumbent’s party for at least six months prior to appointment, and incumbents who were not members of any political party could only be replaced by other non-party members.

The goal of the present law is to fill vacancies in the State Legislature and the United States Senate in a timely manner when such vacancies occur. These vacancies in elective office are appropriately filled by the Governor, who is elected by the public at large, and, as such, is accountable to the public. The process for filling vacancies in the United States Senate and the Hawaii State Legislature has been in place since 1970 and has not been shown to have compromised the integrity of the election process.

This bill places the ability for determining who may be appointed by the Governor with the political party leadership of the vacating office holder. This is in spite of the fact that these individuals are not elected by the public and, as such, are not accountable to them.

Additionally, the bill, without any stated rationale, narrows the field of qualified candidates that the political party can consider to those who have been registered members of that party for at least six months prior to the appointment. Such a provision fails to recognize that this may unreasonably restrict the pool of potential candidates as the majority of people who personally and philosophically associate themselves with a political party and vote along party lines may not meet this requirement.

The Governor’s ability and responsibility to select the most qualified person to fill a vacancy should not be so narrowly restricted.

For the foregoing reasons, I am returning Senate Bill No. 1063 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii,”

was placed on file.

Gov. Msg. No. 795, advising the Senate of the withdrawal of the nomination of ELIZABETH G. FLETCHER to the Statewide Health Coordinating Council, under Gov. Msg. No. 693, dated March 30, 2007, was placed on file.

In compliance with Gov. Msg. No. 795, the nomination listed under Gov. Msg. No. 693 was returned.

Gov. Msg. No. 796, advising the Senate of the withdrawal of the nomination of GAIL EDYTH WEAVER to the Hawai'i Teacher Standards Board, under Gov. Msg. No. 717, dated March 30, 2007, was placed on file.

In compliance with Gov. Msg. No. 796, the nomination listed under Gov. Msg. No. 717 was returned.

Gov. Msg. No. 797, informing the Senate that on April 25, 2007, she signed into law House Bill No. 426 as Act 39, entitled: “RELATING TO PSYCHOTROPIC MEDICATION,” was placed on file.

Gov. Msg. No. 798, informing the Senate that on April 25, 2006, she permitted the following measure to become law without her signature:

Senate Bill No. 820 as Act 40, entitled: “RELATING TO DEVELOPMENTAL DISABILITIES.”

“Dear Madam President and Members of the Senate:

Re: Senate Bill No. 820 SD 1

On April 25, 2007, Senate Bill No. 820 SD 1 entitled ‘A Bill for an Act Relating to Developmental Disabilities’ 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 repeal date of Act 303, Session Laws of Hawaii 2006. Act 303 established a pilot project to expand the residential options of individuals with developmental disabilities or mental retardation to allow them to live in a setting of the person’s choice if it is determined that ‘the person can be sustained with supports, the supports are

attached to the person, and adequate consideration and recognition is given to the person's safety and well-being.' Act 303 is scheduled to sunset on June 30, 2008. Senate Bill No. 820 SD 1 extends this sunset date to June 30, 2009.

In Governor's Message 861 (2006), I expressed concerns with regard to Act 303. These concerns have not been addressed, and Senate Bill No. 820 SD 1 further extends the date of Act 303. Therefore, my concerns with Act 303 are applicable to this bill.

First, Act 303 does not state how the person's choice of residential setting is to be made and how the Department of Health (DOH) is to support the choice. Under the current system employed by the Developmental Disabilities Division (DDD) of the DOH, DDD assists clients to locate licensed or certified homes. This program creates uncertainty over the DOH's role in selection of these residential alternative even though State money is spent supporting the individual.

Second, Act 303 does not specify how to determine whether 'adequate consideration and recognition' has been given to the person's safety and well-being. Act 303 does not mention licensing or certification requirements, an omission that could lead to an interpretation that the program allows placement in unlicensed or uncertified homes. Allowing placement in unlicensed or uncertified homes poses a risk for the safety and well-being of persons with developmental disabilities or mental retardation because it is only through licensing or certification requirements that safety standards such as criminal history background checks of the home operator and periodic monitoring or unannounced home visits are maintained. Any program that purports to assist persons with developmental disabilities under the care of the State must include a degree of accountability within the system.

For the foregoing reasons, I allowed Senate Bill No. 820 SD 1 to become law as Act 40 effective April 25, 2007 without my signature.

Sincerely,

/s/ Linda Lingle
LINDA LINGLE,"

was placed on file.

Gov. Msg. No. 799, informing the Senate that on April 25, 2007, she permitted the following measure to become law without her signature:

Senate Bill No. 95 as Act 41, entitled: "RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION."

"Dear Madam President and Members of the Senate:

Re: Senate Bill No. 95 SD1

On April 25, 2007, Senate Bill No. 95 entitled 'A Bill for an Act Relating to Vacant Positions in the Department of Education' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Senate Bill No. 95 repeals Section 302A-1115, Hawaii Revised Statutes, which promoted decentralization and facilitates restructuring of the Department of Education. The Legislature granted the department this flexibility to reallocate existing vacant positions and resources in the State and district offices to the school level via Act 89, Session Laws of Hawaii 1996. Senate Bill No. 95 repeals this language with the

justification that the implementation of Act 51, Session Laws of Hawaii 2004, as amended by Act 225, Session Laws of Hawaii 2006, and the weighted student formula makes 302A-1115 unnecessary.

There are two concerns with this bill. First, the weighted student formula has not truly been implemented, in terms of dollars and discretion reaching the school level. In school year 2006-2007 only 10% of the weighted student formula has been implemented. In school year 2007-2008, only 15% of the formula will be implemented. For fiscal year 2007-2008 the Department of Education requested an additional \$20 million in funding to supplement 'shortfalls' experienced by schools due to the 10% implementation of weighted student formula. Therefore, the argument that weighted student formula has rendered the decentralization and reallocation of vacant State or district office positions to the school level unnecessary is inaccurate because the weighted student formula has not been fully implemented. With the formula implemented only at 10%, there is no way to determine that this decentralization requirement is unnecessary.

Second, and more importantly, repealing this language allows the State and district Department of Education offices to keep their vacant positions and, in some cases, funding because the weighted student formula and Act 51 do not require the decentralization and reallocation of vacant State and district positions to the school level. On the contrary, under weighted student formula the school would be funding additional positions on their own through the per-pupil allocation, not by taking positions reallocated from State and district offices. Further, at this time the weighted student formula does not include State and district program funds, so none of this money currently goes to the school level. The Department of Education should not be allowed to keep vacant positions at the State and district office level, as well as the funding for these positions; these resources should be placed at the school level.

Therefore, for the foregoing reasons, I allowed Senate Bill No. 95 to become law as Act 41 effective April 25, 2007, without my signature.

Sincerely,

/s/ Linda Lingle
LINDA LINGLE,"

was placed on file.

