

FORTY-SEVENTH DAY

Tuesday, April 12, 2011

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2011, convened at 9:17 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 781 and 1107) were read by the Clerk and were placed on file:

Gov. Msg. No. 781, informing the Senate that on April 6, 2011, the Governor withdrew the following gubernatorial nominees from consideration by the Senate: JOHN GARIBALDI, gubernatorial nominee to the Board of Directors of the Hawai'i Hurricane Relief Fund (Gov. Msg. No. 631); KEITH M. YAMAMOTO, gubernatorial nominee to the Board of Massage Therapy (Gov. Msg. No. 677); ANN E. KAUWE, gubernatorial nominee to the Radiologic Technology Board (Gov. Msg. No. 715); BRIAN POZIEMBO, gubernatorial nominee to the Hawai'i Public Housing Authority Board of Directors (Gov. Msg. No. 724); JOHN A.P. KRUSE, gubernatorial nominee to the Island Burial Council, Islands of Kaua'i and Ni'ihau (Gov. Msg. No. 730); and JAMES K. TAM, gubernatorial nominee to the Board of Trustees of the Employees' Retirement System (Gov. Msg. No. 738).

Gov. Msg. No. 1107, informing the Senate that on April 8, 2011, the Governor signed into law Senate Bill No. 123, S.D. 1 as Act 7, entitled: "RELATING TO INSURANCE RECORDS."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 396 to 406) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 396, informing the Senate that on April 8, 2011, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 747, H.D. 1 (S.D. 2);
H.B. No. 1342, H.D. 1 (S.D. 2); and
H.B. No. 1520, H.D. 2 (S.D. 2),

was placed on file.

Hse. Com. No. 397, returning S.B. No. 35, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

Hse. Com. No. 398, returning S.B. No. 40, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 40, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 399, returning S.B. No. 101, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 101, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 400, returning S.B. No. 631, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 631, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 401, returning S.B. No. 219, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 219, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 402, returning S.B. No. 1416, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 1416, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 403, returning S.B. No. 1417, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 1417, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO REHABILITATION COUNCIL," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 404, returning S.B. No. 1483, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 1483, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HAWAII REVISED STATUTES SECTION 514B-153(E)," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 405, returning S.B. No. 1484, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 1484, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Thursday, April 14, 2011.

Hse. Com. No. 406, returning S.B. No. 1559, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2011, was placed on file.

By unanimous consent, action on S.B. No. 1559, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," was deferred until Thursday, April 14, 2011.

STANDING COMMITTEE REPORTS

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1264) recommending that the Senate advise and consent to the nominations to the State of Hawai'i Board of Education of the following:

KEITH AMEMIYA, in accordance with Gov. Msg. No. 652;

CHARLENE CUARESMA, in accordance with Gov. Msg. No. 655;

CHERYL KA'UHANE LUPENUI, in accordance with Gov. Msg. No. 656; and

NANCY JO-YAMAKAWA BUDD, in accordance with Gov. Msg. No. 658.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1264 and Gov. Msg. Nos. 652, 655, 656 and 658 was deferred until Thursday, April 14, 2011.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1265) recommending that the Senate advise and consent to the nominations to the State of Hawai'i Board of Education of the following:

DONALD G. HORNER, in accordance with Gov. Msg. No. 651;

KIMBERLY GENNAULA HAGI, in accordance with Gov. Msg. No. 653;

BRIAN J. DE LIMA, in accordance with Gov. Msg. No. 654;

JAMES D. WILLIAMS, in accordance with Gov. Msg. No. 657; and

WESLEY P. LO, in accordance with Gov. Msg. No. 659.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1265 and Gov. Msg. Nos. 651, 653, 654, 657 and 659 was deferred until Thursday, April 14, 2011.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM FRIDAY, APRIL 8, 2011

Senator Espero moved that the Senate disagree to the amendments made by the House to S.B. No. 49, S.D. 1; S.B. No. 1301, S.D. 1; S.B. No. 106, S.D. 1; S.B. No. 1054, S.D. 1; S.B. No. 1342, S.D. 1; and S.B. No. 1482, S.D. 1, seconded by Senator Slom.

At 9:19 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:24 a.m.

At this time, Senator Espero withdrew the previous motion to disagree to the amendments made by the House to S.B. No. 49, S.D. 1; S.B. No. 1301, S.D. 1; S.B. No. 106, S.D. 1; S.B. No. 1054, S.D. 1; S.B. No. 1342, S.D. 1; S.B. No. 1482, S.D. 1, and Senator Slom withdrew his second.

S.B. No. 49, S.D. 1 (H.D. 2):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 49, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1301, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 1301, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING EXEMPTIONS," was deferred until Thursday, April 14, 2011.

S.B. No. 106, S.D. 1 (H.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by

the House to S.B. No. 106, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1054, S.D. 1 (H.D. 2):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1054, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1342, S.D. 1 (H.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1342, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1482, S.D. 1 (H.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1482, S.D. 1, and requested a conference on the subject matter thereof.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 8, 2011

Stand. Com. Rep. No. 1190 (S.C.R. No. 139, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 139, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DEVELOP A QUALITY IMPROVEMENT INITIATIVE TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was adopted.

Stand. Com. Rep. No. 1191 (S.C.R. No. 6, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE JOHN A. BURNS SCHOOL OF MEDICINE AND THE SCHOOL OF NURSING AND DENTAL HYGIENE OF THE UNIVERSITY OF HAWAII TO INCLUDE BREASTFEEDING IN EDUCATIONAL CURRICULUM TO EDUCATE MEDICAL PROFESSIONALS TO ADVOCATE AND PROMOTE BREASTFEEDING AMONG EXPECTANT MOTHERS," was adopted.

Stand. Com. Rep. No. 1192 (S.C.R. No. 66, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 66, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DETERMINE HOW TO EXPAND SCHOOL GARDENS PROGRAMS STATEWIDE," was adopted.

Stand. Com. Rep. No. 1193 (S.C.R. No. 125, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO FULLY SUPPORT THE DEVELOPMENT OF THE SHELLFISH AQUACULTURE INDUSTRY AND IMPLEMENT A STATEWIDE CLASSIFICATION PROGRAM FOR SHELLFISH GROWING AREAS," was adopted.

THIRD READING

H.B. No. 320, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, H.B. No. 320, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BROKER PRICE OPINIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1052, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, H.B. No. 1052, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 739, H.D. 2, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, H.B. No. 739, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1083 (H.B. No. 1035, H.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1083 was adopted and H.B. No. 1035, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM BENEFIT ENHANCEMENT MORATORIUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1084 (H.B. No. 121, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1084 was adopted and H.B. No. 121, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1085 (H.B. No. 814, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1085 was adopted and H.B. No. 814, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1089 (H.B. No. 1540):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1089 was adopted and H.B. No. 1540, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1091 (H.B. No. 423, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1091 was adopted and H.B. No. 423, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1093 (H.B. No. 855, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1093 was adopted and H.B. No. 855, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PACIFIC POWER AND WATER COMPANY, INC., IN THE DEVELOPMENT OF HYDROPOWER FACILITIES IN HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1094 (H.B. No. 550, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1094 was adopted and H.B. No. 550, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1095 (H.B. No. 828, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1095 was adopted and H.B. No. 828, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1099 (H.B. No. 1286, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1099 was adopted and H.B. No. 1286, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1100 (H.B. No. 608, H.D. 3, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1100 was adopted and H.B. No. 608, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1102 (H.B. No. 1313, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1102 was adopted and H.B. No. 1313, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WINDWARD NAZARENE ACADEMY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 383:

On motion by Senator Ige, seconded by Senator Kidani and carried, H.B. No. 383, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 298, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 298, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 968, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 968, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 716, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 555, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 555, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 439, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 439, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 299, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 299, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS OF APPEAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 381, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 381, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 614, H.D. 2, S.D. 1:

On motion by Senator Green, seconded by Senator Chun Oakland and carried, H.B. No. 614, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 905, H.D. 1, S.D. 1:

On motion by Senator Green, seconded by Senator Chun Oakland and carried, H.B. No. 905, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DELIVERY OF GOVERNMENT SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1088, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1088, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1155, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1069, H.D. 2, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1069, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EFFECT OF FINDING OF UNFITNESS TO PROCEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1333, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1333, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 545, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 545, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 141, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 141, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 240, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1140 (H.B. No. 866, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1140 was adopted and H.B. No. 866, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1141 (H.B. No. 1248, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1141 was adopted and H.B. No. 1248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1142 (H.B. No. 1277, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1142 was adopted and H.B. No. 1277, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATEWIDE AGRICULTURE WATER DEVELOPMENT STUDY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1145 (H.B. No. 1049, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1145 was adopted and H.B. No. 1049, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1146 (H.B. No. 505, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1146 was adopted and H.B. No. 505, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FLOOD MITIGATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1150 (H.B. No. 129, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1150 was adopted and H.B. No. 129, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1152 (H.B. No. 326, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1152 was adopted and H.B. No. 326, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1153 (H.B. No. 758, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1153 was adopted and H.B. No. 758, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1154 (H.B. No. 594, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1154 was adopted and H.B. No. 594, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1155 (H.B. No. 404, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1155 was adopted and H.B. No. 404, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1156 (H.B. No. 1036, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1156 was adopted and H.B. No. 1036, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION REQUIREMENTS FOR THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1157 (H.B. No. 915, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1157 was adopted and H.B. No. 915, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO CONVEYANCE TAX,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1158 (H.B. No. 318, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1158 was adopted and H.B. No. 318, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO VOG,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1159 (H.B. No. 130, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1159 was adopted and H.B. No. 130, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY REINTEGRATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1161 (H.B. No. 492, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1161 was adopted and H.B. No. 492, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1163 (H.B. No. 1056, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1163 was adopted and H.B. No. 1056, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1166 (H.B. No. 4, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1166 was adopted and H.B. No. 4, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1169 (H.B. No. 1076, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1169 was adopted and H.B. No. 1076, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1170 (H.B. No. 1070, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1170 was adopted and H.B. No. 1070, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE TIMEFRAMES,”

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1171 (H.B. No. 1513, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1171 was adopted and H.B. No. 1513, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1172 (H.B. No. 519, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1172 was adopted and H.B. No. 519, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1174 (H.B. No. 801, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1174 was adopted and H.B. No. 801, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1176 (H.B. No. 354, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1176 was adopted and H.B. No. 354, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAX APPEALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1177 (H.B. No. 1063, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1177 was adopted and H.B. No. 1063, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1178 (H.B. No. 397, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1178 was adopted and H.B. No. 397, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1179 (H.B. No. 1020, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1179 was adopted and H.B. No. 1020, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT

CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1181 (H.B. No. 491, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1181 was adopted and H.B. No. 491, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1182 (H.B. No. 389, H.D. 3, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1182 was adopted and H.B. No. 389, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND USE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1183 (H.B. No. 850, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1183 was adopted and H.B. No. 850, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FISHING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1184 (H.B. No. 496, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1184 was adopted and H.B. No. 496, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAKE WILSON,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1194 (H.B. No. 424, S.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Stand. Com. Rep. No. 1194 was adopted and H.B. No. 424, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1195 (H.B. No. 1642, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1195 was adopted and H.B. No. 1642, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1199 (H.B. No. 1552, H.D. 1, S.D. 2):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1199 was adopted and H.B. No. 1552, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COFFEE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1200 (H.B. No. 160, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1200 was adopted and H.B. No. 160, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HUMAN SERVICES AND HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1202 (H.B. No. 382, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1202 was adopted and H.B. No. 382, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE AUDITOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1203 (H.B. No. 1138, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1203 was adopted and H.B. No. 1138, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ATTORNEY’S LIENS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1207 (H.B. No. 1067, H.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1207 was adopted and H.B. No. 1067, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE TRANSFER OF YOUTH TO AN ADULT CORRECTIONAL FACILITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1208 (H.B. No. 1130, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1208 was adopted and H.B. No. 1130, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1210 (H.B. No. 924, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1210 was adopted and H.B. No. 924, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1211 (H.B. No. 1640, H.D. 2, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1211 was adopted and H.B. No. 1640, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1213 (H.B. No. 889, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1213 was adopted and H.B. No. 889, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1214 (H.B. No. 909, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1214 was adopted and H.B. No. 909, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1215 (H.B. No. 597, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1215 was adopted and H.B. No. 597, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1216 (H.B. No. 1071, H.D. 2, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1216 was adopted and H.B. No. 1071, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH RELEASE ON CONDITIONS OF A PERSON FOUND UNFIT TO STAND TRIAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1217 (H.B. No. 1004, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1217 was adopted and H.B. No. 1004, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1218 (H.B. No. 49, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1218 was adopted and H.B. No. 49, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARMED FORCES SERVICE MEMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1219 (H.B. No. 377, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1219 was adopted and H.B. No. 377, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1220 (H.B. No. 616, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1220 was adopted and H.B. No. 616, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CUSTODY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1221 (H.B. No. 1241, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1221 was adopted and H.B. No. 1241, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1222 (H.B. No. 1107, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1222 was adopted and H.B. No. 1107, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1223 (H.B. No. 663, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1223 was adopted and H.B. No. 663, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1224 (H.B. No. 688, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1224 was adopted and H.B. No. 688, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1225 (H.B. No. 1005, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1225 was adopted and H.B. No. 1005, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1226 (H.B. No. 761, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1226 was adopted and H.B. No. 761, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTELLECTUAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1227 (H.B. No. 1093, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1227 was adopted and H.B. No. 1093, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1228 (H.B. No. 1307, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1228 was adopted and H.B. No. 1307, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1235 (H.B. No. 1300, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1235 was adopted and H.B. No. 1300, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1236 (H.B. No. 960, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1236 was adopted and H.B. No. 960, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1240 (H.B. No. 1012, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1240 was adopted and H.B. No. 1012, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1248 (H.B. No. 667, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1248 was adopted and H.B. No. 667, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1250 (H.B. No. 1568, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1250 was adopted and H.B. No. 1568, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1251 (H.B. No. 1045, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1251 was adopted and H.B. No. 1045, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1255 (H.B. No. 1003, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1255 was adopted and H.B. No. 1003, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1256 (H.B. No. 1134, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1256 was adopted and H.B. No. 1134, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1258 (H.B. No. 1407, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1258 was adopted and H.B. No. 1407, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1259 (H.B. No. 1532, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1259 was adopted and H.B. No. 1532, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1260 (H.B. No. 393, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1260 was adopted and H.B. No. 393, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1262 (H.B. No. 1094, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1262 was adopted and H.B. No. 1094, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1263 (H.B. No. 1447, H.D. 2, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1263 was adopted and H.B. No. 1447, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 680, S.D. 1:

By unanimous consent, action on H.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," was deferred until later in the calendar.

H.B. No. 117, H.D. 2, S.D. 1:

Senator Dela Cruz moved that H.B. No. 117, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Gabbard.

Senator Dela Cruz then offered the following amendment (Floor Amendment No. 4) to H.B. No. 117, H.D. 2, S.D. 1:

SECTION 1. House Bill No. 117, H.D. 2, S.D. 1, is amended by amending the definition of "Development" under section 205A-22, Hawaii Revised Statutes, as amended by Section 3 of the bill, to exclude preliminary or subdivision approval, and to read as follows:

"Development" means any of the uses, activities, or operations on land or in or under water within a special management area that are included below:

- (1) Placement or erection of any solid material or any gaseous, liquid, solid, or thermal waste;
- (2) Grading, removing, dredging, mining, or extraction of any materials;
- (3) Change in the density or intensity of use of land, including but not limited to the division or subdivision of land;
- (4) Change in the intensity of use of water, ecology related thereto, or of access thereto; and
- (5) Construction, reconstruction, demolition, or alteration of the size of any structure.

"Development" does not include the following:

- (1) Construction of a single-family residence that is not part of a larger development; provided that a single-family residence that is situated on a tax map key parcel that is subject to a shoreline setback shall be included in the definition of a "development";
- (2) Repair or maintenance of roads and highways within existing rights-of-way;
- (3) Routine maintenance dredging of existing streams, channels, and drainage ways;
- (4) Repair and maintenance of underground utility lines, including but not limited to water, sewer, power, and telephone and minor appurtenant structures such as pad mounted transformers and sewer pump stations;
- (5) Zoning variances, except for height, density, parking, and shoreline setback;
- (6) Repair, maintenance, or interior alterations to existing structures;
- (7) Demolition or removal of structures, except those structures located on any historic site as designated in national or state registers;
- (8) Use of any land for the purpose of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural, horticultural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes;
- (9) Transfer of title to land;

(10) Creation or termination of easements, covenants, or other rights in structures or land;

(11) Preliminary or tentative subdivision approval;

~~(12)~~ (12) Subdivision of land into lots greater than twenty acres in size;

~~(13)~~ (13) Subdivision of a parcel of land into four or fewer parcels when no associated construction activities are proposed; provided that any land which is so subdivided shall not thereafter qualify for this exception with respect to any subsequent subdivision of any of the resulting parcels;

~~(14)~~ (14) Installation of underground utility lines and appurtenant aboveground fixtures less than four feet in height along existing corridors;

~~(15)~~ (15) Structural and nonstructural improvements to existing single-family residences, where otherwise permissible;

~~(16)~~ (16) Nonstructural improvements to existing commercial structures; and

~~(17)~~ (17) Construction, installation, maintenance, repair, and replacement of civil defense warning or signal devices and sirens;

provided that whenever the authority finds that any excluded use, activity, or operation may have a cumulative impact, or a significant environmental or ecological effect on a special management area, that use, activity, or operation shall be defined as "development" for the purpose of this part."

