

## TWENTY-SEVENTH DAY

Friday, March 7, 2008

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2008, convened at 11:46 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bob Nakata, Kahaluu United Methodist Church, after which the Roll was called showing all Senators present.

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

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

Senators Slom, Inouye, Taniguchi and Fukunaga introduced and congratulated Junior Achievement of Hawaii on commemorating their 51<sup>st</sup> year in Hawai'i, and honored the following Hawaii Business Hall of Fame laureates for 2008: Jon de Mello, The Mountain Apple Co.; Richard Ha, Hamakua Springs Country Farms; Joseph J. Ferraro, Ferraro, Choi and Associates, Ltd; and Peter Kim, Yummy Restaurant Group. Accompanying the laureates was M. Steven Grant, Junior Achievement President.

Senators Inouye, Kokubun, Tsutsui, Hooser, English and Hee introduced and honored the Year of the Paniolo recipients: Merton Kekiwi, Kimo Ho'opai, Morrency Dudoit, Eddie Taniguchi, Tammy Medeiros (who was not present but was represented by Abraham Akau), Cheyenne Gaspar, Cole Hendrickson, Kristyn-Lee Vasconcelles, Cheyanne Keli'ihomalu and Levi Rita.

Senator English recognized the Boys and Girls Club Youth of the Year recipients: Chase Muramoto, Jazzlyn Pasion-Saflor, Kelly Quinn, Marilyn Siquig and Carina Surface.

At 12:13 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 453 to 493) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 453, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of JOHN B. NAEOLE, term to expire June 30, 2012, was referred to the Committee on Agriculture and Hawaiian Affairs.

Gov. Msg. No. 454, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of AUDWIN A. CALAIRO, term to expire June 30, 2011, was referred to the Committee on Agriculture and Hawaiian Affairs.

Gov. Msg. No. 455, submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, the nomination of ROLAND CABALO CASAMINA, term to expire June 30, 2012, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 456, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of DOUGLAS HIROSHI INOUE, term to expire June 30, 2012, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 457, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of JOSEPH C. SNIEZEK MD, FACS, term to expire June 30, 2011, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 458, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of JOHN K. KAYA, term to expire June 30, 2012, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 459, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of HANS H. RIECKE, term to expire June 30, 2008, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 460, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of HANS H. RIECKE, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 461, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of WILLIAM RYAN CHAPMAN, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 462, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of LAURA C. SCHUSTER, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 463, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of CECILIA K. AKIM, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 464, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of PONI ELLIOT KAMAUU, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 465, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of JACQUELINE LEILANI ROSSETTI, term to expire June 30, 2009, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 466, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of MAXEEN LAUAHI SHEA, term to expire June 30, 2012, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 467, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of CHARLES DAVID BOOTH, term to expire June 30, 2009, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 468, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of CRAIG I. NAKANISHI, term to expire June 30, 2011, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 469, submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), the nomination of TRACY T. CHIANG, term to expire June 30, 2011, was referred to the Committee on Economic Development and Taxation.

Gov. Msg. No. 470, submitting for consideration and confirmation to the Environmental Council, the nomination of ROBERT T. INOUE, term to expire June 30, 2008, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 471, submitting for consideration and confirmation to the Environmental Council, the nomination of ROBERT T. INOUE, term to expire June 30, 2012, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 472, submitting for consideration and confirmation to the Environmental Council, the nomination of ROBERT A. KING, term to expire June 30, 2012, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 473, submitting for consideration and confirmation to the Environmental Council, the nomination of WADE L. LORD, term to expire June 30, 2011, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 474, submitting for consideration and confirmation to the Environmental Council, the nomination of CHRISTOPHER B. STEELE, term to expire June 30, 2011, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 475, submitting for consideration and confirmation to the Environmental Council, the nomination of JAMES RAY SULLIVAN, term to expire June 30, 2008, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 476, submitting for consideration and confirmation to the Environmental Council, the nomination of JAMES RAY SULLIVAN, term to expire June 30, 2012, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 477, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of MARK F. ROMOSER, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 478, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of ROSEMARIE M. PROTACIO, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 479, submitting for consideration and confirmation to the Board of Health, the nomination of ANN M. KWOCK, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 480, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of LLOYD LIM, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 481, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of KATHLEEN K. SUZUKI, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 482, submitting for consideration and confirmation to the Health Planning Council, Tri-Isle Subarea, the nomination of WILLIAM L. THOMAS JR. MD, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 483, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of GARRETT F. SAIKLEY MD, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 484, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of KYOKO Y. KIMURA, term to expire June 30, 2012, was referred to the Committee on Tourism and Government Operations.

