

TWENTY-NINTH DAY

Thursday, March 11, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:36 a.m. with the President in the Chair.

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

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

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

Senator Kim recognized and congratulated Kalapana on their 35th anniversary and commending them for their brilliant contributions to the world of music. Representing Kalapana were Carl James Malani Bilyeu, David John (DJ) Pratt, Gaylord Holomalia, and Kenji Sano who was unable to attend. Other band members seated in the gallery were recognized, including Randy Aloya and Todd Yukumoto. Accompanying Kalapana were Mrs. Crystal Bilyeu, Carlton and Janet Hadley, and Mrs. Terry Holomalia.

Senators Hee and Galuteria also congratulated Kalapana on their 35th anniversary and thanked them for their contributions to Hawaiian music.

At 11:50 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 262 and 263) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 262, transmitting H.C.R. No. 71, which was adopted by the House of Representatives on March 10, 2010, was placed on file.

By unanimous consent, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO SUPPORT THE PASSAGE OF S. 1337, THE FILIPINO VETERANS FAMILY REUNIFICATION ACT OF 2009, OR SIMILAR LEGISLATION, TO EXPEDITE FAMILY REUNIFICATION FOR CERTAIN FILIPINO VETERANS OF WORLD WAR II," was deferred.

Hse. Com. No. 263, transmitting H.C.R. No. 87, which was adopted by the House of Representatives on March 10, 2010, was placed on file.

By unanimous consent, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK THAT INCLUDES AUGUST 24TH AS SURF WEEK IN HAWAII," was deferred.

STANDING COMMITTEE REPORTS

Senators Espero and Chun Oakland, for the Committee on Public Safety and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2695) recommending that H.B. No. 2061, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

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

H.B. No. 2061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2696) recommending that H.B. No. 1190, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1190, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2697) recommending that H.B. No. 134, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 134, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2698) recommending that H.B. No. 2028, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2699) recommending that H.B. No. 2136, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2700) recommending that H.B. No. 2546, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed

Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 2010.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 2682 (Gov. Msg. No. 224):

Senator Espero moved that Stand. Com. Rep. No. 2682 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of THOMAS T. WATTS to the Crime Victim Compensation Commission, term to expire June 30, 2014, seconded by Senator Bunda.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2683 (Gov. Msg. Nos. 299, 300, and 301):

Senator Espero moved that Stand. Com. Rep. No. 2683 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the State Council for Interstate Adult Offender Supervision of the following:

DENNIS M. DUNN, term to expire June 30, 2010 (Gov. Msg. No. 299);

DENNIS M. DUNN, term to expire June 30, 2014 (Gov. Msg. No. 300); and

JANICE YAMADA, term to expire June 30, 2013 (Gov. Msg. No. 301),

seconded by Senator Bunda.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2684 (Gov. Msg. No. 302):

Senator Espero moved that Stand. Com. Rep. No. 2684 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of HERBERT C. LUM to the Advisory Board on Veterans' Services, term to expire June 30, 2014, seconded by Senator Bunda.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2685 (Gov. Msg. Nos. 303 and 304):

Senator Espero moved that Stand. Com. Rep. No. 2685 be received and placed on file, seconded by Senator Bunda and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Wireless Enhanced 911 Board of the following:

JAMES D. LACLAIR, term to expire June 30, 2012 (Gov. Msg. No. 303); and

GOLDIE K. CROSS, term to expire June 30, 2014 (Gov. Msg. No. 304),

seconded by Senator Bunda.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2686 (Gov. Msg. Nos. 183, 184, and 251):

Senator Baker moved that Stand. Com. Rep. No. 2686 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

NORMAN G.Y. HONG, term to expire June 30, 2014 (Gov. Msg. No. 183);

HOWARD K.C. LAU, term to expire June 30, 2014 (Gov. Msg. No. 184); and

CLAYTON CHUN YEE PANG, term to expire June 30, 2013 (Gov. Msg. No. 251),

seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2687 (Gov. Msg. Nos. 191 and 254):

Senator Baker moved that Stand. Com. Rep. No. 2687 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Psychology of the following:

FRANCES PAULETTE HACKBARTH, term to expire June 30, 2014 (Gov. Msg. No. 191); and

SCOTT S. HASHIMOTO, term to expire June 30, 2013 (Gov. Msg. No. 254),

seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2688 (Gov. Msg. No. 194):

Senator Baker moved that Stand. Com. Rep. No. 2688 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JENNY C. WELLS to the Board of Speech Pathology and Audiology, term to expire June 30, 2013, seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2689 (Gov. Msg. No. 250):

Senator Baker moved that Stand. Com. Rep. No. 2689 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of GAY L. MATHEWS to the Credit Union Advisory Board, term to expire June 30, 2014, seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2690 (Gov. Msg. Nos. 252 and 253):

Senator Baker moved that Stand. Com. Rep. No. 2690 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

DARRYL D. PERRY, term to expire June 30, 2012 (Gov. Msg. No. 252); and

GARY A. YABUTA, term to expire June 30, 2013 (Gov. Msg. No. 253),

seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2691 (Gov. Msg. No. 275):

Senator Baker moved that Stand. Com. Rep. No. 2691 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ROY M. SASUGA to the Motor Vehicle Repair Industry Board, term to expire June 30, 2014, seconded by Senator Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2692 (Gov. Msg. No. 276):

Senator Baker moved that Stand. Com. Rep. No. 2692 be received and placed on file, seconded by Senator Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DENNIS JOHN SHORT to the Motor Vehicle Industry Licensing Board, term to expire June 30, 2013, seconded by Senator Ige.

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

Ayes, 25. Noes, none.

THIRD READING

H.B. No. 2427, H.D. 1, S.D. 1:

On motion by Senator Gabbard, seconded by Senator English and carried, H.B. No. 2427, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon."

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

"Today, we have an opportunity that's pretty unique. There's an expert in the area of addiction medicine speaking here at the Capitol. My office is sponsoring his team. It's Dr. Ira Chasnoff. His focus has been on the effects of alcohol, drugs, and smoking on infants in utero (before they're born) for many years, and he's done a study and a lot of work on Big Island. Today, he's discussing the results of the first 1,000 patients, and I think he's got very profound findings. He's an excellent speaker to listen to, very enjoyable; and we are feeding people if they'll come. So, we would love to have your company today; and it's from about 12pm to 2pm down in the Auditorium."

ADJOURNMENT

At 11:58 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 12, 2010.