Gov. Msg. No. 800, informing the Senate that on April 26, 2007, she signed into law Senate Bill No. 1509 as Act 42, entitled: "RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," was placed on file.

Gov. Msg. No. 801, informing the Senate that on April 26, 2007, she signed into law Senate Bill No. 1287 as Act 43, entitled: "RELATING TO HIGHWAY SAFETY," was placed on file.

Gov. Msg. No. 802, informing the Senate that on April 26, 2007, she signed into law Senate Bill No. 1370 as Act 44, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS," was placed on file.

Gov. Msg. No. 803, dated April 26, 2007, transmitting her statement of objections to Senate Bill No. 1816 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1816

Honorable Members
Twenty-Fourth 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. 1816, entitled 'A Bill for an Act Relating to Historic Preservation.'

The purpose of this bill is to require consultation with the Kahuna Nui of the Mo'okini Heiau before any alteration, improvement, or organized profit-making venture involving the Kohala Historic Sites State Monument can occur.

This bill is objectionable because it grants the exclusive right of consultation to only a single entity. This bill does not require consultation with other Kohala community groups such as the Kohala Hawaiian Civic Club, or other land owners and interested parties within the monument, including Kamehameha Schools and the Luhiau family, who has ancestral ties to the Kukuipahu Heiau. Neither does this bill provide for consultation with the Office of Hawaiian Affairs. The Kahuna Nui of the Mo'okini Heiau should not be given absolute consultation authority over the entire monument.

Generally, it is unnecessary to mandate consultation through legislation for historic sites. Currently, the Department of Land and Natural Resources consults with the Kahuna Nui of the Mo'okini Heiau for any alterations or improvements to this specific heiau. Additionally, the Department consults with interested community members and groups prior to alterations or improvements to the monument and any other State-managed historic sites.

Furthermore, the specific mandates in this bill are not clearly defined and may result in allegations of violations of the law. It is unclear what authority that the Kahuna Nui shall have with the consultations, there is no defined process for determining succeeding Kahuna Nui, or a contingency plan if a Kahuna Nui is not named or is not accessible for consultation, there is no process for dispute resolution, there is no clear definition of the properties involved under the purview of this bill, and there is no definition of 'organized profit-making venture involving the monument.'

Finally, this bill may be construed as special interest legislation for the Kahuna Nui of the Mo'okini Heiau on the island of Hawaii. This legislation could set precedent causing Kahuna Nui or other parties to seek legislation specific to other historic or culturally important properties. Consultation between the State and community interest should take place under existing laws and rules rather than be legislatively mandated on a case-by-case or an interest-by-interest basis.

The Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Kohala Hawaiian Civic Club, and Kamehameha Schools expressed concerns with this bill and recommended the bill be amended to include other organizations in the consultation process, limit the consultation with the Kahuna Nui of the Mo'okini Heiau, and better define the vague language of this bill. Unfortunately, none of the proposed amendments were adopted in this bill.

For the foregoing reasons, I am returning Senate Bill No. 1816 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii,"

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 836 to 838) were read by the Clerk and were placed on file:

Hse. Com. No. 836, informing the Senate that the following bills passed Final Reading in the House of Representatives on April 25, 2007:

- S.B. No. 946, S.D. 2, H.D. 1, C.D. 1;
- S.B. No. 1529, S.D. 2, H.D. 2, C.D. 1; and
- S.B. No. 1709, S.D. 1, H.D. 2, C.D. 1.

Hse. Com. No. 837, informing the Senate that the House reconsidered its actions taken on April 12, 2007, in disagreeing to the amendments proposed by the Senate to the following House bills:

- H.B. No. 154, H.D. 1 (S.D. 1);
- H.B. No. 776 (S.D. 1);
- H.B. No. 1210, H.D. 1 (S.D. 1);
- H.B. No. 1306, H.D. 2 (S.D. 1);
- H.B. No. 1641, H.D. 2 (S.D. 2);
- H.B. No. 1746 (S.D. 2);
- H.B. No. 1787, H.D. 1 (S.D. 2); and
- H.B. No. 1833, H.D. 1 (S.D. 1).

Hse. Com. No. 838, informing the Senate that the amendments proposed by the Senate to the following House concurrent resolutions were agreed to by the House and said resolutions were adopted in the House of Representatives on April 25, 2007:

- H.C.R. No. 58, H.D. 1, S.D. 1;
- H.C.R. No. 170, S.D. 1; and
- H.C.R. No. 292, S.D. 1.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 226) was read by the Clerk and was disposed of as follows:

Senate Concurrent Resolution

No. 226 "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE SECURITY OF RECORDED DOCUMENTS, PRIVATE COMPUTER ACCESS AND TAMPERING OF SUCH DOCUMENTS, AND THE OPERATIONS AND MANAGEMENT OF THE BUREAU OF CONVEYANCES."

Offered by: Senators Kokubun, Tokuda, Hee, Fukunaga.

By unanimous consent, action on S.C.R. No. 226 was deferred until Friday, April 27, 2007.

CONFERENCE COMMITTEE REPORTS

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. 139, S.D. 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 139, 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 Hawaii, action on Conf. Com. Rep. No. 9 and S.B. No. 139, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 755, S.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 755, 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 Hawaii, action on Conf. Com. Rep. No. 10 and S.B. No. 755, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 618, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 618, 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. 11 and S.B. No. 618, H.D. 1, 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 Senate to the amendments proposed by the House to S.B. No. 1008, S.D. 1, presented a report (Conf. Com. Rep. No. 12) recommending that S.B. No. 1008, 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 Hawaii, action on Conf. Com. Rep. No. 12 and S.B. No. 1008, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," 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. 667, S.D. 3, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 667, S.D. 3, 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 Hawaii, action on Conf. Com. Rep. No. 13 and S.B. No. 667, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," 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. 1675, S.D. 1, presented a report (Conf. Com. Rep. No. 14) recommending that S.B. No. 1675, 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 Hawaii, action on Conf. Com. Rep. No. 14 and S.B. No. 1675, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1425, S.D. 2, presented a report (Conf. Com. Rep. No. 15) recommending that S.B. No. 1425, 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. 15 and S.B. No. 1425, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," 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. 870, S.D. 1, presented a report (Conf. Com. Rep. No. 16) recommending that S.B. No. 870, 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 Hawaii, action on Conf. Com. Rep. No. 16 and S.B. No. 870, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1924, S.D. 2, presented a report (Conf. Com. Rep. No. 17) recommending that S.B. No. 1924, 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 Hawaii, action on Conf. Com. Rep. No. 17 and S.B. No. 1924, S.D. 2, H.D. 2, 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 Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1646, H.D. 2, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 1646, 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 Hawaii, action on Conf. Com. Rep. No. 52 and H.B. No. 1646, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1628, H.D. 1, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 1628, 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 Hawaii, action on Conf. Com. Rep. No. 53 and H.B. No. 1628, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 349, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 349, 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 Hawaii, action on Conf. Com. Rep. No. 54 and H.B. No. 349, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 714, H.D. 2, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 714, 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 Hawaii, action on Conf. Com. Rep. No. 55 and H.B. No. 714, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," 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. 71, H.D. 2, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 71, 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 Hawaii, action on Conf. Com. Rep. No. 56 and H.B. No. 71, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," 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. 1264, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 1264, 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 Hawaii, action on Conf. Com. Rep. No. 57 and H.B. No. 1264, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 1370, H.D. 1, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 1370, 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 Hawaii, action on Conf. Com. Rep. No. 58 and H.B. No. 1370, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1938) recommending that H.C.R. No. 194, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1938 and H.C.R. No. 194, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED

TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was deferred until Friday, April 27, 2007.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1939) recommending that H.C.R. No. 85 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1939 and H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was deferred until Friday, April 27, 2007.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1940) recommending that H.C.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1940 and H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was deferred until Friday, April 27, 2007.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1941) 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. 742.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1941 and Gov. Msg. No. 742 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1942) recommending that the Senate advise and consent to the nomination of LELAND TAICHI NOGAWA to the Drug Product Selection Board, in accordance with Gov. Msg. No. 460.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1942 and Gov. Msg. No. 460 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1943) recommending that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

JAMES HENRY-EDWARD IRELAND MD, in accordance with Gov. Msg. No. 587;

MARY L. MARASOVICH, in accordance with Gov. Msg. No. 588;

MILES T. NAKATSU, in accordance with Gov. Msg. No. 589;

THINH TIEN NGUYEN MD, in accordance with Gov. Msg. No. 590; and

JAMES ITAMURA, in accordance with Gov. Msg. No. 691.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1943 and Gov. Msg. Nos. 587, 588, 589, 590 and 691 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1944) recommending that the Senate advise and consent to the nominations to the Radiologic Technology Board of the following:

MICHAEL J. MEAGHER MD, in accordance with Gov. Msg. No. 465; and

DANIEL WAYNE RICKENBACHER, in accordance with Gov. Msg. No. 466.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1944 and Gov. Msg. Nos. 465 and 466 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1945) 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:

MARSHALL LUM, in accordance with Gov. Msg. No. 489;

VICTOR DALE MORELAND PHD, in accordance with Gov. Msg. No. 490; and

EASSIE M. MILLER, in accordance with Gov. Msg. No. 540.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1945 and Gov. Msg. Nos. 489, 490 and 540 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1946) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

DOROTHY KUULEINANI FIFE, in accordance with Gov. Msg. No. 516; and

CORRENA KEHAUNANI PAWN-WHITE, in accordance with Gov. Msg. No. 517.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1946 and Gov. Msg. Nos. 516 and 517 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1947) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

MARGARET MARY BAXTER, in accordance with Gov. Msg. No. 320;

PAUL K. HIGA, in accordance with Gov. Msg. No. 321;

CHARLOTTE HAUNANI LOSA KAMAUOHA, in accordance with Gov. Msg. No. 322;

BERNADETTE LUCY KELIAA, in accordance with Gov. Msg. No. 323;

DEBORAH JEANE RIVERS, in accordance with Gov. Msg. No. 324; and

PAUL S. VARGAS JR., in accordance with Gov. Msg. No. 325.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1947 and Gov. Msg. Nos. 320, 321, 322, 323, 324 and 325 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1948) recommending that the Senate advise and consent to the nomination of ARCHIE HAPAI III to the Policy Advisory Board for Elder Affairs, in accordance with Gov. Msg. No. 518.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1948 and Gov. Msg. No. 518 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1949) recommending that the Senate advise and consent to the nomination of KUULEI A. KILIONA to the Mental Health and Substance Abuse, Hawai'i Service Area Board, in accordance with Gov. Msg. No. 525.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1949 and Gov. Msg. No. 525 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1950) recommending that the Senate advise and consent to the nomination of CLIFFORD L. NAKEA to the Board of Directors of the Hawai'i Health Systems Corporation, in accordance with Gov. Msg. No. 476.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1950 and Gov. Msg. No. 476 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1951) recommending that the Senate advise and consent to the nominations of the following:

PATRICIA ELLEN N. RICHARDS to the Mental Health and Substance Abuse, Hawai'i Service Area Board, in accordance with Gov. Msg. No. 628;

KURT KIYOSHI NAGATA to the Mental Health and Substance Abuse, Kaua'i Service Area Board, in accordance with Gov. Msg. No. 629;

KURA MOANA MARIE AKAU to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 630;

ELLEN ALISSA HEID to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 631; and

THOMAS J. MCCORMACK to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 632.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1951 and Gov. Msg. Nos. 628, 629, 630, 631 and 632 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1952) recommending that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

GAE BERGQUIST-TROMMALD, in accordance with Gov. Msg. No. 601;

CLAYTON D.K. CHONG, in accordance with Gov. Msg. Nos. 603 and 604;

KEITH ALAN LEE, in accordance with Gov. Msg. No. 606;

BONNIE LEE S. L. PANG, in accordance with Gov. Msg. No. 607;

JO-ANN AHUNA, in accordance with Gov. Msg. No. 719; and

MARK STEVEN MOSES, in accordance with Gov. Msg. No. 720.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1952 and Gov. Msg. Nos. 601, 603, 604, 606, 607, 719 and 720 was deferred until Friday, April 27, 2007.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1953) recommending that the Senate advise and consent to the nomination of EDSON A. MARTIN to the Kaaui Aquatic Life and Wildlife Advisory Committee, in accordance with Gov. Msg. No. 294.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1953 and Gov. Msg. No. 294 was deferred until Friday, April 27, 2007.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 1954) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Public Housing Authority (PHA) of the following:

CAROL R. IGNACIO, in accordance with Gov. Msg. Nos. 754 and 755;

TRAVIS O. THOMPSON, in accordance with Gov. Msg. No. 756; and

MATTIE A. YOSHIOKA, in accordance with Gov. Msg. No. 757.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1954 and Gov. Msg. Nos. 754, 755, 756 and 757 was deferred until Friday, April 27, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1955) recommending that the Senate advise and consent to the nomination of ANNE H. ATKINSON to the Health Planning Council, West Oahu Subarea, in accordance with Gov. Msg. No. 696.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1955 and Gov. Msg. No. 696 was deferred until Friday, April 27, 2007.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 1956) recommending that the Senate advise and consent to the nomination of BRIAN J. GOLDSTEIN to the Board of Directors of the High Technology Development Corporation, in accordance with Gov. Msg. No. 348.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1956 and Gov. Msg. No. 348 was deferred until Friday, April 27, 2007.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com.

