

## FIFTY-SECOND DAY

Monday, April 19, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Kamakana Kaimulua, Office of the Honorable Jill N. Tokuda, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Hemmings who were excused.

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

At this time, the following introduction was made to members of the Senate:

Senator English, on behalf of Senator Baker and Senator Tsutsui, introduced Ka Ipu Kukui Fellows including Tiare Ferguson, Elizabeth Foote, Angela Gannon, Dean George, Jordan Hart, Kainoa Harcajo, Craig Kinoshita, Tiare Lawrence, Ryan Ouye, Velma Panlasigui, Kimberly Skog, Christopher Speere, Bill Stevens, Emily Sullivan, Sharon Zalsos, as well as Director Dr. Lori Teragawachi.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 483 to 488) were read by the Clerk and were placed on file:

Gov. Msg. No. 483, dated April 15, 2010, transmitting the Hawaii State Foundation on Culture and the Arts' Annual Report for Fiscal Year 2008-2009 pursuant to Section 9-3, HRS.

Gov. Msg. No. 484, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2111, S.D. 2, H.D. 1 as Act 26, entitled: "RELATING TO AFFORDABLE HOUSING."

Gov. Msg. No. 485, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2139, S.D. 2, H.D. 2 as Act 27, entitled: "RELATING TO VETERANS."

Gov. Msg. No. 486, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2325, S.D. 1, H.D. 2 as Act 28, entitled: "RELATING TO CONTRACTORS."

Gov. Msg. No. 487, informing the Senate that on April 16, 2010, the Governor signed into law House Bill No. 40, H.D. 1 as Act 29, entitled: "RELATING TO STATE BONDS."

Gov. Msg. No. 488, informing the Senate that on April 16, 2010, the Governor signed into law Senate Bill No. 2357, S.D. 2, H.D. 1 as Act 30, entitled: "RELATING TO RENEWABLE ENERGY."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 577 to 582) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 577, returning S.C.R. No. 93, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 93, S.D. 1 (H.D. 1), 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 Tuesday, April 20, 2010.

Hse. Com. No. 578, returning S.C.R. No. 202, S.D. 1, as amended in H.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

By unanimous consent, action on S.C.R. No. 202, S.D. 1 (H.D. 1), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE MUTUAL CANCELLATION OF LEASE OF NON-EXCLUSIVE EASEMENT S-5252 AND ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SITUATED AT LAPAAKEA, LAHAINA, MAUI, IDENTIFIED BY TAX MAP KEY: (2) 4-5-001:055: SEAWARD OF TAX MAP KEY: (2) 4-5-001:006," was deferred until Tuesday, April 20, 2010.

Hse. Com. No. 579, returning S.C.R. No. 206, S.D. 1, which was adopted by the House of Representatives on April 16, 2010, was placed on file.

Hse. Com. No. 580, informing the Senate that on April 16, 2010, the House agreed to the amendments proposed by the Senate to H.B. No. 2351, and H.B. No. 2351, S.D. 1 passed Final Reading in the House of Representatives.

Hse. Com. No. 581, informing the Senate that on April 16, 2010, the House reconsidered its action taken on April 7, 2010, in disagreeing to the amendments proposed by the Senate to H.B. No. 2016 (S.D. 1).

Hse. Com. No. 582, informing the Senate that on April 16, 2010, the House discharged all conferees to the H.B. No. 2897, H.D. 1 (S.D. 1).

## SENATE COMMUNICATION

Sen. Com. No. 3, notice to Governor dated April 16, 2010, transmitting H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1 and S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1, which propose amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"April 16, 2010

The Honorable Linda Lingle  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1  
"PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION."

S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1  
 "PROPOSING AN AMENDMENT TO ARTICLE VII,  
 SECTION 6, OF THE HAWAII CONSTITUTION,  
 RELATING TO THE TAX REBATE REQUIREMENT."

Respectfully,

/s/Carol Taniguchi  
 CAROL T. TANIGUCHI  
 Clerk of the Senate"

#### CONFERENCE COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1862, H.D. 1, presented a report (Conf. Com. Rep. No. 8-10) recommending that H.B. No. 1862, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 8-10 and H.B. No. 1862, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2187, S.D. 1, presented a report (Conf. Com. Rep. No. 55-10) recommending that S.B. No. 2187, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 55-10 and S.B. No. 2187, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2441, S.D. 2, presented a report (Conf. Com. Rep. No. 56-10) recommending that S.B. No. 2441, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 56-10 and S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2607, S.D. 2, presented a report (Conf. Com. Rep. No. 57-10) recommending that S.B. No. 2607, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 57-10 and S.B. No. 2607, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 3173) recommending that the Senate advise and consent to the nominations to the Hawai'i Teacher Standards Board of the following:

ALVIN NAAWAO PARKER, in accordance with Gov. Msg. No. 408;

GAIL H. AWAKUNI, in accordance with Gov. Msg. No. 429;