Gov. Msg. No. 485, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of JOSEPH G. PICKARD, term to expire June 30, 2012, was referred to the Committee on Water and Land.

Gov. Msg. No. 486, submitting for consideration and confirmation to the Land Use Commission, the nomination of LISA M. JUDGE, term to expire June 30, 2012, was referred to the Committee on Water and Land.

Gov. Msg. No. 487, submitting for consideration and confirmation to the Legacy Land Conservation Commission, the nomination of LORI LEIMAMO BUCHANAN, term to expire June 30, 2012, was referred to the Committee on Water and Land.

Gov. Msg. No. 488, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of RICHARD FLINT HUGHES PHD, term to expire June 30, 2012, was referred to the Committee on Water and Land.

Gov. Msg. No. 489, dated December 21, 2007, transmitting the 2007 Hawaii Coastal Zone Management Annual Report, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Section 205A-3(10), HRS, was placed on file

Gov. Msg. No. 490, letter dated February 25, 2008, transmitting proposed changes to the General Appropriations Act for various budget items for the Department of Budget and Finance, the Department of Education, the University of Hawaii, the Department of Land and Natural Resources, and the Department of Public Safety, was placed on file

Gov. Msg. No. 491, dated February 29, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2 (Second Special Session 2007), was placed on file

Gov. Msg. No. 492, dated March 5, 2008, transmitting the 2007 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General pursuant to Section 26-7, HRS, was placed on file

Gov. Msg. No. 493, dated March 3, 2008, transmitting the Employees' Retirement System's Report on Direct Holdings in Sudan Scrutinized Companies, pursuant to Act 192, Section 5, SLH 2007, was placed on file

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 373 to 378) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 373, informing the Senate that H.B. No. 987, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on March 4, 2008, was placed on file.

Hse. Com. No. 374, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1755, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 375, transmitting H.C.R. No. 11, which was adopted by the House of Representatives on March 6, 2008, was placed on file.

By unanimous consent, action on H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE SECOND WEEK OF JUNE AS MEN'S HEALTH WEEK," was deferred.

Hse. Com. No. 376, transmitting H.C.R. No. 25, which was adopted by the House of Representatives on March 6, 2008, was placed on file.

By unanimous consent, action on H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HOSPITALS THAT PROVIDE MEDICAL CARE TO NEWBORNS TO PROVIDE PARENTS OF THE NEWBORN WITH WRITTEN EDUCATIONAL INFORMATION APPROVED BY THE DEPARTMENT OF HEALTH ABOUT THE DANGEROUS EFFECTS OF SHAKEN BABY SYNDROME AND THE METHODS OF PREVENTING SHAKEN BABY SYNDROME," was deferred.

Hse. Com. No. 377, transmitting H.C.R. No. 33, H.D. 1, which was adopted by the House of Representatives on March 6, 2008, was placed on file.

By unanimous consent, action on H.C.R. No. 33, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE MONTH OF SEPTEMBER AS NATIONAL OVARIAN CANCER MONTH AND GYNECOLOGICAL CANCER AWARENESS MONTH," was deferred.

Hse. Com. No. 378, transmitting H.C.R. No. 53, which was adopted by the House of Representatives on March 6, 2008, was placed on file.

By unanimous consent, action on H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," was deferred.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 96 to 102) were read by the Clerk and were deferred:

##### Senate Concurrent Resolution

S.C.R. No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM, PERFORMANCE, AND FINANCIAL AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Offered by: Senator Whalen.

S.C.R. No. 97 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE LEGISLATION FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT EXECUTIVES, OFFICERS, AGENTS, OR EMPLOYEES OF INSURERS AND BUSINESS ENTITIES THAT HAVE CASES IN LITIGATION FROM SERVING ON THE HAWAII JUDICIAL SELECTION COMMISSION."

Offered by: Senator Chun Oakland.