Rep. No. 1957) recommending that the Senate advise and consent to the nomination of MATT H. TAKATA to the Board of Taxation Review, 4th Taxation District (Kaua'i), in accordance with Gov. Msg. No. 532.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1957 and Gov. Msg. No. 532 was deferred until Friday, April 27, 2007.

Senator Fukunaga, for the majority of the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 1958) recommending that the Senate not advise and consent to the nomination of ORION KOPELMAN to the Board of Directors of the High Technology Development Corporation, in accordance with Gov. Msg. No. 349.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1958 and Gov. Msg. No. 349 was deferred until Friday, April 27, 2007.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1917 (Gov. Msg. Nos. 521, 610 and 699):

Senator Taniguchi moved that Stand. Com. Rep. No. 1917 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Housing Finance and Development Corporation (HFD) of the following:

CHARLES P. WATHEN, term to expire June 30, 2008 (Gov. Msg. No. 521);

ALLAN LOS BANOS JR., term to expire June 30, 2010 (Gov. Msg. No. 610); and

RICHARD TOLEDO JR., term to expire June 30, 2009 (Gov. Msg. No. 699),

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 (Baker, Kim).

Stand. Com. Rep. No. 1918 (Gov. Msg. Nos. 569 and 684):

Senator Taniguchi moved that Stand. Com. Rep. No. 1918 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

DOREEN LILLY GRIFFITH, term to expire June 30, 2011 (Gov. Msg. No. 569); and

WILLIAM L. WONG, term to expire June 30, 2009 (Gov. Msg. No. 684),

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 (Baker, Kim).

Stand. Com. Rep. No. 1919 (Gov. Msg. Nos. 592, 593 and 594):

Senator Taniguchi moved that Stand. Com. Rep. No. 1919 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi 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:

RICHARD Y. MITSUMORI, term to expire June 30, 2011 (Gov. Msg. No. 592);

PAUL H. MURRAY LPLS, term to expire June 30, 2011 (Gov. Msg. No. 593); and

ROBERTO B. YUMOL AIA, term to expire June 30, 2011 (Gov. Msg. No. 594),

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 (Baker, Kim).

Stand. Com. Rep. No. 1920 (Gov. Msg. No. 690):

Senator Taniguchi moved that Stand. Com. Rep. No. 1920 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of MARC KEALA MITSUO YAMANE to the Elevator Mechanics Licensing Board, term to expire June 30, 2011, 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 (Baker, Kim).

Stand. Com. Rep. No. 1921 (Gov. Msg. Nos. 638, 639 and 640):

Senator Taniguchi moved that Stand. Com. Rep. No. 1921 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Motor Vehicle Industry Licensing Board of the following:

STANLEY TOSHIYA MASAMITSU, term to expire June 30, 2011 (Gov. Msg. No. 638);

DONALD K. TOUCHI, term to expire June 30, 2008 (Gov. Msg. No. 639); and

WERNER UMBHAU, term to expire June 30, 2009 (Gov. Msg. No. 640),

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 (Baker, Kim).

Stand. Com. Rep. No. 1922 (Gov. Msg. Nos. 704 and 705):

Senator Taniguchi moved that Stand. Com. Rep. No. 1922 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Motor Vehicle Repair Industry Board of the following:

LEE ROGERS CHAMPION, term to expire June 30, 2010 (Gov. Msg. No. 704); and

MICHELLE W.J. WONG, term to expire June 30, 2010 (Gov. Msg. No. 705),

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 (Baker, Kim).

Stand. Com. Rep. No. 1923 (Gov. Msg. Nos. 647, 648 and 649):

Senator Taniguchi moved that Stand. Com. Rep. No. 1923 be received and placed on file, seconded by Senator Ige and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Pest Control Board of the following:

ALVIN F. FUKUYAMA, term to expire June 30, 2009 (Gov. Msg. No. 647);

ROBERT H. KOIDE, term to expire June 30, 2009 (Gov. Msg. No. 648); and

RONALD S. WEINBERG, term to expire June 30, 2011 (Gov. Msg. No. 649),

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 (Baker, Kim).

Stand. Com. Rep. No. 1924 (Gov. Msg. Nos. 713, 714, 715, 716 and 718):

Senator Sakamoto moved that Stand. Com. Rep. No. 1924 be received and placed on file, seconded by Senator Tokuda 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:

JONATHAN GILLENLINE, term to expire June 30, 2010 (Gov. Msg. No. 713);

ANNETTE A. NISHIKAWA, term to expire June 30, 2010 (Gov. Msg. No. 714);

ALVIN NAAWAO PARKER, term to expire June 30, 2010 (Gov. Msg. No. 715);

LORILENE ANALEI KARRATTI PEREIRA, term to expire June 30, 2009 (Gov. Msg. No. 716); and

CAROLINE SUE WONG, term to expire June 30, 2010 (Gov. Msg. No. 718),

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 (Baker, Kim).

Stand. Com. Rep. No. 1925 (Gov. Msg. Nos. 573 and 574):

Senator Ige moved that Stand. Com. Rep. No. 1925 be received and placed on file, seconded by Senator Fukunaga 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:

JOE D. CORDOVA, term to expire June 30, 2011 (Gov. Msg. No. 573); and

ROSELANI MANUWAI-ROWE, term to expire June 30, 2011 (Gov. Msg. No. 574),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1926 (Gov. Msg. Nos. 575, 576, 577, 578, 579, 580, 581, 582, 583 and 584):

Senator Ige moved that Stand. Com. Rep. No. 1926 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances of the following:

MARTIN HO'OLU BENTO, term to expire June 30, 2009 (Gov. Msg. No. 575);

STEPHEN BRADY, term to expire June 30, 2009 (Gov. Msg. No. 576);

BART S. HUBER, term to expire June 30, 2009 (Gov. Msg. No. 577);

JONAH-KUHIO KALANIANA'OLE KA'AUWAI, term to expire June 30, 2008 (Gov. Msg. No. 578);

DARIN H. KAWAZOE, term to expire June 30, 2009 (Gov. Msg. No. 579);

BARBARA-ANN KELLER, term to expire June 30, 2009 (Gov. Msg. No. 580);

PAULA T. MORELLI PHD, term to expire June 30, 2011 (Gov. Msg. No. 581);

TAMAH-LANI S.K. NOH, term to expire June 30, 2010 (Gov. Msg. No. 582);

JODY SHIROMA PERREIRA, term to expire June 30, 2009 (Gov. Msg. No. 583); and

BYRON NAOYUKI YOSHINO, term to expire June 30, 2009 (Gov. Msg. No. 584),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1927 (Gov. Msg. Nos. 585, 586, 688 and 689):

Senator Ige moved that Stand. Com. Rep. No. 1927 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

GAIL ANN CHEW, term to expire June 30, 2011 (Gov. Msg. No. 585);

BERTHA F.K. LEONG, term to expire June 30, 2011 (Gov. Msg. No. 586);