SECTION 2. House Bill No. 117, H.D. 2, S.D. 1, is amended by adding a new section 4 to part 1 to amend section 205A-29(b), Hawaii Revised Statutes, to clarify that a county agency may authorize a development without first obtaining approval under chapter 205A, Hawaii Revised Statutes, and to read as follows:

"SECTION 4. Section 205A-29, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) ~~No~~ An agency authorized to issue permits pertaining to any development within the special management area ~~shall~~ may authorize any development ~~[unless approval is first received]~~ in accordance with the procedures adopted pursuant to this part. For the purposes of this subsection, county general plan, state land use district boundary amendments, and zoning changes are not permits."

SECTION 3. House Bill No. 117, H.D. 2, S.D. 1, is amended by renumbering Sections 4, 5, 6, and 7 to Sections 5, 6, 7, and 8, respectively.

Senator Dela Cruz moved that Floor Amendment No. 4 be adopted, seconded by Senator Solomon.

Senator Dela Cruz rose to speak in support of the amendment as follows:

"What the amendment offer does is it allows an applicant to apply for an SMA permit concurrently with other permits instead of sequentially."

The motion to adopt Floor Amendment No. 4 was put by the Chair and carried.

By unanimous consent, H.B. No. 117, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT PERMIT AREAS," was placed on the calendar for Third Reading on Thursday, April 14, 2011.

Stand. Com. Rep. No. 1239 (H.B. No. 1092, H.D. 1, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1239 be adopted and H.B. No. 1092, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Hee then offered the following amendment (Floor Amendment No. 5) to H.B. No. 1092, H.D. 1, S.D. 2:

SECTION 1. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part I designation.

SECTION 2. House Bill No. 1092, H.D. 1, S.D. 2, is amended by amending Section 1 to read as follows:

“SECTION 1. The purpose of this Act is to amend Hawaii tax law to institute improvements and equity among taxpayers.

More specifically, this Act makes the deduction for state taxes paid inoperative for corporate taxpayers and the following individual taxpayers:

- (1) An individual filer with federal adjusted gross income of \$70,000 or more;
- (2) A head of household with federal adjusted gross income of \$105,000 or more; and
- (3) A joint or surviving spouse filer with federal adjusted gross income of \$140,000 or more.”

SECTION 3. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part II designation and Part II contents of the bill.

SECTION 4. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part III designation.

SECTION 5. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 5 as Section 2, and amending it to read as follows:

“SECTION 2. Section 235-2.4, Hawaii Revised Statutes, is amended by amending subsection (h) to read as follows:

“(h) Section 164 (with respect to taxes) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that [sections]:

- (1) Sections 164(a)(6) and 164(b)(6) shall not be operative for the purposes of this chapter[-]; and
- (2) The deductions under sections 164(a)(3) and 164(b)(5) shall not be operative for corporate taxpayers and shall be operative only for the following individual taxpayers:
 - (A) A taxpayer filing a single return or a married person filing separately with a federal adjusted gross income of less than \$70,000;
 - (B) A taxpayer filing as a head of household with a federal adjusted gross income of less than \$105,000; and
 - (C) A taxpayer filing a joint return or as a surviving spouse with a federal adjusted gross income of less than \$140,000.”

SECTION 6. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part IV designation.

SECTION 7. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 6 as Section 3.

SECTION 8. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 7 as Section 4, and amending it to read as follows:

“SECTION 4. This Act shall take effect on July 1, 2117, and shall apply to taxable years beginning after December 31, 2010.”

Senator Hee moved that Floor Amendment No. 5 be adopted, seconded by Senator Ige.

Senator Hee rose to speak in support of the amendment as follows:

“Colleagues, the reason for this floor amendment is I believe that taxing government retirees is contrary to the Hawai‘i State Constitution. I would like to enter into the Journal the following remarks. This regards a letter dated March 18, 2011, from the attorney general regarding H.B. No. 1092, H. D. 1, Relating to

Taxation. I will read the salient parts of the opinion which has caused me to offer this amendment.

“The attorney general says in part, ‘We are alerting you that House Draft 1 could be the subject of a constitutional, legal attack. Should this bill become law in its present form, it could be challenged. The outcome would not be certain. It could take years to litigate the issue through the Hawai‘i court system.’ In paragraph three, the attorney general continues, ‘We are bringing the possibility of a legal challenge to your attention for the sole purpose of making sure that you have as much information as possible available to you as you consider this bill.’ He continues on page two, where the attorney general says, ‘It could be the potential subject of a legal challenge on the grounds that they may violate’—meaning this bill—‘Article XVI, Section 2, of the Hawai‘i Constitution, or may impair the contractual clause of the United States Constitution.’ The attorney general points out that Section 2 of the Article XVI of the Hawai‘i Constitution provides that ‘membership in any employees retirement system of the state or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired.’ He notes that ‘in a case in Oregon, where the Oregon Legislature attempted a similar effort to tax retirement pensions in a case brought before the Oregon Supreme Court entitled *Hughes v. State*, that the court held that the Oregon Legislature’s amendment of that provision to remove the exemption breached the retirement system contracted by taxing retirement benefits of work accrued or accruing before the change in the law. Recent Hawai‘i Supreme Court decisions suggest that holding in the Hughes decision, while not binding, might be found persuasive by Hawai‘i courts.’ The attorney general notes that our Supreme Court’s stated, ‘the framer’s intent underlying article XVI, section 2, of the Hawai‘i Constitution was to deprive the Legislature of the right to reduce benefits of state employees as to past services to the state.’ All of you know that the Everson case is presently under litigation, although it does not deal directly with the right of the Legislature to diminish accrued benefits. It appears to me that given the advice stated in the opinion of the attorney general, it is prudent for us to remove section 1 of the bill, which this amendment seeks to do.

“I would further note, Mr. President, that in addition to state and county retirees, there are private sector retirees, and this amendment seeks to remove the tax on those pensions as well. And I would say it simply that if one were to look, as I have been told by elders, with respect to the Hawaiian Homes Commission, ‘a Hawaiian is a Hawaiian regardless whether he is 50 percent or otherwise.’ In this case, all retirees should be treated equitably. I believe that this is the right and proper thing to do and is a reflection of the Senate’s position with respect to this issue.

“While I fully appreciate that there may be some impact on the proposal with respect to the income that may be generated, I would note that the latest version by the Committee on Ways and Means would generate zero income and the H.D. 1 that was offered by the Committee on Judiciary would generate but a half million dollars or so. Nonetheless, in part two of the bill, the House sent to the Senate Committee on Judiciary the taxation for those people who itemize their deductions. When the bill came to the Judiciary Committee in the Senate, the House had pegged the amount at 4.1 percent. The Committee on Judiciary and Labor raised that percentage to 6.7 percent, which would have generated \$33.2 million. In this amendment, the amendment proposes to raise the percentage to 9.7 percent, which would generate almost \$40 million.

“I would like to briefly explain the methodology for those who have asked me. This calculation is done after taxpayers calculate their federal adjusted gross income. Once you take

that figure, if your federal adjusted gross income is more than \$70,000 for a single filer, then no itemized deduction can be taken for state taxes paid. I would note that this only affects people who itemize their deductions. This does not affect people who do standardized deductions. Lastly, for the edification of those interested, there are 535,996 tax returns filed; 9.7 percent is the equivalent of 51,856 tax returns. Lastly, I would note that this philosophy is, for me, it is formulated on the promise made that the more you make, the more you pay. This will impact the highest of the income earners, the 9.7 percent, and will not impact 90.3 percent. Members, I would ask for your support with this amendment.”

The motion to adopt Floor Amendment No. 5 was put by the Chair and carried.

Senator Hee then moved that Stand. Com. Rep. No. 1239 be received and placed on file, seconded by Senator Ige and carried.

By unanimous consent, H.B. No. 1092, H.D. 1, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was placed on the calendar for Third Reading on Thursday, April 14, 2011.

Stand. Com. Rep. No. 1253 (H.B. No. 922, S.D. 2):

Senator Hee moved that Stand. Com. Rep. No. 1253 be adopted and H.B. No. 922, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Hee then offered the following amendment (Floor Amendment No. 6) to H.B. No. 922, S.D. 2:

SECTION 1. House Bill No. 922, S.D. 2, is amended by deleting the Part I designation.

SECTION 2. House Bill No. 922, S.D. 2, is amended by amending page 1, line 8, to read as follows:

“The purpose of this Act is to expand the potential”

SECTION 3. House Bill No. 922, S.D. 2, is amended by deleting the Part II designation and contents in Part II of the bill.