S.C.R. No. 98 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER."

Offered by: Senators Chun Oakland, Bunda, Fukunaga, Hemmings, Tokuda.

S.C.R. No. 99 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO

CONDUCT A STUDY TO DETERMINE THE EFFECTS OF INDUSTRY REGULATION AND SAFETY STANDARDS ON RECREATIONAL INFLATABLE PLAY STRUCTURES FOR CHILDREN."

Offered by: Senators Espero, Gabbard, Ige, Inouye, Nishihara.

S.C.R. No. 100 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ADDRESS THE ISSUE OF SHARING CRIMINAL BACKGROUND INFORMATION BETWEEN THE FEDERAL AND STATE GOVERNMENT."

Offered by: Senators Espero, Chun Oakland, Gabbard, Inouye, Nishihara, Sakamoto, Whalen.

S.C.R. No. 101 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY, DURING THE 2009 REGULAR SESSION, TWO POSSIBLE LOCATIONS TO USE AS A HEADQUARTERS SITE FOR THE SHERIFF DIVISION."

Offered by: Senators Espero, Chun Oakland, Inouye, Gabbard, Nishihara, Whalen.

S.C.R. No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS."

Offered by: Senators Espero, Chun Oakland, Gabbard, Inouye, Nishihara.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 56 and 57) were read by the Clerk and were deferred:

##### Senate Resolution

S.R. No. 56 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY, DURING THE 2009 REGULAR SESSION, TWO POSSIBLE LOCATIONS TO USE AS A HEADQUARTERS SITE FOR THE SHERIFF DIVISION."

Offered by: Senators Espero, Chun Oakland, Inouye, Gabbard, Nishihara, Whalen.

S.R. No. 57 "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS."

Offered by: Senators Espero, Chun Oakland, Gabbard, Inouye, Nishihara.

#### STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2906), recommending that S.C.R. No. 37, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ESTABLISHMENT OF A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF

AND HARD OF HEARING INDIVIDUALS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2907), recommending that S.C.R. No. 25, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE ON AGING TO STUDY THE NEED FOR AND FEASIBILITY OF ESTABLISHING A DEPARTMENT OF AGING," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2908) recommending that S.C.R. No. 24, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2908 and S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY 2009 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was deferred until Monday, March 10, 2008.

Senators Hee and Nishihara, for the Committee on Water and Land and the Committee on Tourism and Government Operations, presented a joint report (Stand. Com. Rep. No. 2909) recommending that S.C.R. No. 54 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2909 and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE ALOHA TOWER DEVELOPMENT CORPORATION, PARTICULARLY WITH REGARD TO LAWSUITS RELATING TO DEVELOPMENT PROJECTS," was deferred until Monday, March 10, 2008.

Senator Hee, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2910) recommending that the Senate advise and consent to the nomination of JOSEPH L. DWIGHT IV to the Hawai'i Community Development Authority (HCDA), in accordance with Gov. Msg. No. 428.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2910 and Gov. Msg. No. 428 was deferred until Monday, March 10, 2008.

Senator Hee, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 2911) recommending that the Senate advise and consent to the nomination of NORMAND R. LEZY to the Land Use Commission, in accordance with Gov. Msg. No. 431.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2911 and Gov. Msg. No. 431 was deferred until Monday, March 10, 2008.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2890 (Gov. Msg. No. 257):

Senator English moved that Stand. Com. Rep. No. 2890 be received and placed on file, seconded by Senator Gabbard and carried.

Senator English then moved that the Senate advise and consent to the nomination of BRENNON MORIOKA as Director of the Department of Transportation, term to expire December 6, 2010, seconded by Senator Gabbard.

Senator English rose to speak in support of the measure and said:

"Madam President, members, I rise to support the nominee.

"Your Committee on Transportation and International Affairs has had a very good working relationship with Brennon, and we consider him to be academically qualified as well as well-prepared for this job. We think that the initiatives with the airports, the initiatives with harbors, and in the future initiatives with highways will be excelled and will help us to improve the transportation in Hawai'i. And we feel that because of his attitude and outlook on how to make these projects happen, that they will happen in a timely manner. I ask my colleagues to support his nomination because he has already proven himself to be an effective leader in this role. Thank you."