EUDICE R. SCHICK, term to expire June 30, 2009 (Gov. Msg. No. 688); and

MARY ALEY WILKINSON, term to expire June 30, 2011 (Gov. Msg. No. 689),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1928 (Gov. Msg. Nos. 605, 669 and 695):

Senator Ige moved that Stand. Com. Rep. No. 1928 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Health Planning Council, Honolulu Subarea of the following:

KEITH ALAN LEE, terms to expire June 30, 2007, and June 30, 2011 (Gov. Msg. Nos. 605 and 669); and

SARAH H. NORDWALL, term to expire June 30, 2011 (Gov. Msg. No. 695),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1929 (Gov. Msg. Nos. 697 and 733):

Senator Ige moved that Stand. Com. Rep. No. 1929 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Health Systems Corporation of the following:

LORETTA ANNE HELLRUNG, term to expire June 30, 2009 (Gov. Msg. No. 697); and

FRANCIS L. JUNG, term to expire June 30, 2008 (Gov. Msg. No. 733),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1930 (Gov. Msg. No. 627):

Senator Ige moved that Stand. Com. Rep. No. 1930 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of DENNIS M. CROWLEY MD to the Medical Advisory Board, term to expire June 30, 2011, seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1931 (Gov. Msg. Nos. 662 and 663):

Senator Ige moved that Stand. Com. Rep. No. 1931 be received and placed on file, seconded by Senator Fukunaga 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:

DANA P. RIDDLE, term to expire June 30, 2009 (Gov. Msg. No. 662); and

BERT S. UYENO, term to expire June 30, 2011 (Gov. Msg. No. 663),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1932 (Gov. Msg. No. 692):

Senator Ige moved that Stand. Com. Rep. No. 1932 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of JO-ANN AHUNA to the Tri-Isle Subarea

Health Planning Council, term to expire June 30, 2010, seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1933 (Gov. Msg. No. 694):

Senator Ige moved that Stand. Com. Rep. No. 1933 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of MARK STEVEN MOSES to the Health Planning Council, West Oahu Subarea, term to expire June 30, 2011, seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1934 (Gov. Msg. No. 602):

Senator Ige moved that Stand. Com. Rep. No. 1934 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of GAE BERGQUIST-TROMMALD to the Health Planning Council, Windward Oahu Subarea, term to expire June 30, 2011, seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1935 (Gov. Msg. Nos. 634 and 635):

Senator Ige moved that Stand. Com. Rep. No. 1935 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

STEVEN M. SHIRAKI, term to expire June 30, 2011 (Gov. Msg. No. 634); and

AMY C.L.C. TSARK, term to expire June 30, 2011 (Gov. Msg. No. 635),

seconded by Senator Fukunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1936 (Gov. Msg. Nos. 533 and 659):

Senator Nishihara moved that Stand. Com. Rep. No. 1936 be received and placed on file, seconded by Senator Tsutsui 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:

CHALENE "CHA" MAE KU'UPUAALA THOMPSON, term to expire June 30, 2010 (Gov. Msg. No. 533); and

STEPHEN K. YAMASHIRO, term to expire June 30, 2010 (Gov. Msg. No. 659),

seconded by Senator Tsutsui.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Kim).

Stand. Com. Rep. No. 1937 (Gov. Msg. Nos. 619, 620, 621, 622, 623, 625 and 626):

Senator Kokubun moved that Stand. Com. Rep. No. 1937 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Legacy Land Conservation Commission of the following:

CARL J. BERG JR., term to expire June 30, 2009 (Gov. Msg. No. 619);

JOAN E. CANFIELD, term to expire June 30, 2008 (Gov. Msg. No. 620);

CHARLES H. FLETCHER III, term to expire June 30, 2011 (Gov. Msg. No. 621);

HERBERT MONTEGUE RICHARDS JR., term to expire June 30, 2011 (Gov. Msg. No. 622);

ROBERT J. SHALLENBERGER, term to expire June 30, 2010 (Gov. Msg. No. 623);

WESLEY KAIWI NUI YOON, term to expire June 30, 2010 (Gov. Msg. No. 625); and

KAREN GS YOUNG, term to expire June 30, 2009 (Gov. Msg. No. 626),

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 (Baker, Kim).

ADOPTION OF RESOLUTION

H.C.R. No. 189, H.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, H.C.R. No. 189, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," was adopted.

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM WEDNESDAY, APRIL 25, 2007

Stand. Com. Rep. No. 1914 (H.C.R. No. 312, H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.C.R. No. 312, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REPORT TO THE LEGISLATURE ON THE FINANCIAL REQUIREMENTS OF TRANSPORTING, HOUSING, AND ANY OTHER COSTS ASSOCIATED WITH THE OPERATIONS AND ADMINISTRATION OF SENDING HAWAII INMATES TO OUT-OF-STATE CORRECTIONAL FACILITIES," was adopted.

FINAL ADOPTION

S.C.R. No. 39, H.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 39 and S.C.R. No. 39, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENACTMENT OF THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION THAT PROVIDES FEDERAL VETERANS BENEFITS AND SERVICES TO FILIPINO WORLD WAR II VETERANS," was Finally Adopted.

S.C.R. No. 41, H.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 41 and S.C.R. No. 41, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY OPPOSING THE FEE INCREASES PROPOSED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES," was Finally Adopted.

S.C.R. No. 67, H.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 67 and S.C.R. No. 67, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE P-20 COUNCIL AND THE UNIVERSITY OF HAWAII TO REPORT ON EARLY COLLEGE AWARENESS PROGRAMS FOR ELEMENTARY, MIDDLE AND HIGH SCHOOL STUDENTS," was Finally Adopted.

S.C.R. No. 115, S.D. 1, H.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 115, S.D. 1, and S.C.R. No. 115, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO REDRAFT THE CAPITAL GOODS EXCISE TAX CREDIT TO REMEDY OLD REFERENCES TO REPEALED LAW AND TO INCORPORATE THE CURRENT STATUS OF THE INTERNAL REVENUE CODE," was Finally Adopted.

THIRD READING

H.B. No. 91, H.D. 1:

Senator Taniguchi moved that H.B. No. 91, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Menor requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 91, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Ayes with Reservations, 1 (Menor). Noes, 10 (Chun Oakland, Espero, Fukunaga, Gabbard, Hemmings, Ige, Nishihara, Slom, Trimble, Whalen). Excused, 1 (Kim).

FINAL READING**MATTER DEFERRED FROM
WEDNESDAY, APRIL 25, 2007**

Conf. Com. Rep. No. 2 (S.B. No. 1709, S.D. 1, H.D. 2, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 2 be adopted and S.B. No. 1709, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ige.

Senator Trimble rose to speak against the measure and said:

"Madam President, I rise in opposition to S.B. No. 1709.