SECTION 4. House Bill No. 922, S.D. 2, is amended by deleting the Part III designation.

SECTION 5. House Bill No. 922, S.D. 2, is amended by renumbering Section 9 as Section 3 and Section 10 as Section 4.

Senator Hee moved that Floor Amendment No. 6 be adopted, seconded by Senator Shimabukuro.

Senator Hee rose to speak in support of the amendment as follows:

“The amendment proposes to delete part two of the bill, which in essence is S.B. No. 2. We have been advised that Senate Bill No. 2 has passed the House Finance Committee and will be acted upon today.”

The motion to adopt Floor Amendment No. 6 was put by the Chair and carried, with Senators Gabbard, Ryan, and Slom voting “No.”

Senator Hee then moved that Stand. Com. Rep. No. 1253 be received and placed on file, seconded by Senator Shimabukuro and carried.

By unanimous consent, action on H.B. No. 922, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC LANDS,” was placed on the calendar for Third Reading on Thursday, April 14, 2011.

At 9:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:42 a.m.

THIRD READING

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

H.B. No. 680, S.D. 1:

Senator Dela Cruz moved that H.B. No. 680, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Solomon.

Senator Dela Cruz then offered the following amendment (Floor Amendment No. 7) to H.B. No. 680, S.D. 1:

SECTION 1. House Bill No. 680, S.D. 1, is amended by replacing the language in the new section titled “Kakaako makai community development subdistrict; power to develop established” with new language to read as follows:

“§206E- Kakaako makai community development subdistrict; power to develop established. (a) The Hawaii community development authority shall act as the local development authority to facilitate the development of the Kakaako makai community development subdistrict in accordance with the Kakaako makai area plan, and the cultural public market pursuant to section 206E-34.

(b) Three additional voting members shall be appointed to the authority by the governor pursuant to subsection 206E-3(b) to represent the Kakaako makai community development subdistrict. These members shall be considered in determining quorum and majority only on issues relating to the Kakaako makai community development subdistrict, and may vote only on issues relating to the Kakaako makai community development subdistrict. The three additional voting members shall consist of:

- (1) One member from a list of four recommendations provided by the local governing body for the subdistrict; and**
- (2) Two members representing public recreation, cultural, and arts organizations or business interests that have participated in the community master-planning process in the Kakaako makai community development subdistrict.”**

SECTION 2. House Bill No. 680, S.D. 1, is amended by inserting a new Section 2 to amend section 206E-3(b), Hawaii Revised Statutes, to revise the composition of the Hawaii Community Development Authority and to read as follows:

“SECTION 2. Section 206E-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The authority shall consist of thirteen voting members. The director of finance, the director of business, economic development, and tourism, the comptroller, and the director of transportation, or their respective designated representatives shall serve as ex officio, voting members. One member shall be appointed by the governor from a list of not less than three prospective appointees submitted by the president of the senate, and one member shall be appointed by the governor from a list of not less than three prospective appointees submitted by the speaker of the house of representatives. Seven members shall be appointed by the governor for staggered terms pursuant to section 26-34; provided that four members shall be appointed at large and, initially, three members, hereinafter referred to as county members, shall be selected from a list of ten prospective appointees recommended by the local governing body of the county in which the initial designated district is situated; and provided further that when vacancies occur in any of the three positions for which the members were selected from a list of county recommendations, the governor shall fill such vacancies on the basis of one from a list of four recommendations, two

from a list of seven recommendations, or three from a list of ten recommendations. The list of recommendations shall be made by the local governing body of the county. Of the nine members appointed either by the governor from the lists provided by the president of the senate and speaker of the house, at-large by the governor, or as county members recommended by the local governing body of the county in which the initial designated district is situated, ~~at least two members~~ one member shall be the director of the city and county of Honolulu department of planning and permitting and one member shall represent small businesses and shall be designated as the small business ~~representatives~~ representative on the board whose purpose, among other things, is to vote on matters before the board that affect small businesses. The small business ~~representatives~~ representative shall be ~~owners~~ an owner or an active ~~managers~~ manager of a small business with its principal place of operation located within the physical boundaries of the initial designated district. Notwithstanding section 84-14(a), the small business ~~representatives~~ representative shall not be prohibited from voting on any matter concerning any district under the board's jurisdiction; provided that the matter is not limited to solely benefiting the specific interest of that member and the matter concerns broader interests within the district. If an additional district is designated by the legislature, the total membership of the authority shall be increased as prescribed above by the appointment of three additional members, except as provided for in section 206E-191. Notwithstanding section 92-15, a majority of all members shall constitute a quorum to do business, and the concurrence of a majority of all members shall be necessary to make any action of the authority valid; ~~except~~ provided that, on any matter relating solely to a specific community development district, the members representing districts other than that specific community development district shall neither vote, nor shall they be counted to constitute a quorum, and concurrence shall be required of a majority of that portion of the authority made up of all ex officio voting members, members at large, and county and district members representing the district for which action is being proposed for such action to be valid. All members shall continue in office until their respective successors have been appointed and qualified. Except as herein provided, no member appointed under this subsection shall be an officer or employee of the State or its political subdivisions.

For ~~{}~~purposes~~}~~ of this section, "small business" means a business which is independently owned and which is not dominant in its field of operation."

SECTION 3. House Bill No. 680, S.D. 1, is amended by renumbering Sections 2 and 3 as Sections 3 and 4, respectively.

SECTION 4. House Bill No. 680, S.D. 1, is amended by replacing the language in section 206E-7(b), Hawaii Revised Statutes, in Section 4 of the bill with new language to read as follows:

"(b) For the Kakaako community development district, the authority shall also adopt rules, pursuant to chapter 91, on the subdivision of lands that, upon adoption, shall supersede all other inconsistent ordinances and rules relating to the subdivision of lands in the Kakaako community development district; provided that the authority may issue interim rules by directive, pursuant to chapter 91, that shall be effective for not more than eighteen months."

SECTION 5. House Bill No. 680, S.D. 1, is amended by renumbering Sections 4, 5, and 6 as Sections 5, 6, and 7, respectively.

Senator Dela Cruz moved that Floor Amendment No. 7 be adopted, seconded by Senator Solomon.

Senator Dela Cruz rose to speak in support of the amendment as follows:

"The floor amendment allows the director of planning and permitting to be a voting member of the board, and would allow one of the three Kaka'ako makai subdistrict members to be selected by the governor from a list of four by the local governing body. The amendment also would require the authority to adopt rules pursuant to chapter 91."

The motion to adopt Floor Amendment No. 7 was put by the Chair and carried.

By unanimous consent, H.B. No. 680, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKA'AKO," was placed on the calendar for Third Reading on Thursday, April 14, 2011.

THIRD READING

H.B. No. 200, H.D. 1, S.D. 1:

Senator Ige moved that H.B. No. 200, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

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

"This measure is the executive biennium budget. Allow me to first acknowledge a number of people that have been instrumental to the work of the Ways and Means Committee over the past few months. You know, it definitely has been a challenge, but as we all know, a capable staff really working efficiently allows all of us to do our jobs. So, if you could hold your applause until everyone is introduced. The staff is lead by WAM's committee clerk Tony Valdez. The budget staff includes Budget Chief Rod Becker, Will Kane heading up CIP, Amy Sojot, Daniel Truong, Mark Inamasu, Michelle Scala, Nicole Masaki, and Susan Hirai. And on the bills side: Alan Sarhan, Daniel Holt, Cory Tanida, Melissa Ardo, and Sohal Moten. And a few familiar faces from in my office: Joyce Kami, Joanne Ishikawa, Kyle Monette, Megan Kami, Gail Ogawa, and Kanoe Kaaihue. Members, they often work in the windowless offices and cubicles next to the WAM staff room, and they are allowed out once a year to be recognized, so if you could all give them an applause.

"Mr. President, I also would like to thank you and your staff for your guidance and support you have provided as we worked through this challenging economic times. I am deeply appreciative to the members of the Legislature, the numerous representatives of the many executive agencies, the countless members of the public that have shared their concerns and worked with this committee in a positive manner. I would also like to thank my vice chair and the members of the Ways and Means Committee for their input, insight, and understanding of the challenge before us in balancing the budget and providing some fiscal policy for the state in moving forward.

"I believe we are all aware of what confronts us: it is how to address the budget shortfall currently projected to be \$1.3 billion through the upcoming fiscal biennium. This follows two consecutive years whereby the Legislature has had to close deficits of \$2.1 billion and \$1.2 billion, respectively. Colleagues, the executive budget is the largest component of the state's financial plan. Unfortunately, as the economy struggles, the demand for public services explodes. Let's be clear about the need to appropriate additional general funds for the current biennium. The state has had the fortune of being able to rely on significant amounts of American Recovery and Reinvestment Act of 2009 (ARRA) funds, which are being used to supplant general funds for spending for education. ARRA also currently provides a substantially enhanced Federal Medical Assistance Percentages for Medicaid and other services provided by the

Department of Human Services and the Department of Health which provides services for what we call the 'safety net' for those least able to afford. Further, the prior administration unilaterally undertook a number of actions that are not fiscally sustainable. This includes massive restructuring of debt that, although provided immediate savings, has necessitated higher debt service payments for the upcoming biennium and beyond.