Senator Trimble rose to speak in support of the nominee:

"Madam President, I also rise to offer brief remarks in support of Brennon Morioka.

"I will note for the record that he has a bachelor's and master's from Cal-Berkeley, whose colors are somewhat similar to that of Punahou, but please do not confuse them. He has a Ph.D. from the University of Hawai'i. He has taught some rather esoteric courses up there. The only problem I have with the gentleman is that he's a highway man. But looking beyond that, I have known him for seven years. The things that I have always known him to be are very determined, very people-oriented, very concerned. What really shocked me was when I found out that he was an engineer.

"I urge my colleagues to vote for a very capable, hardworking, dedicated, solution-oriented people-person because he'll be a great, great Director of the Department of Transportation. Thank you."

Senator Hemmings rose to speak in favor of the nominee as follows:

"Madam President, I rise to speak in favor of the nominee.

"I'd like to just add a particular point of view I think is salient especially for 25 Senators. There are 16 active cabinet level heads in the executive branch of government who work for the Lingle administration. And as a State Senator, I don't ever recall one of my constituents calling me up and asking that I give Kurt Kawafuchi a call and ask him to do a better job collecting our taxes. The point is that I believe that besides working for the Lingle administration, in this particular department, because of the harbors, airports, but most especially because of the highways, Brennon gets calls from all 76 Legislators on a regular basis. Traffic is a huge and vexing problem for all of us, and this man is the right man at the right time for the right job.

"I'm looking forward to working with him as I think all the Senators would be, and I do urge us all to give him unanimous support with our vote today. Thank you, Madam President."

Senator Baker rose to speak in support of the nominee and said:

"Madam President, I, too, rise in support of this nominee.

"Perhaps all of us have traffic issues in our districts, but some of the more challenging ones happen to be in the fifth senatorial district on the island of Maui between Maalaea and Lahaina. And I must say that Mr. Morioka has helped our community with good humor, good advice, and patience to assist us through some of those thorny issues. So it is on behalf of my constituents that I rise in support of this nominee and express their appreciation for his continuing to shepherd some of these highway projects, even though now he has to look after harbors and airports as well. Thank you."

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

Ayes, 22. Noes, none. Excused, 3 (Hee, Ihara, Kim).

At this time, Senator English introduced Mr. Morioka and his family to the members of the Senate.

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

The Senate reconvened at 12:33 p.m.

Stand. Com. Rep. No. 2891 (Gov. Msg. Nos. 426 and 427):

At 12:33 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:34 p.m.

Senator Ige moved that Stand. Com. Rep. No. 2891 be received and placed on file, seconded by Senator Whalen and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Kaua'i Aquatic Life and Wildlife Advisory Committee of the following:

GEORGE R. COATES, term to expire June 30, 2012 (Gov. Msg. No. 426); and

ELTON S. USHIO, term to expire June 30, 2012 (Gov. Msg. No. 427),

seconded by Senator Whalen.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Kim, Menor).

Stand. Com. Rep. No. 2892 (Gov. Msg. No. 429):

Senator Ige moved that Stand. Com. Rep. No. 2892 be received and placed on file, seconded by Senator Whalen and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of BONNIE K. KAHAPEA-TANNER to the Kaneohe Bay Regional Council, term to expire June 30, 2012, seconded by Senator Whalen.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Kim, Menor).

Stand. Com. Rep. No. 2893 (Gov. Msg. No. 432):

Senator Ige moved that Stand. Com. Rep. No. 2893 be received and placed on file, seconded by Senator Whalen and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of JOAN E. CANFIELD to the Legacy Land Conservation Commission, term to expire June 30, 2012, seconded by Senator Whalen.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Kim, Menor).

Stand. Com. Rep. No. 2894 (Gov. Msg. No. 433):

Senator Ige moved that Stand. Com. Rep. No. 2894 be received and placed on file, seconded by Senator Whalen and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of DALE BRIAN BONAR to the Natural Area Reserve System Commission, term to expire June 30, 2012, seconded by Senator Whalen.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Kim, Menor).