"We no longer have horse-drawn carriages in Waikiki because the congestion and economic costs of these horse-drawn carriages outweigh their recreational benefit. We no longer have pedicabs in Waikiki because their economic costs outweigh the recreational value. For the same reason, colleagues, I urge you not to change the moped law to permit something that operates more like a vehicle that has three wheels, a gas pedal, and a brake on our highways, whether it's to Hana or Hanalei, whether it is to Haleakala or Hanauma Bay. I urge you to vote this bill down.

"Thank you."

Senator Slom rose in opposition and stated:

"Madam President, I rise in opposition to this bill.

"I've heard the remarks of the good Senator to my left, but I hold in my hand the result of an investigation, and this investigation shows this is a report printed by this very same Legislator. It's dated April. It's got pictures in here of scooters – one, two, three, four pictures of scooters. It shows someone driving a scooter, Madam President, that looks exactly like the Senator to my left. And you know what? I've heard an awful rumor on this Floor that this bill may actually be voted down, and I beg you and I implore you, even though I'm voting 'no' against it, he has already printed his report that said you voted 'yes' on it, so please don't listen to me. Vote 'yes' on the bill.

"Thank you, Madam President." (Laughter.)

Senator English rose to support the measure as follows:

"Madam President, I rise to support the measure.

"I can say that the Senator brings up some good points and everyone please vote your conscience on this measure."

The President then stated:

"I believe, Senator Trimble, that you had a request for a Roll Call vote. Will you please rise and make your request again for the record."

Senator Trimble rose and said:

"I'll withdraw my request for the sake of time. Thank you."

Senator Inouye rose to oppose the measure and said:

"Madam President, I will be voting 'no' on this measure and I urge my colleagues to give our Senator a nice happy birthday present for tomorrow, but we'll do it today.

"Thank you."

Senators Taniguchi, Hooser and Espero requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and failed to carry, Conf. Com. Rep. No. 2 failed to be adopted and S.B. No. 1709, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Ayes with Reservations, 3 (Espero, Hooser, Taniguchi). Noes, 12 (Baker, Bunda, Chun Oakland, Hemmings, Ihara, Inouye, Kokubun, Nishihara, Slom, Tokuda, Trimble, Tsutsui). Excused, 1 (Kim).

FINAL READING

S.B. No. 1674, S.D. 1, H.D. 2:

On motion by Senator Ige, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1674, S.D. 1, and S.B. No. 1674, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

S.B. No. 921, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 921, S.D. 1, and S.B. No. 921, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION RECORDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

S.B. No. 1654, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1654, S.D. 1, and S.B. No. 1654, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

S.B. No. 1988, S.D. 1, H.D. 2:

Senator Taniguchi moved that S.B. No. 1988, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Trimble rose in opposition and said:

“Madam President, I stand in opposition to S.B. No. 1988.

“I favor labeling for honey, but I favor consistent labeling for all agricultural products in Hawai‘i. I further think that good legislation should recognize that products like this that are of Hawai‘i would qualify for the Department of Agriculture’s good safekeeping seal – the seal of approval. That in itself is probably more meaningful than state law regarding the labeling.

“Thank you.”

Senator Slom rose to speak against the measure as follows:

“Madam President, I, too, rise in opposition to S.B. No. 1988.

“First of all, I believe that we probably have the finest honey in the world produced in Hawai‘i. And unlike problems with Hawaiian coffee, Kona coffee, and so forth, where there is a deliberate attempt to mislead through labeling, I don’t think that that is the case in the labeling here. I think it is a question of trying in this bill to tell us that people in the other 49 states really don’t know what they’re buying and know what they’re getting in terms of honey, so therefore our labels have to be different and not in the federal standards or even in state standards for other labels.

“I call your attention, for example, to page 3. A lot has been said about micromanaging this year and page 3, section 4, of the bill says, quote, ‘Each word or character in the identity statement shall be of the same type size and shall be contiguous. The smallest letter or character of the identity statement on packages of sixteen ounces or less net weight shall be at least one and one-half times the type size required under federal law for the statement of net weight, or three-sixteenths of an inch in height, whichever is smaller. The smallest letter or character of the identity statement on packages of greater than sixteen ounces net weight shall be at least one and one-half times the type size required under federal law for the statement of net weight. The identity statement shall be conspicuously displayed without any intervening material in a position above the statement of net weight. Upper and lower case letters may be used interchangeably in the identity statement.’ And it goes on and on talking about all the things that have to be on this label which we really don’t need and I don’t think anybody will be misled, and it is not a consumer protection issue.

“I think with the problems we have with the bee mites and all of that right now, I think it demeans the product rather than enhances 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. 1988, S.D. 1, and S.B. No. 1988, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HONEY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Kim).

Conf. Com. Rep. No. 4 (S.B. No. 1528, H.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Hee and carried, Conf. Com. Rep. No. 4 was adopted and S.B. No. 1528, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

Conf. Com. Rep. No. 5 (S.B. No. 1704, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Espero and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 1704, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

Conf. Com. Rep. No. 51 (H.B. No. 1379, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 1379, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 98, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to S.B. No. 98, S.D. 1, seconded by Senator Chun Oakland 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. 98, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Sakamoto, Chun Oakland, Gabbard). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 98, S.D. 1, seconded by Senator Chun Oakland.

Senator Sakamoto noted:

“Madam President, the House made technical, nonsubstantive amendments for clarity, consistency and style.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 98, S.D. 1, and S.B. No. 98, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was placed on the calendar for Final Reading on Friday, April 27, 2007.

At 6:52 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:07 o'clock p.m.

S.B. No. 784, S.D. 1 (H.D. 2):

Senator Hee moved that the Senate reconsider its action taken on April 10, 2007, in disagreeing to the amendments proposed by the House to S.B. No. 784, S.D. 1, seconded by Senator Kokubun 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. 784, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Hee, Gabbard). Noes, none. Excused, 1 (Kokubun).

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 784, S.D. 1, seconded by Senator Kokubun.

Senator Hee noted:

"Madam President, in reviewing the bill, the Senate position was effective July 1, 2007, and the House position was effective upon approval. The House strenuously argued if the Senate would consider yielding to the House because they worked so hard in coming up with the conclusion 'effective upon approval.' In the abundance of caution, I asked my colleague to my left and he begrudgingly said okay. And that's the reason we're reconsidering and I would ask my colleagues to please support the House's plea for their position 'upon approval.'

"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. 784, S.D. 1, and S.B. No. 784, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was placed on the calendar for Final Reading on Friday, April 27, 2007.

S.C.R. No. 102, S.D. 1 (H.D. 1):

Senator Kokubun moved that the Senate reconsider its action taken on April 25, 2007, in disagreeing to the amendments proposed by the House to S.C.R. No. 102, S.D. 1, seconded by Senator Tokuda and carried.

Senator Kokubun moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 102, S.D. 1, seconded by Senator Tokuda.