LEONARDO FLORES DELGADO, in accordance with Gov. Msg. No. 430;

JONATHAN D. KISSIDA, in accordance with Gov. Msg. No. 431; and

RUTH L. SILBERSTEIN, in accordance with Gov. Msg. No. 432.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3173 and Gov. Msg. Nos. 408, 429, 430, 431, and 432 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3174) recommending that the Senate advise and consent to the nomination of KARL P. ESPALDON to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 383.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3174 and Gov. Msg. No. 383 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3175) recommending that the Senate advise and consent to the nomination of ELLEN ALISSA HEID to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 417.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3175 and Gov. Msg. No. 417 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3176) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

TIFFANY R. VARA, in accordance with Gov. Msg. No. 348; and

BARBARA A. IOLI, in accordance with Gov. Msg. No. 349.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3176 and Gov. Msg. Nos. 348 and 349 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3177) recommending that the Senate advise and consent to the nomination of COLLEEN O'SULLIVAN to the Mental Health and Substance Abuse, Hawai'i Service Area Board, in accordance with Gov. Msg. No. 350.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3177 and Gov. Msg. No. 350 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3178) recommending that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

RONALD G. HAY, in accordance with Gov. Msg. No. 437;

LEE A. MANSFIELD, in accordance with Gov. Msg. No. 438;

AUDREY K. UYEMA PAK, in accordance with Gov. Msg. No. 439; and

VIRGILIO A. VIERNES, in accordance with Gov. Msg. No. 440.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3178 and Gov. Msg. Nos. 437, 438, 439, and 440 was deferred until Tuesday, April 20, 2010.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3179) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Maui Service Area Board of the following:

ELOISE JOEY ENOS, in accordance with Gov. Msg. No. 441; and

PETER GONZALEZ, in accordance with Gov. Msg. No. 442.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3179 and Gov. Msg. Nos. 441 and 442 was deferred until Tuesday, April 20, 2010.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3180) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

ALENA N. MEDEIROS, in accordance with Gov. Msg. No. 369; and

ALENA N. MEDEIROS, in accordance with Gov. Msg. No. 370.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3180 and Gov. Msg. Nos. 369 and 370 was deferred until Tuesday, April 20, 2010.

#### STANDING COMMITTEE REPORTS AND ADOPTION OF RESOLUTIONS

Senators Ige and Fukunaga, for the Committee on Health and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 3181) recommending that H.C.R. No. 68, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 68, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FIRST DAY OF DECEMBER OF EVERY YEAR AS WORLD AIDS DAY IN THE STATE OF HAWAII," was adopted.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3182) recommending that H.C.R. No. 292, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 292, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT PLAN FOR THE TRANSFER OF THE HAPUNA BEACH STATE RECREATION AREA FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE COUNTY OF HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3183) recommending that H.C.R. No. 27, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 27, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-033 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3184) recommending that H.C.R. No. 31, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 31, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 2949 ALA ILIMA STREET #201, HONOLULU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3185) recommending that H.C.R. No. 32, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 32, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF THE NORTHWEST CORNER PARCEL, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3186) recommending that H.C.R. No. 33, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 33, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF A 9.105 ACRE VACANT PARCEL IN VILLAGE 8, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3187) recommending that H.C.R. No. 34, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 34, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF KEKUILANI VILLAGE 4, THE VILLAGES OF KAPOLEI, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3188) recommending that H.C.R. No. 36, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 36, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF TWO VACANT PARCELS IN HOKULELE, KANEOHE, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3189) recommending that H.C.R. No. 45, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 45, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE SALE OF STATE RECLAIMED LANDS AT KANEOHE, KOOLAUPOKO, OAHU," was adopted.

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

Rep. No. 3190) recommending that H.C.R. No. 212, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 212, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3191) recommending that H.C.R. No. 284, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 284, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3192) recommending that H.C.R. No. 296, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 296, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAII CAPITAL CULTURAL COALITION," was adopted.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3193) recommending that H.C.R. No. 297, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 297, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE ECONOMIC VALUE OF EXPANDED WORKFORCE DEVELOPMENT CAPACITY AND STEM INITIATIVES," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3194) recommending that H.C.R. No. 21, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 21, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1593 PAPAU STREET, KAPAA, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3195) recommending that H.C.R. No. 22, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 22, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1951 PAHOEHOE STREET, KOLOA, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3196) recommending that H.C.R. No. 23, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 23, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1098 ONAHA STREET, WAILUKU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3197) recommending that H.C.R. No. 24, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 24, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 1051 ONAHA STREET, WAILUKU, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3198) recommending that H.C.R. No. 25, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 25, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1139 KAMAAHA LOOP, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3199) recommending that H.C.R. No. 26, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 26, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE FEE SIMPLE SALE OF 91-1072 WELOWELO STREET, KAPOLEI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3200) recommending that H.C.R. No. 28, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 28, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 94-940 MEHEULA PARKWAY, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3201) recommending that H.C.R. No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 29, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-029 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3202) recommending that H.C.R. No. 30, as amended in S.D. 1, be adopted.