Stand. Com. Rep. No. 2895 (Gov. Msg. Nos. 398, 399, 400 and 401):

Senator Ige moved that Stand. Com. Rep. No. 2895 be received and placed on file, seconded by Senator Whalen and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Advisory Board on Veterans' Services of the following:

LUIS ALEJANDRO PARKER, terms to expire June 30, 2008, and June 30, 2012 (Gov. Msg. Nos. 398 and 399);

LLOYD K. SODETANI, term to expire June 30, 2012 (Gov. Msg. No. 400); and

ANNE V. STEVENS, term to expire June 30, 2012 (Gov. Msg. No. 401),

seconded by Senator Whalen.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Kim, Menor).

At 12:35 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 p.m.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY MARCH 6, 2008

Stand. Com. Rep. No. 2896 (S.C.R. No. 57):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT PAHOA HIGH AND INTERMEDIATE SCHOOL DEDICATE ITS GYMNASIUM IN HONOR OF FORMER REPRESENTATIVE HELENE H. HALE, BY CHANGING THE NAME OF THE GYMNASIUM TO 'HELENE H. HALE GYMNASIUM,'" was adopted.

Stand. Com. Rep. No. 2897 (S.C.R. No. 47, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 2897 and S.C.R. No. 47, S.D. 1, be adopted, seconded by Senator Whalen.

Senator Chun Oakland rose to speak in support of the measure and said:

"Madam President, on Stand. Com. Rep. No. 2897, S.C.R. No. 47, S.D. 1, may I insert comments in support of this measure and also to recognize Dan de Gracia for helping us in this effort. Thank you."

The Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"Madam President, I rise in strong support of Standing Committee Report No. 2897 and 2898 for Senate Concurrent Resolution No. 47, S.D. 1, and Senate Resolution No. 22, S.D. 1: 'Respectfully requesting the U.S. Postal Service to commemorate the honorable service of the F-14 Tomcat in defending freedom.'

"During the years that followed America's withdrawal from Vietnam, America suffered a malaise in self-esteem and self-confidence. The F-14 helped change that image by scoring victories throughout the 1980s against Soviet aircraft in the skies over the Mediterranean Sea, whether fighting against Libyan aircraft or intercepting aircraft harboring international terrorists. So great was the Tomcat's fame that during the Eighties, a movie was filmed right here in Honolulu, Hawaii, named 'The Final Countdown' which glamorized the aircraft and its crews. An article written late last year in the Honolulu Star Bulletin by Waipahu resident Daniel de Gracia summed it up best: 'All across the world, the Tomcat was America's premier representative of our will to defend our freedom, giving us a symbol to rally to in a time of uncertainty and low national self-esteem.'

"The F-14 Tomcat holds a special place in the heart of thousands of former U.S. Navy aviators, and an entire generation of individuals who read of its heroic exploits. Now that the aircraft is retired, all remaining aircraft not reserved for museums are being chopped up and destroyed for scrap use in soda cans, aluminum foil, automobiles, and other generic uses. For the men and women of that aircraft, all they have left is memories, and they would very much like to see those historic memories preserved in the form of a Tomcat stamp. The F-14 Tomcat pilots have a saying: 'Tomcats Forever.' I think it would be very fitting for the USPS to produce a first class Forever Stamp.

"I urge my colleagues to vote in favor of these resolutions."

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

"Madam President, I speak in strong support of Stand. Com. Rep. No. 2897 and 2898 for S.C.R. No. 47 and S.R. No. 22, introduced by our good Senator, Senator Chun Oakland.

"We got educated today, Madam President and colleagues, on paniola, but we're going to get educated today on the Tomcat. These two resolutions ask the U.S. Postal Service to commemorate one of the most historic and well-known aircraft in the history of American military aviation—the recently-retired F-14 Tomcat. Throughout the 1980s the F-14 Tomcat defended freedom both at home and abroad. So popular and so successful was the service of the F-14 Tomcat that in 1986 a film was made in its honor, which I'm sure all of you remember—*Topgun*. In that movie, a scene portrayed Tomcat pilots departing for a rescue mission with their commanding officer booming the following words, 'Gentlemen, this is the real thing. You are America's best. Make us proud.'

"Madam President, those words proved to be more than just cinematic—they were prophetic. The F-14 and its operators kept America free from enemy invasion until its retirement in 2006, and time and time again came through no matter what mission they were given, showing all of us that they were the best, and making all of us very proud.

