

## FORTIETH DAY

**Thursday, April 2, 2009**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:32 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Raeceen Woolford, Office of the Honorable David Y. Ige, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Hemmings who was excused.

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

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

Senator Espero, with the assistance of Senators Slom, Ige, Ihara, and Tokuda, introduced and congratulated Noelle Espero, Miss Teen Hawai'i 2009; Ashlee Kozuma, Miss Junior Teen Hawai'i 2009; Kristina Lum, Mrs. Hawai'i 2008; Cassie Ann Sumimoto, Miss Hawai'i Teen, United States 2008; and Ashlenn Lianah Keolakiakahi Galdeira, Miss Hawai'i Junior Teen, United States 2008.

Senator Kidani commended and congratulated the Mililani High School Mock Trial Team, winner of the 2008-2009 Young Lawyers Division High School Mock Trial Championship. Representing the team were Coach Amy Perruso, Team Captain Sarah Nishioka, Jacob Garner, Amy Hunt, and Jessica Sneed.

At 11:51 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 540 to 560) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 540, dated March 6, 2009, transmitting a report prepared by the Department of Hawaiian Home Lands pursuant to Act 158, Section 63.1, SLH 2008, on the sum expended to construct a monument on Molokai to honor Hansen's disease patients sent to Kalaupapa, was placed on file.

Gov. Msg. No. 541, letter dated March 25, 2009, transmitting proposed changes to the Appropriations Act (S.B. No. 200) for the Department of Accounting and General Services, the Department of the Attorney General, the Office of the Governor, the Department of Human Services, the Department of Labor and Industrial Relations, the Department of Land and Natural Resources, the Department of Taxation and the Department of Transportation, was placed on file.

Gov. Msg. No. 542, letter dated March 30, 2009, transmitting a proposed bill draft for immediate passage to amend the Executive Budget, was placed on file.

Gov. Msg. No. 543, letter dated March 30, 2009, transmitting proposed changes to the FB 2009-11 Executive Budget (H.B. No. 200), was placed on file.

Gov. Msg. No. 544, dated March 18, 2009, transmitting a Report on Agencies that Delegate the Audit Responsibility and Transfer Funds, prepared by the Department of Accounting and General Services pursuant to Act 213, Section 174, SLH 2007, was placed on file.

Gov. Msg. No. 545, informing the Senate that on April 1, 2009, the Governor signed into law Senate Bill No. 412 as Act 2, entitled: "RELATING TO THE ENVIRONMENT," was placed on file.

Gov. Msg. No. 546, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of RICHARD L. WILCOX, term to expire June 30, 2010, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 547, submitting for consideration and confirmation to the Contractors License Board, the nomination of HAROLD MARTIN, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 548, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of WAYNE S. ATEBARA, term to expire June 30, 2012, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 549, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of ROBERT G. SHERMAN, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 550, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nomination of MICHAEL P. HAMNETT, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 551, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of DANTON S. WONG, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 552, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of CLAUD ROBERT SUTCLIFFE, term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 553, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of FERREIRA V. CASIMIRA, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 554, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of MARIAN A. CRISLIP, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 555, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of SALLY A. HARPER, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 556, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of ALBERT D. KIM, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 557, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of NADINE N. NISHIOKA, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 558, submitting for consideration and confirmation to the Hawai'i Commission for National and

Community Service, the nomination of CHRISTOPHER J. WONG, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 559, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of L. DEW KANESHIRO, term to expire June 30, 2013, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 560, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nomination of COLETTE Y. P. MACHADO, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

#### DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 68) was read by the Clerk and was placed on file:

Dept. Com. No. 68, from the State Auditor, dated March 31, 2009, transmitting a report, "Audit of the State of Hawaii's Information Technology: Who's in Charge?" (Report No. 09-06).

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 356) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 356, transmitting H.C.R. No. 144, which was adopted by the House of Representatives on March 31, 2009, was placed on file.

By unanimous consent, H.C.R. No. 144, entitled: "A BILL FOR AN ACT URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION DETERRING THE TRANSPORTATION OF HOMELESS PERSONS TO HAWAII," was deferred.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 1075, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 2009.

Senators Baker and English, for the Committee on Commerce and Consumer Protection and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 1061, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 2009.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 632, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 632, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 2009.