On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 30, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE FEE INTEREST IN 95-021 KUAHELANI AVENUE, MILILANI, HAWAII," was adopted.

Senator Hee, for the majority of the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3203) recommending that H.C.R. No. 50, H.D. 2, as amended in S.D. 1, be adopted.

Senator Sakamoto moved that Stand. Com. Rep. No. 3203 and H.C.R. No. 50, H.D. 2, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.C.R. No. 50, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A JOINT HOUSE AND SENATE INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A TRIBAL HISTORIC PRESERVATION OFFICE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF THE STATE HISTORIC PRESERVATION DIVISION," was adopted with Senator Slom voting "No".

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3204) recommending that H.C.R. No. 87 be adopted.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK THAT INCLUDES AUGUST 24TH AS SURF WEEK IN HAWAII," was adopted.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3205) recommending that H.C.R. No. 161, H.D. 1 be adopted.

Senator Sakamoto moved that Stand. Com. Rep. No. 3205 and H.C.R. No. 161, H.D. 1 be adopted, seconded by Senator Slom.

Senator Slom requested that his vote be cast "no" and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.C.R. No. 161, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII, INC. TO WORK WITH THE OAHU ARTS CENTER AND THE COMMUNITY TO SECURE AN APPROPRIATE SITE FOR AN ARTS CENTER," was adopted with Senator Slom voting "No".

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3171 (Gov. Msg. No. 415):

Senator Tokuda moved that Stand. Com. Rep. No. 3171 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of DALE M. ALLISON PHD,

APRN, FAAN to the Center for Nursing Advisory Board, term to expire June 30, 2014, seconded by Senator Sakamoto.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

Stand. Com. Rep. No. 3172 (Gov. Msg. Nos. 398 and 416):

Senator Tokuda moved that Stand. Com. Rep. No. 3172 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawai'i of the following:

MARK ITARU YAMADA, term to expire June 30, 2014 (Gov. Msg. No. 398); and

DONN MASAO TAKAKI, term to expire June 30, 2014 (Gov. Msg. No. 416),

seconded by Senator Sakamoto.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

#### FINAL READING

Conf. Com. Rep. No. 6-10 (H.B. No. 1900, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 6-10 was adopted and H.B. No. 1900, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

S.B. No. 2409, H.D. 3:

On motion by Senator Hee, seconded by Senator Tokuda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2409, and S.B. No. 2409, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hemmings).

#### MISCELLANEOUS BUSINESS

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2323 (H.D. 2):

Senator Takamine moved that the Senate reconsider its action taken on April 8, 2010, in disagreeing to the amendments proposed by the House to S.B. No. 2323, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2323 on the following showing of Ayes and Noes:

Ayes, 2 (Takamine, Taniguchi). Noes, none. Excused, 1 (Slom).

Senator Takamine then moved that the Senate agree to the amendments made by the House to S.B. No. 2323, seconded by Senator Taniguchi.

Senator Takamine noted:

“Madam President, the House amendments provide safeguards in utilizing the internet to access unemployment insurance benefits and is consistent with the intent of the measure to maximize access given the current economic conditions.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2323, and S.B. No. 2323, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,” was placed on the calendar for Final Reading on Tuesday, April 20, 2010.

At this time, Senator Baker rose on a point of personal privilege and said:

“Madam President, we often hear on the floor of this Senate that our public hospitals—those ‘horrible monopolies’ on the neighbor islands—are not as good as private hospitals. Well, on the front page of the *Maui News*, April 5—I’m a little behind in reading my papers—there’s an article entitled, ‘Doctors beating a new path: Treatment for arterial fibrillation done on Maui and only a few other places in U.S.’ This facility, part of the Hawai‘i Health Systems Corporation, has attracted the leading doctor in this procedure who owns the patent for the procedure and the equipment that goes with it to our humble hospital on Maui. This procedure will save countless lives and lots of medical expense because the procedure allows the catheter to go into the heart and cauterize some of the bad tissue that could ultimately cause a stroke. This reduces the stroke possibilities for individuals from 36 percent to 4 percent in six years following the procedure which is called ‘catheter ablation.’

“I just wanted to bring this to the attention of my colleagues to know that we do in fact have centers of excellence in our hospitals throughout the state, and that patients from all over the world, as well as the state, can access this procedure on Maui. Thank you very much.”

At this time, the Chair made the following announcements:

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

“Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.”

#### **RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

S.C.R. No.:	Re-referred to:
S.C.R. No. 202, S.D. 1, H.D. 1	Committee on Water, Land, Agriculture, and Hawaiian Affairs, then to the Committee on Ways and Means

#### **ADJOURNMENT**

At 11:53 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, April 20, 2010.