"I ask my colleagues to please vote in strong support of these resolutions. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 47, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE U.S. NAVY'S F-14 TOMCAT IN DEFENDING FREEDOM," was adopted.

Stand. Com. Rep. No. 2898 (S.R. No. 22, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 2898 and S.R. No. 22, S.D. 1, be adopted, seconded by Senator Whalen.

Senator Chun Oakland requested her remarks be inserted into the Journal, and the Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"Madam President, I rise in strong support of Standing Committee Report No. 2897 and 2898 for Senate Concurrent Resolution No. 47, S.D. 1, and Senate Resolution No. 22, S.D. 1: 'Respectfully requesting the U.S. Postal Service to commemorate the honorable service of the F-14 Tomcat in defending freedom.'

"During the years that followed America's withdrawal from Vietnam, America suffered a malaise in self-esteem and self-confidence. The F-14 helped change that image by scoring victories throughout the 1980s against Soviet aircraft in the skies over the Mediterranean Sea, whether fighting against Libyan aircraft or intercepting aircraft harboring international terrorists. So great was the Tomcat's fame that during the Eighties, a movie was filmed right here in Honolulu, Hawaii, named 'The Final Countdown' which glamorized the aircraft and its crews. An article written late last year in the Honolulu Star Bulletin by Waipahu resident Daniel de Gracia summed it up best: 'All across the world, the Tomcat was America's premier representative of our will to defend our freedom, giving us a symbol to rally to in a time of uncertainty and low national self-esteem.'

"The F-14 Tomcat holds a special place in the heart of thousands of former U.S. Navy aviators, and an entire generation of individuals who read of its heroic exploits. Now that the aircraft is retired, all remaining aircraft not reserved for museums are being chopped up and destroyed for scrap use in soda cans, aluminum foil, automobiles, and other generic uses. For the men and women of that aircraft, all they have left is memories, and they would very much like to see those historic memories preserved in the form of a Tomcat stamp. The F-14 Tomcat pilots have a saying: 'Tomcats Forever.' I think it would be very fitting for the USPS to produce a first class Forever Stamp.

"I urge my colleagues to vote in favor of these resolutions."

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

"Madam President, I speak in strong support of Stand. Com. Rep. No. 2897 and 2898 for S.C.R. No. 47 and S.R. No. 22, introduced by our good Senator, Senator Chun Oakland.

"We got educated today, Madam President and colleagues, on paniola, but we're going to get educated today on the Tomcat. These two resolutions ask the U.S. Postal Service to commemorate one of the most historic and well-known aircraft in the history of American military aviation—the recently-retired F-14 Tomcat. Throughout the 1980s the F-14 Tomcat defended freedom both at home and abroad. So popular and so successful was the service of the F-14 Tomcat that in 1986 a film was made in its honor, which I'm sure all of you remember—*Topgun*. In that movie, a scene portrayed Tomcat pilots departing for a rescue mission with their commanding officer booming the following words, 'Gentlemen, this is the real thing. You are America's best. Make us proud.'

“Madam President, those words proved to be more than just cinematic—they were prophetic. The F-14 and its operators kept America free from enemy invasion until its retirement in 2006, and time and time again came through no matter what mission they were given, showing all of us that they were the best, and making all of us very proud.

“I ask my colleagues to please vote in strong support of these resolutions. Thank you.”

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 22, S.D. 1, entitled: “SENATE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE U.S. NAVY’S F-14 TOMCAT IN DEFENDING FREEDOM,” was adopted.

Stand. Com. Rep. No. 2899 (S.C.R. No. 52):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 52, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO IMPLEMENT PROGRAMS TO INCREASE VISITORS FROM TAIWAN, AND REQUESTING THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN,” was adopted.

Stand. Com. Rep. No. 2900 (S.R. No. 26):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 26, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO IMPLEMENT PROGRAMS TO INCREASE VISITORS FROM TAIWAN, AND REQUESTING THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN,” was adopted.

Stand. Com. Rep. No. 2901 (S.C.R. No. 22):

Senator Sakamoto moved that Stand. Com. Rep. No. 2901 and S.C.R. No. 22 be adopted, seconded by Senator Tokuda.