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1092) recommending that the Senate advise and consent to the nomination of RONALD K. WILLIAMS to the Board of Directors of the Hawai'i Tourism Authority, in accordance with Gov. Msg. No. 477.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1092 and Gov. Msg. No. 477 was deferred until Friday, April 3, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1093) recommending that the Senate advise and consent to the nomination of JASON T. OKUHAMA to the Board of Directors of the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 420.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1093 and Gov. Msg. No. 420 was deferred until Friday, April 3, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1094) recommending that the Senate advise and consent to the nomination of STEVEN L. ARCE to the Molokai Irrigation System Water Users Advisory Board, in accordance with Gov. Msg. No. 458.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1094 and Gov. Msg. No. 458 was deferred until Friday, April 3, 2009.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1095) recommending that S.C.R. No. 84 be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN IMMEDIATE FINANCIAL STATEMENT AUDIT OF THE WATERS OF LIFE PUBLIC CHARTER SCHOOL FOR FISCAL YEAR 2006-2007 AND FISCAL YEAR 2007-2008," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1096) recommending that S.C.R. No. 34, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO EXAMINE THE FISCAL, CURRICULUM, AND OTHER IMPACTS OF A FOUR-DAY SCHOOL WEEK FOR SCHOOL COMPLEXES," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1097) recommending that S.C.R. No. 31, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE PERFORMANCE OF THE MANAGEMENT OF THE PUUWAI MOMI AND WEST OAHU ASSET MANAGEMENT PROJECTS (KNOWN AS AMP 30 AND AMP 44) TO COMPARE THE PERFORMANCE OF STATE OPERATED AND PRIVATELY OPERATED PUBLIC HOUSING PROPERTIES; AND TO DETERMINE THE RELATIVE CONTRIBUTIONS OF FUNDING LEVELS, MISMANAGEMENT, AND TENANT AND VISITOR ACTIONS TO THE FAILURE TO MEET STANDARDS," was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1098) recommending that S.C.R. No. 123, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 123, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF THE COMMUNITY COLLEGES OF THE UNIVERSITY OF HAWAII SYSTEM TO DETERMINE IF IT WOULD BE BENEFICIAL TO ESTABLISH A SEPARATE STATEWIDE SYSTEM FOR THE COMMUNITY COLLEGES," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1099) recommending that S.C.R. No. 17, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION MANDATING COVERAGE OF EARLY INTERVENTION SERVICES FOR INFANTS AND CHILDREN FROM BIRTH TO AGE THREE," was referred to the Committee on Ways and Means.

Senators Chun Oakland and English, for the Committee on Human Services and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1100) recommending that S.C.R. No. 13 be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 13, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY ACTION TO STIMULATE INDIVIDUAL SAVINGS AND DEVELOPMENT OF CREDIT AND TO FORMULATE AN INVENTORY OF BANKING SERVICES AVAILABLE TO LOW-INCOME PERSONS AND THOSE WITH NO CREDIT HISTORY IN THE STATE," was referred to the Committee on Commerce and Consumer Protection.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1101) recommending that S.C.R. No. 86 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1101 and S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AN INVENTORY OF ALL TEXTBOOKS FOR ALL PUBLIC SCHOOLS," was deferred until Friday, April 3, 2009.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1102) recommending that S.C.R. No. 150, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1102 and S.C.R. No. 150, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH AND FACILITATE A SPECIAL EDUCATION PRIVATE SCHOOL TASK FORCE TO ADVISE THE DEPARTMENT OF EDUCATION ON POLICIES OR PROCEDURES FOR OVERSIGHT AND MONITORING OF PRIVATE SCHOOL OR FACILITY PLACEMENTS," was deferred until Friday, April 3, 2009.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 1103) recommending that S.C.R. No. 149, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1103 and S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE BOARD OF EDUCATION TO MODIFY PUBLIC HIGH SCHOOL GRADUATION REQUIREMENTS BY REQUIRING FIFTY HOURS OF COMMUNITY SERVICE FROM ALL STUDENTS AS PART OF THE DEPARTMENT OF EDUCATION'S CIVIC RESPONSIBILITY REQUIREMENT," was deferred until Friday, April 3, 2009.