"The prior administration also reduced Medicaid benefits for COFA migrants, an action that a federal court has ordered to be reversed. Moreover, the prior administration's spending practices on temporary assistance for needy family contracts have left its reserve account insolvent. The need to now account for expenditures like these with general funds is principally what drives increases in the budget. Who among us would propose cutting \$60 million per year from education simply for the fact that we are unable to supplant this amount with federal funds for the current biennium? Is anyone willing to state for the state to default on debt service payments or defy a court order?"

"Anticipated reductions in FMAP and increases in enrollments require that a half a billion dollars in general funds be added for Medicaid services over the biennium. How many of us are willing to deny medical services to our most vulnerable residents as a means to close the deficit? Aside from the nondiscretionary expenses such as these is labor, the largest component of the state budget.

"This measure before us is premised on the need to maintain labor savings in the same amount assumed in the current fiscal year. It does not require an extension of the furloughs that have impacted government services. Indeed, it is expected that those negotiating collective bargaining agreements find creative solutions that yield savings and allow our government to maintain programs that are in great public demand. However, in recognition of the importance of educating Hawai'i's children, this measure restores funding needed to maintain the current level of instructional days for students. With regards to teachers, the funding provided in this measure assumes that collective bargaining negotiations would yield an agreement that resembles the one currently in place.

"Resources provided for state programs have significantly declined over the past two years. However, declining revenue projections now necessitate further spending reductions. Thus, this measure reduces \$30.3 million per year in positions that are currently vacant. These reductions are based largely on the amount of funds currently authorized for vacant positions in programs and allow agencies the flexibility to prioritize spending and hire personnel that may be in critical need. Additionally, no reductions were made to certain programs such as the plant quarantine program and the state library system that have broad impact on our economy and our quality of life.

"The adjustments made by this measure to the executive budget as proposed by the governor result in the reduction of \$277.3 million for fiscal year 2012 and \$376.9 million for fiscal year 2013. This is a reduction of about \$654.2 million over the fiscal biennium or about half the amount needed to close the budget gap. It is without doubt that the financial health of the state cannot be restored through spending cuts alone. Mr. President, your Committee on Ways and Means considered all of the recommendations received in the development of this measure. Colleagues, this is a responsible expenditure plan that maintains essential state services and contains spending reductions representative of half of the amount needed to bridge the budget gap. I invite your continued support and consideration as we work through the budget requirements in the last few days of session. Thank you."

Senator Slom rose to speak in opposition to the measure and said:

"Colleagues, I rise in opposition to this budget. And first of all, let me say I have a great deal of respect for not only the chairman, the committee, and all of those staff members who worked very hard, and we see their work every day. You know, every year we've gone through this same procedure; and every year the minority has neglected to mention its own folks who have worked on the budget, worked very quietly but also importantly to not only analyze budget figures, to try and look at the worksheets, to attend all of the hearings, but also to provide an alternative budget. And so with your permission, Mr. President, I would like to acknowledge all of our folks that worked on the budget this year and that you can hold your applause. First of all, over here, our budget chief Arik Look, and Carlotta Amerino, and up in the gallery Troy Thompson and Herb Laybon and Lauren Rogan. Give them a hand, please.

"And the reason I say that is because they work very hard and our problem is doubly difficult in trying to look at all of the numbers, trying to balance all of the requests and demands and needs. And yet, I would say even though the chairman of Ways and Means has outlined the cuts that were made, let's be very clear: these cuts are made to the increases from the executive branch, so that in fact—so that we all understand this clearly—if we took the base budget from the last administration, which is the budget that the new administration has to work on, if we took that amount and then we look at what the executive increased that, the cuts that are discussed are cuts to the increases. And this is what confuses a lot of people. And so, when we talk about bare bones cuts and programs and individuals being cut off from services, it's really not a true and accurate picture. What we have talked about are cuts to the increases. We have not gone back as every single mom, every family, every small business has had to do and cut what they actually are expending. Their demands remain important, but they understand that they can't do it. And yet we in government, their elected representatives, have shown that we haven't done it either.

"We can talk euphemistically about all of the things that we have done to bring this budget in line, and as the good chairman of the Ways and Means did point out, we've gone through now four successive years of very difficult and challenging times. And the last administration was faced with a \$2.1 billion deficit, a \$1.2 billion deficit, and we managed to do that by a number of ways, not all of which were popular and not all of which were painless, but we did that. We're looking at this new budget right now and we're really not in balance—which is required and by the end of the day and the end of the session, that's what has to happen—but most importantly, while the chairman says that everyone is now aware of our problems, I don't think that's quite accurate. I don't think everyone really and truly is aware of the significance of the economic challenges facing us. We talk about other states, and we deride other states for some of the things that they have done, but they don't have any other choices at this point. Their day of reckoning has come. They've run out of money. They've run out of borrowing power. They've run out of the ability even to take care of their core services. And while I certainly agree that's what we have to do (is take care of our core services, we have to keep to our promises that we have made to all of our residents including our public employees), we have to change our course. And there has been an absolute reluctance to do that.

"Our President has talked for three years now about hope and change, and this state remains the state with the least amount of changes, particularly in budgetary and fiscal policies. We are faced with a situation that demands—that requires—that we have the political backbone to change the culture of spending, taxation, and debt. And, unfortunately, this budget as proposed right now—and I understand we still have a lot of negotiating—this budget will not do that. I do not see signals from the House

for a change, and I do not see the significant amount of changes that need be done from our Senate budget. The chair of the Ways and Means said we cannot balance the budget by cuts alone. I would challenge that statement. We came up with an alternative budget last week. We introduced it, we detailed it, and it called for about \$4 billion in cuts. No tax increases, no additional putting off of tax refunds or anything of that nature, just straight looking at various programs and departments. And we do find that they are top heavy. We do find that further significant cuts can be made. They're not made, however, because we have a legion of people. They come down to our legislature or camp out here from January through May. They are very well educated. They are very well articulated. And they all have a particular and special point of view. They do not, however, recognize or represent the vast majority of people within our state who look to us and say, 'Who speaks for us? Who is providing an alternative to more taxation, more spending?'

"And I would challenge our body, and particularly when we go into our negotiations with the House, to really seriously look at this: how can we continue to do what we're doing, year after year (borrowing, going further into debt, taxing the people more), and just barely, if that, balancing our budget? We're having a hard time closing out fiscal year '11 which ends in three months. And then fiscal '12 and '13 under this budget would just barely budget for those two years without providing for a change in plan and looking to the future. And this is not something new. It didn't just happen. It didn't happen with the stock market crash alone. It did not happen with the Japanese situation, or the Middle East, or anything else. We can go back to the years with former Governor Cayetano when he called for major civil service and collective bargaining reform. And yet we didn't do anything. We didn't change our policies. We added more benefits, more costs. That's why 70 percent of our budget is labor costs. And now we see that the new administration and a new government has taken a tack of unilaterally negotiating. We saw the first contract last week and it was hailed as a five percent cut. When we looked at it in detail and specifically, it wasn't a cut at all. It's an increase. It gives more days off to one group of public workers. And even now designates them as 'most favored nation' so we have a nation within a nation. We talking about sovereignty, but we already have a nation; it's called the HGEA. These are all additional costs. So we're not coming to grips with the idea of cutting significant costs. Again, I will reiterate: I believe in prioritizing and meeting our core and essential needs, but not all of those needs are essential. And just because a group of people or even individuals come before us and say, 'We demand this' or 'we need this,' it does not make it so. Sometimes you have to stand up and say, 'no.' That's the mark of true leadership. We know what will happen if we continue to go in this same direction, and we have not made a significant change here. And that's why I'm voting against the budget today. We're got to make a statement. We've got to do it at sometime. This is the time. This is the place.

"So, Mr. President and Mr. Chairman, we understand that we're under challenging times, and we probably are going to have additional challenges and more difficulties in the future. And that's why it's extremely important for us at this point to change the direction that we're in, to make sure that we finally, as painful as it may be, make a choice and say, 'We want to be more self-sufficient.' We talk about sustainability all the time in our legislative body and we're very proud about many of the things that we've done and the initiatives. But if we can't have sustainability in our finances, and if our residents are not secure in their pensions, their incomes, their buying power, and their standard of living, then in fact we do not have sustainability. So, I would urge the members of this body to look very carefully at what we're doing and what we're saying, the

message that we're saying to the public, the message that 'well, change is good for other people, but not for us.' We've got to have that change and that change is now. Thank you, Mr. President."