Senator Ige then moved that Stand. Com. Rep. No. 2901 and S.C.R. No. 22 be recommitted to the Committee on Education, seconded by Senator Whalen.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2901 and S.C.R. No. 22, entitled: “SENATE CONCURRENT RESOLUTION RECOGNIZING PATSY TAKEMOTO MINK FOR CHAMPIONING THE CAUSE OF EQUITY IN ATHLETICS ON BEHALF OF ALL WOMEN IN THE UNITED STATES,” were recommitted to the Committee on Education.

Stand. Com. Rep. No. 2902 (S.C.R. No. 53, S.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN,” was adopted.

Stand. Com. Rep. No. 2903 (S.R. No. 27, S.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER

INTO A FREE TRADE AGREEMENT WITH TAIWAN,” was adopted.

Stand. Com. Rep. No. 2904 (S.C.R. No. 8)

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 8, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009,” was adopted.

Stand. Com. Rep. No. 2905 (S.R. No. 3):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 3, entitled: “SENATE RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009,” was adopted.

### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Friday, February 29, 2008; Tuesday, March 4, 2008; and Thursday, March 6, 2008:

Senate Concurrent Resolution	Referred to:
S.C.R. No. 88	Committee on Education
S.C.R. No. 89	Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means
S.C.R. No. 90	Committee on Judiciary and Labor
S.C.R. No. 91	Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 92	Jointly to the Committee on Education and the Committee on Human Services and Public Housing
S.C.R. No. 93	Jointly to the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs, then to the Committee on Tourism and Government Operations
S.C.R. No. 94	Jointly to the Committee on Education and the Committee on Health
S.C.R. No. 95	Committee on Water and Land, then to the Committee on Ways and Means

### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Friday, February 29, 2008; Tuesday, March 4, 2008; and Thursday, March 6, 2008:

Senate Resolution	Referred to:
S.R. No. 50	Committee on Judiciary and Labor
S.R. No. 51	Committee on Education, then to the Committee on Ways and Means
S.R. No. 52	Jointly to the Committee on Education and the Committee on Human Services and Public Housing
S.R. No. 53	Jointly to the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs, then to the Committee on Tourism and Government Operations

S.R. No. 54 Jointly to the Committee on Education and the Committee on Health

S.R. No. 55 Committee on Water and Land, then to the Committee on Ways and Means

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

H.B. No. 509, H.D. 2 Jointly to the Committee on Transportation and International Affairs and the Committee on Intergovernmental and Military Affairs

H.B. No. 1075, H.D. 1 Committee on Economic Development and Taxation, then to the Committee on Commerce, Consumer Protection and Affordable Housing

H.B. No. 2040 Jointly to the Committee on Economic Development and Taxation and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

H.B. No. 2357, H.D. 1 Jointly to the Committee on Agriculture and Hawaiian Affairs and the Committee on Water and Land, then jointly to the Committee on Economic Development and Taxation and the Committee on Ways and Means

H.B. No. 2437 Committee on Transportation and International Affairs, then to the Committee on Ways and Means

H.B. No. 2587, H.D. 1 Jointly to the Committee on Economic Development and Taxation and the Committee on Education, then to the Committee on Ways and Means

H.B. No. 2712, H.D. 1 Jointly to the Committee on Economic Development and Taxation and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

H.B. No. 2736, H.D. 1 Committee on Economic Development and Taxation, then jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection and Affordable Housing

H.B. No. 2843, H.D. 2 Jointly to the Committee on Agriculture and Hawaiian Affairs, the Committee on Energy and Environment and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

H.B. No. 2863, H.D. 2 Jointly to the Committee on Energy and Environment, the Committee on Water and Land and the Committee on Intergovernmental and Military Affairs, then jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Ways and Means

H.B. No. 2887, H.D. 2 Jointly to the Committee on Agriculture and Hawaiian Affairs and the Committee on Health, then to the Committee on Commerce, Consumer Protection and Affordable Housing

H.B. No. 2965, H.D. 2 Jointly to the Committee on Agriculture and Hawaiian Affairs and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

H.B. No. 2971, H.D. 1 Committee on Education, then to the Committee on Ways and Means

H.B. No. 3120, H.D. 2 Committee on Agriculture and Hawaiian Affairs, then to the Committee on Ways and Means

#### ADJOURNMENT

At 12:40 p.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 a.m., Monday, March 10, 2008.