Senators Sakamoto and Tokuda, for the Committee on Education and Housing and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1104) recommending that S.C.R. No. 146 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1104 and S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII P-20 PARTNERSHIPS FOR EDUCATION TO CONVENE THE APPROPRIATE AGENCIES TO EXAMINE CURRENT AND EMERGING PROGRAMS SEEKING TO TRACK STUDENT PROGRESS AND DEVELOP A LONGITUDINAL DATA SYSTEM FOR STUDENTS BEGINNING IN EARLY CHILDHOOD PROGRAMS TO GRADE TWELVE, AND BEYOND TO HIGHER EDUCATION AND THE WORKFORCE," was deferred until Friday, April 3, 2009.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1105) recommending that S.C.R. No. 88, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1105 and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ESTABLISH A TRANSIT ORIENTED DEVELOPMENT TASK FORCE TO FACILITATE MIXED-INCOME AND AFFORDABLE HOUSING IN TRANSIT ORIENTED DEVELOPMENTS BY BETTER COORDINATING TRANSPORTATION AND HOUSING PLANNING AND PROGRAMS," was deferred until Friday, April 3, 2009.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1106) recommending that S.C.R. No. 81 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1106 and S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO REVIEW THE FEASIBILITY OF DEVELOPING SINGLE ROOM OCCUPANCY DWELLINGS IN TRANSIT ORIENTED DEVELOPMENT PROJECTS, TO ALLEVIATE THE AFFORDABLE HOUSING SHORTAGE," was deferred until Friday, April 3, 2009.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1107) recommending that S.C.R. No. 29, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1107 and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was deferred until Friday, April 3, 2009.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1108) recommending that S.C.R. No. 27, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1108 and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO CONSIDER RAISING THE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1109) recommending that S.C.R. No. 50 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1109 and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOHE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAII," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1110) recommending that S.R. No. 30 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1110 and S.R. No. 30, entitled: "SENATE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE ANE KEOHOKALOHE HIGHWAY EXTENSION, MID-LEVEL ROAD, IN THE COUNTY OF HAWAII," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1111) recommending that S.C.R. No. 119 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1111 and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report

(Stand. Com. Rep. No. 1112) recommending that S.R. No. 78 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1112 and S.R. No. 78, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF BICYCLING," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1113) recommending that S.C.R. No. 80 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1113 and S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1114) recommending that S.R. No. 48 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1114 and S.R. No. 48, entitled: "SENATE RESOLUTION URGING NONPROFIT ORGANIZATIONS AND COMMUNITY GROUPS TO ESTABLISH SAFETY PROCEDURES FOR ROADSIDE SOLICITATION OF FUNDS AND DONATED GOODS," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1115) recommending that S.C.R. No. 127 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1115 and S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1116) recommending that S.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1116 and S.R. No. 83, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1117) recommending that S.C.R. No. 109 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1117 and S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1118) recommending that S.R. No. 68 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1118 and S.R. No. 68, entitled: "SENATE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE HOAKALEI RESORT AND MARINA IN EWA BEACH TO DOWNTOWN HONOLULU," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1119) recommending that S.C.R. No. 62, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1119 and S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was deferred until Friday, April 3, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1120) recommending that S.R. No. 36, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1120 and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS," was deferred until Friday, April 3, 2009.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1121) recommending that H.C.R. No. 5, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1121 and H.C.R. No. 5, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was deferred until Friday, April 3, 2009.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1122) recommending that H.C.R. No. 39, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1122 and H.C.R. No. 39, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MONTH OF MAY AS "FOSTER CARE AWARENESS MONTH", A TIME TO EDUCATE THE PUBLIC ABOUT THE VARIOUS COMPONENTS OF FOSTER CARE, INCLUDING FOSTER PARENTS, CHILDREN, AND FAMILIES," was deferred until Friday, April 3, 2009.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 1186, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

H.B. No. 1186, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 3, 2009.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1088 (Gov. Msg. No. 278):

Senator English moved that Stand. Com. Rep. No. 1088 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 CARLOS WARTER MD to the Medical Advisory Board, term to expire June 30, 2013, seconded by Senator Gabbard.

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

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

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following Senate concurrent resolutions that were offered:

S.C.R. No.	Re-referred to:
S.C.R. No. 69	Committee on Commerce and Consumer Protection
S.C.R. No. 105	Committee on Human Services

#### RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

H.B. No.	Re-referred to:
H.B. No. 813, H.D. 1	Committee on Human Services

#### ADJOURNMENT

At 12:05 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, April 3, 2009.