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

"A well-maintained physical infrastructure of state facilities is essential to maintaining a positive business climate and a strong economic foundation which will ultimately help to support the state's ability to navigate through the current and future precarious economic conditions. To combat the effects of the current economic difficulties and work towards positive growth, the continued investment in our economy is necessary. Investment in infrastructure and facilities is crucial for economic growth and job creation. Additional and increased investment in education, technology, communications, health care facilities, energy and transportation, as well as other needs must also be examined to ensure sustained, long-term economic recovery and growth for our state and its residents. Accordingly, the administration's capital improvement program biennium budget provided a total of \$1.47 billion for projects funded by general obligation and general obligation reimbursable bonds and \$2.67 billion for all projects funded by all means of financing. The Senate, after carefully considering the proposals needs and priorities of the administration and the departments, has provided a total of \$1.64 billion for projects funded by GO and GOR bonds and \$2.96 billion for projects funded by all means of financing. Specific areas include education: \$72 million for repair and maintenance for badly needed repairs to our current schools, \$50 million for electrical and technological upgrades, \$25 million to upgrade our high school science labs, for the UH System \$96 million for repairs and maintenance which is part of our six year plan to reduce the maintenance backlog, \$32 million to invest in the community college system which has seen its enrollment grow considerably. Each investment of \$1 million of CIP produces or returns 12.9 direct or indirect jobs. In health, we have \$56 million for repair, maintenance and upgrades at our community hospitals and Department of Health system. State facility renovations: \$33 million to renovate state-owned properties which will reduce our general fund expenditures and utilize current resources more effectively.

"Mr. Chair, I would be remiss if I didn't thank Chair Ige for his leadership; also, my colleagues for their patience. As a first timer trying to do a CIP budget, I do appreciate your patience. And I would also be remiss if I didn't thank the hardworking WAM staff. If they look a little pale, they haven't seen the light of day for 10 weeks. So, thank you, colleagues."

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

"Creating a balanced budget during such fiscally austere times is extremely difficult, and I want to commend the Ways and Means chair and vice chair on not only doing this, but seeking to preserve those priorities the Senate has always embraced. Speaking specifically to the budgets of both the Department of Education and the University of Hawai'i, I believe our message is clear: education matters. To that end, our budget proposal includes \$60.8 million in each year of the biennium to maintain instructional days and to say 'no' to more Furlough Fridays. Committed to educational access for all, especially in the face of a depressed economy, our budget chose to restore the \$6.6 million for our community colleges that are working overtime to be that gateway to thousands of new, traditional and non-traditional students each year. And though restrictions and target restorations were very much the order of the day, our budget is also clearly focused on the future. While cuts will get us through these deficit years, it is our investments that will determine what our future will be.

“Recognizing that strategically investing in education will yield the highest return for our people and our state, I applaud the Senate’s support for such programs as Nā Pua No’eau, the Office of Mauna Kea Management, and the Challenger Center. Whether it is making college a reality for a Native Hawaiian student, laying the groundwork for job creation and booming knowledge-based industries and research on the island of Hawai’i and across our state, or teaching our children that their dreams should not be limited to the boundaries of this earth, investments like these will make a difference in people’s lives. Also understanding where learning takes place, our budget reflects our goal to preserve and protect funds of the classroom and school level. While this has meant that tough choices and sacrifices had to be made elsewhere, I believe we did our best to focus resources where they are most needed. That being said, there are some cuts that I also would hope we’ll be able to at least partially restore going forward, but I truly appreciate the ability to have deliberated on these areas and respect the thoughtfulness that went into these very difficult decisions.

“Lean, yet forward thinking, our education budget makes clear that if we are going to be forced to make the tough decisions as to where to cut and where to spend, everyone involved must be held accountable to ensure that we maximize and properly utilize our resources. While some may object to contracts not being funded due to questions over constantly increasing costs, specific program ID is being created to better track resources or provisos levied to ensure transparency these are tax dollars and we have an obligation to do what is necessary to ensure that these funds are being used responsibly. As resources continue to be scarce and many more difficult decisions loom on the horizon, I again commend the work of our Ways and Means chair, his team, and your committee and stand in strong support of our budget that clearly makes the education of our children and our people a top priority. Thank you.”

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

“Just very briefly, as your health chair, I wanted to commend the committees for taking action on some critical service areas, particularly restoring funds to developmentally disabilities, adult mental health, and children’s mental health services. These are critical services that saw it cuts that were too severe during times of difficulty for the state, and restoring these moneys is going to make us a better society. Thank you, Mr. President.”

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

“I, too, rise in support of the budget, Mr. President, but I would like to make some remarks to beyond the issues that were discussed on this floor today.

“I was here at the time in the State Legislature when we actually had surplus dollars, and this was in the ‘80s; and we were looking at anywhere between \$600 to \$1.2 billion of surplus money. How did we get to that point? We got to that point simply because the neighbor islands experienced a tremendous economic growth. At that time, we were developing the Kohala coast and Kā’anapali, Maui. And the reason I bring this to your attention, Mr. President, is because this is exactly what we should be focusing on in this body. There is no way, Mr. President, that we can continue this way with our state budget simply because 70 to 75 percent of our state budget is fixed cost. Whether we’re paying labor, whether we’re paying benefits, whether we’re paying mortgage and debt, the way out of this dilemma is we have to start to restructure our programs. We have to look at stimulating the economy. We need the revitalization of O’ahu and the urban core. We have to

streamline permitting. APEC is an excellent opportunity for us to secure some time. This body should secure time in the schedule so that we in fact can make a presentation as to what our vision is going to be in terms of our future so we can secure investments.

“We need to start looking at the possibilities, start looking at the state’s potential in a positive light: the glass is not half empty; it is half full. Clean energy, Mr. President; it’s something that this body can definitely look into and we should support. Education, private-public partnerships. We had resolutions that we had discussed in this body way in the ‘80s of looking at Kamehameha Schools, for example. The Bishop Estate Kamehameha Schools, with a total aggregate based in the billions of dollars, that they should be, in fact, cost sharing the cost of Hawaiians that are being educated in the public school system. We had resolutions for consideration: 51 percent of student enrollment if they are of Native Hawaiian ancestry, Kamehameha Schools should be supporting. They should be in a partnership, a relationship with our public school system to be able to put up necessary dollars to help fund these educational programs. How is this done? This is done through looking at the way our unions work, looking at contracts, looking at a new direction to advance these ideas. We discussed in great length in the late ‘80s about the whole issue of deployment. This is something that we can look at where we can get more flexibility to our department heads so they in fact can deploy their personnel within their respective departments. These are the kinds of issues that this body should be considering over the interim.

“We should be revisiting the autonomy that we gave the University of Hawai’i. I feel very strongly about this. How they handle all of their budgets; 600 special funds is not something that we should take lightly. I think it’s something that we should be investigating, as to where these moneys are going and how they’re spent. Tax exemptions, of course, Mr. President, is another consideration that we should be looking at. The problem and the pilikia that we are facing today, Mr. President, is that Hawai’i’s economy is working against families, and I think that this is something that this body should seriously take into consideration. The fear that I have for our future is we’re going to have the brightest and the best leaving the State of Hawai’i. And why? So they can seek the opportunities that they are entitled to have.

“So with these thoughts in mind, Mr. President, again I am supporting the efforts of the Ways and Means Committee simply because it was almost an impossible task; and the only way that we can solve our problems is we have to rejuvenate and stimulate our economy. Thank you very much.”

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

“Listening to everything and having sat here for four months, I fondly look back to that early January day when I was told we only had to find \$700 million. It seemed like such a huge number then, but I wish that those happy days were here again.

“With that as a prelude, I would like to thank the chair and vice chair of Ways and Means and all of their staff because it has been a daunting task. And what hasn’t been talked about is what has brought us here today. In a lot of the solving of the problems that we faced over the last three years, the previous administration had the opportunity to use funds that were built up during the prosperous times. What we inherited was a \$230 to \$240 million tab to simply close the end of this fiscal year before we even begin to wrestle with the problems facing us in the biennium. The only solution available to us is to deplete every single last dollar of reserve, to freeze all vacant positions, and to get further cuts of 10 percent from each of the departments to meet the challenges in this fiscal year. Because

of that, we will start the next fiscal year with no cash reserves. And we are like every homeowner out there living paycheck to paycheck, hoping to meet our bills, each and every month at the end of the month, but facing very uncertain times. And that's the task that the Ways and Means Chair had to deal with and the members of the committee. And what do we keep? What choices do we make in our household?