Senator Kokubun noted:

"Madam President, the House just added two additional whereas clauses that further clarified the resolvable clauses."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 102, S.D. 1, and S.C.R. No. 102, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN

COFFEE," was placed on the calendar for Final Adoption on Friday, April 27, 2007.

Senator Taniguchi, Chair of the Committee on Commerce, Consumer Protection and Affordable Housing, requested that the referral of H.C.R. No. 46 to the Committee on Commerce, Consumer Protection and Affordable Housing be waived.

Senator Taniguchi noted:

"Madam President, we had a very similar Senate concurrent resolution and we would like to proceed to vote on this sunrise review."

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Friday, April 27, 2007:

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES."

Senator English, Chair of the Committee on Transportation and International Affairs, requested that the referral of H.C.R. Nos. 28 and 81 to the Committee on Transportation and International Affairs be waived.

Senator English noted:

"Madam President, I'm requesting a waiver for both of these because we did not have the time to hear them in Committee, but they are good resolutions. The first requires a study to consider the vehicle ignition interlock devices for convicted drunk drivers and this is requested by MADD and the Department of Transportation. The other one is requesting the Governor to approve a sister state-province relationship with Cagayan in the Republic of the Philippines and there's been a lot of work that went into this by House members. I'd like to move these two measures out."

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolutions were placed on the calendar for Adoption on Friday, April 27, 2007:

H.C.R. No. 28, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF REQUIRING VEHICLE IGNITION INTERLOCK DEVICES FOR CONVICTED DRUNK DRIVING OFFENDERS"; and

H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPROVE AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES."

Senator Chun Oakland, Chair of the Committee on Human Services and Public Housing, requested that the joint referral of H.C.R. No. 69 to the Committee on Human Services and Public Housing and the Committee on Transportation and International Affairs be waived. She also requested that the referral of H.C.R. Nos. 187 and 188 to the Committee on Human Services and Public Housing be waived.

Senator Chun Oakland noted:

“Madam President, this is in order to meet the resolution deadlines.”

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolutions were placed on the calendar for Adoption on Friday, April 27, 2007:

H.C.R. No. 69, H.D. 2, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS’ CONVENTION ON THE RIGHTS OF THE CHILD”;

H.C.R. No. 187, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAII”; and

H.C.R. No. 188, H.D. 2, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES’ ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII’S ADULT PROTECTIVE SERVICES.”

Senator Hemmings rose on a point of personal privilege as follows:

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

“Madam President, I do this with the best of intentions to clear the reputation of a good woman who has withdrawn her nomination to the Statewide Health Coordinating Council, and also, Madam President, to try to protect the integrity of the Senate by correcting some outright misinformation that led to the conclusions of the Health Committee not to agree to advice and consent.

“The Chairman stated that the reasons for recommending not to advise and consent to the nomination were because (1) the nominee stated that she would have voted for the certificate of need for Malulani if the certificate of need application was resubmitted; and (2) she did not address the 12 elements that are considered when deciding a certificate of need application and did consider the desires of the public and elected representatives which was inappropriate consideration. Astounding. The considerations of the tri-area council; the considerations of the Mayor, past and present; the consideration of the Governor of the State of Hawai‘i; and the consideration of the overwhelming testifiers on that issue, according to the Chairman of the Health Committee and this document – criteria by which certificate of need application must be judged – was not to be considered.

“I would suggest, Madam President and colleagues, with the best of intentions, we better address this issue.

“Following the assertions of the Chairman, a respected leader in the Committee said that she expressed disappointment in the response because the nominee was an attorney. It appears now that neither of the lawmakers bothered to look at the actual law before they accused the nominee of disregarding it, because it’s not in the law. It is not in Chapter 323D, Health planning and resources development, in the HRS. It isn’t even in Hawai‘i Health Planning Development Agency’s Chapter 186 rules.

What this is, believe it or not, is something off the website – 12 considerations – with no rule of law, not a rules and regulations. It’s just something some minion of the status quo made up.

“In addition, it didn’t appear that the Chairman was aware that the Statewide Health Coordinating Council is merely an advisory body to the Health Planning and Development Agency, SHPDA, and the council does not have a vote on the CON process but merely makes recommendations.

“I hope that we can genuinely reform the way we’re having advice and consent hearings and listening to special interest groups, rather than the overwhelming testimony of those people that are directly affected by such decisions as this.

“This has not only impugned the integrity of a good woman, an attorney, but has also belied the fact that the Chairman of the Committee and his voters had not done their homework on the actual law. But worse than that, this is just a small part of a much larger issue regarding the use of the monopolistic CON process to protect a failing state monopoly that costs the taxpayers over \$40 million a year in subsidies, and that’s Hawai‘i Healthcare Systems Corporation. I know we’ll be hearing a lot more of this issue as legislation comes through to try to protect that failing monopoly from competition.

“The people of Maui deserve healthy alternatives and choices in the marketplace of health, and this is just another misuse of our ability to try to accommodate the wishes and best interest of the people who we’re allegedly supposed to serve.

“Thank you, Madam President.”

Senator Chun Oakland, Chair of the Committee on Human Services and Public Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.R. No. 10.

Senator Chun Oakland noted:

“Madam President, I’m requesting this waiver in order to meet the deadline. Thank you.”

The Chair then granted the waiver.

Senator Ige rose on a point of personal privilege and stated:

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

“I would just note for the record that per the Hawai‘i Revised Statutes in the Hawai‘i Administrative Rules there are very specific criteria that the State Health Planning and Development Agency and its committee members must follow in reviewing certificate of need applications. These criteria ask for information and data that can be verified and that are in line with health industry standards. Together the criteria create a level playing field for all applicants, regardless of their political affiliation or perceived popularity. Every single certificate of need application presented to the State Health Planning and Development Agency is measured against this criteria in an evaluation of whether they should or should not be approved.

“The certificate of need for Triad Malulani was deficient in at least four of these applications, as explicitly identified in the decision and order on this application, and we believe that the Committee was justified in rejecting this nomination.

“I would also like to note that I hope that it’s not the Governor’s intention to make this nomination on an interim basis, which is the reason for the governor’s message withdrawing the nomination of this person to the Statewide Health Planning Agency, as they’ve tried that in the past to

circumvent the advise and consent process in the Senate, and we obviously would respond in a bad manner to that move anyway.

“Thank you.”

Senator Hemmings rose in rebuttal as follows:

“Madam President, personal privilege in rebuttal.

“As I said, the criteria by which the certificate of need applications must be judged, these 12 criteria are not part of HRS, nor are they part of the rules and regulations of the Department of Health. Also, the area council that took in the testimony, it’s absolutely true that the tri-area council’s considerations and recommendations are totally disregarded. The past and present Mayor’s recommendations were totally disregarded. The majority of the people that testified and the Governor’s opinions were all ignored.

