

THIRTY-SECOND DAY

Tuesday, March 16, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:34 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend William J. Kunisch II, Co-Cathedral of Saint Theresa of the Child Jesus, after which the Roll was called showing all Senators present with the exception of Senators Hemmings and Takamine who were excused.

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

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

Senator Sakamoto introduced his friend and former employee Chris Kuchling.

Senator Sakamoto also introduced acting Superintendent of the Department of Education Kathryn Matayoshi, who was seated in the gallery.

Senator Sakamoto, with the assistance of Senators Tokuda, Chun Oakland, Kim, Ige, Kokubun, English, and Hooser, introduced and commended the following recipients of the 2010 Teacher of the Year Awards: Mr. Wima Chulakote, Olomana School (2010 Hawai'i State Teacher of the Year); Ms. Christine Ho, Farrington High (2010 Honolulu District Teacher of the Year); Ms. Julia Rose LoPresti, 'Aiea Intermediate School (2010 Central District Teacher of the Year); Ms. Kathy Lin, Highlands Intermediate (2010 Leeward District Teacher of the Year); Ms. Samantha Funes, Keonepoko Elementary School (2010 Hawai'i District Teacher of the Year); Ms. Emily Haines-Swatek, King Kekaulike High School (2010 Maui District Teacher of the Year); Ms. Crystal Ishida, Kekaha Elementary School (2010 Kaua'i District Teacher of the Year).

Mr. Chulakote was accompanied by his wife Mrs. Mira Soekias; Principal August Suehiro of Olomana School; Ms. Ellen Schroder; Ms. Debbie Heyler and her two children; Ms. Renee Iwamoto and her daughter Jamie; Ms. Maheswary Post of Olomana School; retired teachers Mr. Bill Post and Dr. Aida Martin; Commander Captain Kasem Miamchay of the Center for Naval Strategies Studies, Naval Education Department, Royal Thai Navy, along with his wife and two children; Deputy Commander Surat Arunlerktawin of the Police Education Bureau, Royal Thai Police; and Mr. Kurkkrit Chaisirikul of the Thai Treasury Department.

Ms. Ho was accompanied by her husband Bob Miller. Ms. LoPresti was accompanied by her husband Matthew and daughter Nina; her parents Steve and Rubia Villa; and, from North Carolina, Tom LoPresti, Casey Howell, and Donna Howell. Ms. Lin was accompanied by her husband Samuel, father-in-law Bing Ran Lin, sister-in-law Janet Lin Sng, son Brandon, nieces and nephew Naomi and Tyler Tse and Derek Sng. Ms. Funes was accompanied by her husband Paku Funes.

At 11:56 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 359 and 360) were read by the Clerk and were placed on file:

Gov. Msg. No. 359, informing the Senate that on March 15, 2010, the Governor signed into law Senate Bill No. 520, S.D. 1 as Act 3, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT."

Gov. Msg. No. 360, informing the Senate that on March 15, 2010, the Governor signed into law Senate Bill No. 2246, S.D. 1 as Act 4, entitled: "RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2727) recommending that H.B. No. 40, H.D. 1 pass Second Reading and 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 H.B. No. 40, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2728) recommending that H.B. No. 2239, as amended in S.D. 1, pass Second Reading and 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 H.B. No. 2239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2729) recommending that H.B. No. 2497, as amended in S.D. 1, pass Second Reading and 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 H.B. No. 2497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2730) recommending that H.B. No. 2670, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2731) recommending that H.B. No. 1987, 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. 1987, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2732) recommending that H.B. No. 2271, 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. 2271, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2733) recommending that H.B. No. 2692, H.D. 1 pass Second Reading and 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 H.B. No. 2692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 2726 (Gov. Msg. No. 307):

Senator Hee moved that Stand. Com. Rep. No. 2726 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of DANIELLE ULULANI BEIRNE-KEAWE to the Kahana Valley Living Park Planning Council, term to expire June 30, 2012, 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 (Hemmings, Takamine).

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM MONDAY, MARCH 15, 2010

Stand. Com. Rep. No. 2719 (H.C.R. No. 18, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 18, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE CANCER RESEARCH CENTER OF HAWAII," was adopted.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2505, H.D. 1.

Senator Fukunaga noted:

"The bill that we are seeking to hold a hearing on, H.B. 2505, H.D. 1, Relating to the Access Hawaii Committee, is a measure that the Senate previously took and deferred.

We're seeking to give the proponents one more opportunity on this measure. The other bills were heard on Monday, March 8, and we are now scheduling them for decision making."

The Chair granted the waiver.

Senator Taniguchi, Chair of the Committee on Judiciary and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2901, H.D. 2.

Senator Taniguchi noted:

"We've gotten a number of requests for this bill, and so we've decided to hear it on Thursday."

The Chair granted the waiver.

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."

ADJOURNMENT

At 12:08 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 17, 2010.