"I agree with the Education Chair. We are a state of immigrants. We have had people who have come here and toiled on the plantation fields, harvesting sugarcane and pineapples, being housekeepers, janitors, and groundskeepers so that they could send their children to school. And they recognized, as immigrants, that education created the ladder of opportunity for their children to rise up and to create a better life for them and to create a better Hawai'i for each and every one of us. In my lifetime, I've had the privilege to listen to Ellison Onizuka after he returned from his first mission in space. Listening to him talk to the children of Hawai'i and marveled that Mr. Onizuka, a young boy born from immigrants, barefoot in the coffee fields of Kona, could one day rise and reach the stars and tell our children that through education everything is possible. I have had the privilege of living in the neighborhood where General Eric Shinseki grew up, and he rose to become the Commander of the Army or the Armed Forces of the United States of America. Both of them matriculated through the public education system here in Hawai'i.

"If we are going to create the economic opportunities that my colleague from the Big Island has talked about, support for our community colleges are essential because most of us don't have the money to send our children to four-year universities right away. We need to be sure that the infrastructure is there so we can continue to support and encourage our best and our brightest. And so in the budget that the chair has put forward, there are no reductions to instructional time because he recognizes along with his committee that this is going to continue to give our children the opportunity to succeed.

"You've heard from my other colleague across the way from the Big Island how important it is to care for those who cannot care for themselves. That's one of the reasons why I first ran. And so if I'm raising taxes to take care of those who are disadvantaged, I stand guilty before you and my colleagues today, guilty with pride. And so, that's the second point in the budget. And last and most importantly, I have not campaigned with any of you before, but when I campaign on Kaua'i, I always make it a point to say, 'I'd like to thank those who came before me, those who sacrificed, those who labored, and those who fought, who have given me the opportunities that I enjoy today, and the benefits that my family enjoys.' And so, I'd lastly like to thank both the Judiciary Chair and the Ways and Means Chair for finding a way. Do not put the burden of continuing to provide new services on our seniors who have worked so hard to create the Hawai'i we have today, and that we'll be able to tell them, 'Thank you very much for everything that you have done and everything that you have given us.' Thank you."

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

"Like families in Hawai'i, state government needs and has cut our household budget significantly. Unlike a typical family, our state 'ohana has needed to help thousands of additional family members during this difficult time period. The prolonged economic recession has fostered exponential growth in the demand for social services, the reduction in force eliminated 365 positions across the Department of Human Services, creating backlogs and limiting contract oversight in a number of programs. As health care costs continue to rise and enrollment levels climb, addressing the Medicaid shortfall remains a

daunting task. The MedQUEST Division has accommodated a 25 percent enrollment increase while managing a 40 percent staff reduction and monthly furloughs. These economic circumstances are further exacerbated by carryover deficits from the previous administration's delayed payments strategy. Medicaid plays a vital role in the lives of more than 20 percent of Hawai'i's residents at this time. In an effort to continue delivering needed medical services to Hawai'i's vulnerable population, the Ways and Means Committee provided an additional \$248.2 million in fiscal year 2011-2012, and \$288.2 million in fiscal year 2012-2013, which will be matched with federal dollars to fund health care payments for Medicaid beneficiaries. However, the budget bill before us does reflect the Governor's proposal to save \$150 million over the next fiscal biennium.

"Your Human Services Committee, along with the health care community and Medicaid administrators are exploring possible reduction to Medicaid benefits, streamlining and improving efficiencies through technology, focusing on improved patient-centered practices, and focusing on wellness models that have effectively resulted in patients improving their health outcomes and reducing their need for medication and other expensive health care services. During these challenging economic times of job loss and the first of the baby boomers reaching age 65 this year, 2011, coupled with an anticipated decrease in the federal medical assistance percentage reimbursement, or FMAP, the demand for government assistance in the health care arena must be managed well to maximize our state's resources for the benefit of Hawai'i's residents.

"Mahalo to the Ways and Means Committee for supporting an appropriation of \$70,400 in general funds, an expenditure to implement the Electronic Health Fund Incentive Program which will receive \$668,232 in federal matching funds. This will incent health care professionals statewide to convert their offices to electronic health records systems. Like the Senate where we strategically invested in computer technology over a three-year period to manage information and realizing a 30 percent savings in operational costs, I predict that the health care industry will realize significant savings in operational costs with the use of electronic health records. Hawai'i also has an excellent opportunity to modernize its archaic Medicaid information system and improve the Department of Human Services' ability to deliver services in a more efficient manner and improve access to health care services to Medicaid beneficiaries. Ways and Means has appropriated \$2.9 million in general funds to receive \$26.5 million in matching federal funds for a new MedQUEST division computer-based eligibility system. The new system will support Medicaid staff in their work to service the public more efficiently and provide timely and useful information on patient care, health outcomes, and ensure in the health care provider performance. The new system will also enhance improved efficiencies in other parts of DHS and state government that interface with the Medicaid program. Congress enacted the federal Personal Responsibility and Work Opportunity Act in 1996. At that time, the United States government made the decision to no longer extend medical benefits to members of the Compact of Free Association, or COFA as we refer, and gave individual states the choice to continue Medicaid services to COFA members with the understanding that they would no longer receive federal support for this population. Given Hawai'i's unique location and high concentration of COFA members, the decision was made to provide COFA members the same Medicaid package offered to similarly situated Hawai'i residents. In 2010, the previous administration attempted to achieve cost savings by moving the COFA population to a limited plan entitled, 'Basic Health Hawai'i' which offered limited visits and reduced the types of services available to

COFA beneficiaries. On December 13, 2010, a federal court found this change caused irreparable harm to COFA residents and issued an injunction mandating the state to re-enroll all COFA members to their original programs, reinstate the benefits, and expedite delivery of services.

“Your committees recognize the immediate effects of this ruling and accepted the Governor’s proposal to appropriate \$13.2 million in general funds to reinstate Medicaid benefits to COFA clients for this fiscal year. The costs are reflected as federal expenditures for fiscal year 2012 to 2013. Given the Lieutenant Governor’s focus on obtaining federal funds, the Ways and Means believes that this is an area that could be his top priority. Work opportunities and cash assistance for Temporary Assistance to Needy Families, or TANF, or Temporary Assistance to Other Needy Families, TAONF, remain priorities in the state’s efforts to help residents through the economic recession. Temporary public assistance for food and shelter is of highest priority in this budget for Hawai‘i’s families, and this budget preserves funding for services to help retool our working poor in an effort to become self-sustaining once more. However \$33 million worth of contracts were terminated earlier this year due to the use of TANF funds to support these basic needs. What will be appropriated in the biennium budget is \$37.1 million in fiscal year 2011-2012 and \$23 million in fiscal year 2012-2013 in general funds for cash assistance to help over 27,515 very low income families. Funds will also be provided from the DHS budget to support the A+ Program in elementary schools statewide, and it will be directed to the Department of Education. The dire economic conditions of the last few years increased the amount of Hawai‘i residents living below the federal poverty levels from five percent in 2007, to over nine percent in 2010. Shelters across the state are at capacity and forced to turn away many of Hawai‘i’s homeless. To support efforts to extend services and shelter accommodations to the growing number of homeless families and individuals, Ways and Means has approved \$1.5 million for shelter support contract and the addition of three new shelters on Maui, in Wai‘anae, and Kona. A total of \$20 million has also been appropriated to the rental housing trust fund over the biennium to support Hawai‘i’s efforts to partner with the private sector in providing additional affordable rental housing for our kūpuna, working families, and individuals. \$35,670,000 for fiscal year 2011-2012 and \$55, 300,000 for fiscal year 2012-2013 has been allocated to help the Hawai‘i Public Housing Authority revitalize affordable public housing facilities throughout the state, as well as to address over 450 affordable units that have had major repair needs and have not been available for years for people to use. In addition, the Preschool Open Doors Program offers TANF recipients a means of providing children with educational opportunities or parents work toward self-sufficiency through these supports. Early childhood education plays an integral role in the development of Hawai‘i’s children, and affordable child care allows many parents to engage in work opportunities. To support the valuable services the program offers, Ways and Means has appropriated \$2 million in child care subsidies.

“Our thanks to the Ways and Means Chair and Vice Chair and to all committee members, as well as the excellent WAM staff for your hard work. Mahalo also to the state employees who have worked tremendously hard with less staff support and thousands of additional people to help. I also want to thank the staff of the nonprofit and profit organizations who have been our true partners in delivering many of these public services. And most of all, to the people of Hawai‘i because they do care. And people constantly are saying ‘thank you’ to the Legislature for helping our most vulnerable. So, to our colleagues, thank you very much for your support of this budget, and mahalo to the people of Hawai‘i for what they do every day. Aloha.”