“This is a one-man show, a dictatorship on the CON process and it does not serve democracy and the will of the people. It serves the interest of those that have put those people in these positions without the force of law as quoted by the Chairman of the Committee. What he just said regarding HRS may or may not be specifically true, but regarding the criteria by which the director can make a decision is not part of statute. It’s just a website.

“Thank you.”

Senator English rose on a point of personal privilege as follows:

“Madam President, point of personal privilege.

“Madam President and members of the Senate, this past Tuesday and Wednesday, the 24th and 25th, His Holiness the 14th Dalai Lama was on Maui, and I feel obliged to put on the record and explain to you my absence because we had some very important votes here. But this was very important for Maui in that the Dalai Lama came to Pā’ia, part of my district, and consecrated a Stupa, one of the very few that has been built outside of Tibet. And this was a very large event for all of Maui, but especially in my district.

“The estimates are coming in now, but we had upwards of about 25,000 people coming to hear the Dalai Lama speak and hear his message. I think it had a wonderful effect on Maui. It really helped start seeing the need for us to be nice to each other. That was his core message – respect each other, be nice to each other, and accept other’s other points of views.

“So my absence for those two days was because of the Dalai Lama’s visit to Maui and it was very important to me and also to my constituency to be in Maui to receive him and to welcome him there. The people of Maui were blessed, and in fact all of Hawai’i was very blessed to have such a person as the Dalai Lama visit us.

“Thank you.”

CONFERENCE COMMITTEE REPORTS

On motion by Senator Ige, seconded by Senator Gabbard 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 7:24 o’clock p.m., the Senate took the following actions:

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. 866, S.D. 1, presented a report (Conf. Com. Rep. No. 18) recommending that S.B. No. 866, 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 Hawaii, action on Conf. Com. Rep. No. 18 and S.B. No. 866, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TOURISM,” 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. 1750, S.D. 1, presented a report (Conf. Com. Rep. No. 19) recommending that S.B. No. 1750, 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 Hawaii, action on Conf. Com. Rep. No. 19 and S.B. No. 1750, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” 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. 58, S.D. 2, presented a report (Conf. Com. Rep. No. 20) recommending that S.B. No. 58, 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. 20 and S.B. No. 58, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DENTISTS,” 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. 1017, presented a report (Conf. Com. Rep. No. 21) recommending that S.B. No. 1017, 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. 21 and S.B. No. 1017, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” 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. 1803, S.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that S.B. No. 1803, 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 Hawaii, action on Conf. Com. Rep. No. 22 and S.B. No. 1803, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,” 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. 188, S.D. 2, presented a report (Conf. Com. Rep. No. 23) recommending that S.B. No. 188, 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. 23 and S.B. No. 188, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS

REGULATORY FLEXIBILITY ACT,” 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. 1315, S.D. 2, presented a report (Conf. Com. Rep. No. 24) recommending that S.B. No. 1315, 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. 24 and S.B. No. 1315, S.D. 2, H.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 Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 46, S.D. 1, presented a report (Conf. Com. Rep. No. 25) recommending that S.B. No. 46, 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 Hawaii, action on Conf. Com. Rep. No. 25 and S.B. No. 46, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 987, S.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that S.B. No. 987, 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 Hawaii, action on Conf. Com. Rep. No. 26 and S.B. No. 987, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1943, S.D. 2, presented a report (Conf. Com. Rep. No. 27) recommending that S.B. No. 1943, 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 Hawaii, action on Conf. Com. Rep. No. 27 and S.B. No. 1943, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY,” 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. 56, S.D. 1, presented a report (Conf. Com. Rep. No. 28) recommending that S.B. No. 56, 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 Hawaii, action on Conf. Com. Rep. No. 28 and S.B. No. 56, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO JURY SERVICE,” 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. 1665, presented a report (Conf. Com. Rep. No. 29) recommending that S.B. No. 1665, 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. 29 and

S.B. No. 1665, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMALS,” 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. 1833, S.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that S.B. No. 1833, 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 Hawaii, action on Conf. Com. Rep. No. 30 and S.B. No. 1833, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FAMILY LEAVE,” 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. 1004, S.D. 2, presented a report (Conf. Com. Rep. No. 31) recommending that S.B. No. 1004, 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 Hawaii, action on Conf. Com. Rep. No. 31 and S.B. No. 1004, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS,” 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. 1400, S.D. 2, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 1400, 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 Hawaii, action on Conf. Com. Rep. No. 32 and S.B. No. 1400, S.D. 2, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE,” 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. 1161, S.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 1161, 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 Hawaii, action on Conf. Com. Rep. No. 33 and S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE,” 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. 228, S.D. 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 228, 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 Hawaii, action on Conf. Com. Rep. No. 34 and S.B. No. 228, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GRAFFITI,” was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1603, S.D. 2, presented a report (Conf. Com. Rep. No. 35) recommending that S.B. No. 1603, 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 Hawaii, action on Conf. Com. Rep. No. 35 and S.B. No. 1603, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," 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. 1608, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 1608, S.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 Hawaii, action on Conf. Com. Rep. No. 59 and H.B. No. 1608, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," 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. 1612, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 1612, 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 Hawaii, action on Conf. Com. Rep. No. 60 and H.B. No. 1612, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," 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. 1337, H.D. 1, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 1337, 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 Hawaii, action on Conf. Com. Rep. No. 61 and H.B. No. 1337, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," 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. 487, H.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 487, 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 Hawaii, action on Conf. Com. Rep. No. 62 and H.B. No. 487, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 692, H.D. 2, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 692, 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 Hawaii, action on Conf. Com. Rep. No. 63 and H.B. No. 692, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," 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. 375, H.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that H.B. No. 375, 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 Hawaii, action on Conf. Com. Rep. No. 64 and H.B. No. 375, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," 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. 1518, H.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that H.B. No. 1518, 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 Hawaii, action on Conf. Com. Rep. No. 65 and H.B. No. 1518, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," 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. 1830, H.D. 2, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 1830, 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 Hawaii, action on Conf. Com. Rep. No. 66 and H.B. No. 1830, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," 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. 964, H.D. 1, presented a report (Conf. Com. Rep. No. 67) recommending that H.B. No. 964, 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 Hawaii, action on Conf. Com. Rep. No. 67 and H.B. No. 964, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," 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. 1503, H.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that H.B. No. 1503, 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 Hawaii, action on Conf. Com. Rep. No. 68 and H.B. No. 1503, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 791, H.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 791, 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 Hawaii, action on Conf. Com. Rep. No. 69 and H.B. No. 791, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," 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. 1246, H.D. 1, presented a report (Conf.

Com. Rep. No. 70) recommending that H.B. No. 1246, 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 Hawaii, action on Conf. Com. Rep. No. 70 and H.B. No. 1246, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," 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. 1130, H.D. 1, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 1130, 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 Hawaii, action on Conf. Com. Rep. No. 71 and H.B. No. 1130, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 6:30 o'clock p.m., Friday, April 27, 2007.