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

“I rise in support of this measure and would like the words of the Senator from Waimea incorporated into the Journal as if they were my own. As I sat here and listened to what she said, I was taken back to the days when she was here and it would seem like a very different time. I was in elementary school back then, but I appreciated what she and her colleagues back in the 70s and 80s were doing here because it was a different vision back then. It wasn’t about addressing the budget as we do today either by contracting the size of government, by cutting it, or on the flip side, by talking about revenue enhancements and getting more taxes into our coffers to sustain this government. It’s more about what the senator from Waimea talked about—about growing the economy, providing job opportunities for our people—and this budget gets us through this current situation, but still lacks the luster of creating a better Hawai‘i for our future.

“For the kids who are in elementary school, as I was 20 years ago, what kind of a future are we creating for them with this particular budget and what kind of messages are we sending out to them? When we look at the opportunities on the horizon, I think we hopefully all agree that energy is going to be a big part of our economic future, and the director of DBEDT mentioned how energy will create 11,000 green jobs. But we need to think beyond those 11,000 green jobs to how are we going to harness our cheaper sustainable energy into other opportunities. Perhaps manufacturing, clean manufacturing. But we’re not taking those extra steps. We’re looking at what’s just in front of us. We need to think farther and more visionary like the lawmakers who were luckily here in the 70s and 80s. And I also agree with the Senator from Waimea that we need to encourage more economic development on the neighbor islands.

“When you look at the wind power and the discussion there and it all lines up to having a cable that connects all of Lāna‘i to Moloka‘i to O‘ahu, that is so O‘ahu-centric, right? They’re saying that they’re going to deliver power to us here on O‘ahu. When there’s untapped opportunities on the neighbor islands, why should all the economic development be here on O‘ahu? Why can’t we further economic development on Lāna‘i, on Moloka‘i, and certainly on the Big Island with its vast amount of alternative energy opportunities? So I really appreciate the words of the Senator from Waimea because she and her colleagues back then provided a neat opportunity for me today. And I’m not too sure and real confident that what we’re doing here today is providing for the next generation of individuals to follow us because as we heard from the Senator from Liliha, there are voluminous amounts of needs that we’re going to be facing in the future. And are we going to continue to have a financial crisis on our front burner and taking this continuous approach of either downsizing government or increasing taxes to pay for this monster that continues to grow? I agree with the Senator from Waimea that we need to have visionary discussions about a better future for Hawai‘i. This budget I appreciate gets us through the current financial crisis, but at a certain point I think we as a legislative body really need to think about what kind of opportunities and growth we’re going to create for a better Hawai‘i in the future. Thank you, Mr. President.”

Senator Slom rose in rebuttal and said:

“I think the words that have been said are very powerful. I can’t disagree with very many of them. In full disclosure, when Senator Solomon was here, I was already grown up and working. She has punctuated the point, however, that I tried to make earlier that what we’re going through now is not new, and it was not unknown and didn’t just suddenly appear. I remember the discussion back in the 70s, and back in the 80s, and back in the 90s. And we had ample opportunity to change

our direction or do things differently, and we chose not to. We chose to continue living off the fruits of the labor of others. And one of the things we didn't even talk about today, while we're talking about all these demands and all the increased numbers of people that need subsidies and help, we have not really talked about increasing supply. And that's what it should be all about. And I certainly concur with the good Senator from Waimea as I've said many times before: the fact that we tend to be O'ahu-centric, that we tend to use the neighbor islands as our plantations and farm communities, is flat-out wrong. But we're not in this legislative session doing anything—anything—to improve our business and investment climate. All we're talking about is how we are going to redistribute what we already have here? How can we borrow more? Now, the talk about capital investments, I think is important. You must have infrastructure, and we don't. Our infrastructure is crumbling. It is terrible from the roads on up or on down, depending on how you want to look at it. But even when we talk about billions in CIP, what are we talking about? We're talking about more general obligation bonds and more debt, more debt service costs. We're not listening to the entrepreneurs in our midst to tell us what we need to do. And first and foremost, they say we need to reduce the cost of taxation and employer mandates, and to free businesses to be creative.

"I introduced the other day the three representatives from McDonald's, and next week on the 19th all across the country, as I mentioned, they're going to have hiring day, and they're going to, one company, hire 50,000 new employees including 1,000 in Hawai'i. In one day. And what are we talking about? We're about more government jobs, more government costs, more government benefits. We haven't done anything to stimulate the private sector or to increase the supply, and that's what it's all about. We need more private jobs, we need more private businesses, and we need more private contributions to the entire economic welfare of this state. But that can't come with the kinds of policies that we're sponsoring and more hardships on the people that have the ability to create those jobs. We throw the term 'investment' around very loosely. I may be old-fashioned, but investment to me is a voluntary act by individuals who, looking at opportunities for risk and for expending their resources, decide to invest in something. What we're talking about is compulsory taking of private moneys and investing it in projects that we think are important. And if you look over the last couple years, and particularly the investigating committees we have, unfortunately, you'll find that this state does not have a good record of investment. And in terms of compassion, compassion for the people that are unable to make it on their own, I have that compassion. But it's a lot easier to be compassionate with somebody else's money, and taxes, and rules of how they must conduct themselves, rather than reaching in our own pockets and saying, 'If we really believe this, if this is really a priority, then we'll spend it voluntarily.'

"Human services was brought up. And as has been indicated in the hearings, in a very short period of time the amount that our state spends on human services and all of its programs will exceed the amount that we spend on public education. That's a fact. And, as the good senator said, now 20 percent—one in five residents—is now dependent on Medicaid. And every year we have an emergency; every year we have to have an emergency appropriation. And the numbers keep growing. And the numbers grow on the food stamp program and the numbers grow on the MedQUEST program. And let's not forget, let's not forget that years ago, this state and those departments actively went out and recruited people to be on those programs. We wanted to build up those programs. Well, we've succeeded beyond our wildest dreams. And not everybody is vulnerable and not everybody cannot take care of themselves, and yet, we continue to talk about the growth and we continue to tell the

regular taxpayers that they're going to have to continue supporting other people in other programs. Well, as was said earlier, if I have to stand up here and be the only one to tell you that tax increases, spending increases, and debt increases are not the way to go, not the way to have a better Hawai'i and take advantage of all of those people who are so talented and creative, if I have to do all that, then I will stand guilty and indicted on that, because somebody's got to do it. Somebody's got to stand up for the people that are paying for the other people and watching as money is not being well-accounted for, or transparent. So, yes, all the accolades that go to the Ways and Means Chair and committee are well worth it and to the staff; everyone knows that people have worked hard. But we're not in the right mindset for change, and we can't keep putting it off. We have to start now. Thank you, Mr. President."

Senator Hee rose and said:

"Now that the grandstanding and pontification and self-emulation is over, I move the previous question."

The motion was put by the Chair and carried, H.B. No. 200, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1076 (H.B. No. 300, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1076 be adopted and H.B. No. 300, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Ige rose in support of the measure and said:

"Mr. President, just some brief comments for the members. As you know, the Judiciary had placed a priority on ending furloughs this year for the Judiciary because they truly believe that justice delayed is justice denied, and this measure before us provides funds to end the furloughs in the Judiciary. We have managed and balanced the needs, and we've made other cuts to reduce the cost of providing that justice, but we do believe that it goes a long ways to allowing our citizens prompt and access to justice. Thank you."

Senator Slom rose to speak in support of the measure with reservations and said:

"I think our objective, all of us, is to increase access to justice. I do agree with the statement that justice delayed is justice denied. However, we have seen that some of the expenditures in the past and currently by the Judiciary Department really are open to question. The whole Kapolei situation, the computer situation, and just using the money for ending furloughs in many respects leaves many questions about access to justice, but I will support the budget through the conference committee. Thank you."

Senator Solomon rose to speak in support of the measure said:

"I also rise in support of the budget. However, Mr. President, I'd like to encourage the Chair of Judiciary to continue his investigation into the fact that now we have incarcerated five generations of Hawaiians in our prison system; and I'm hoping that over the interim, we could bring this issue to a head and be able to resolve this, which I consider a heinous situation, Mr. President. Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1076 was adopted and H.B. No. 300, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

H.B. No. 1230, H.D. 2, S.D. 1:

On motion by Senator Nishihara, seconded by Senator Dela Cruz and carried, H.B. No. 1230, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Gabbard).

Stand. Com. Rep. No. 1081 (H.B. No. 775):

Senator Ige moved that Stand. Com. Rep. No. 1081 be adopted and H.B. No. 775, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in support of the measure said:

"I rise in support, but I want to remind my colleagues, and one of the reasons that I'm the evil foe against special funds and revolving funds of this nature: this photo fund, in 2002, nine years ago, the Legislature had dissolved the fund and said that the moneys should be transferred to the general fund. Nine years later, we found out that that had not been done, and \$3,480,000 is now to be transferred into the general fund. This is what I mean about we are not adequately husbanding the moneys of the people of this state and we've got to do a better job. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1081 was adopted and H.B. No. 775, entitled: "A BILL FOR AN ACT RELATING TO THE PHOTO ENFORCEMENT REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1082 (H.B. No. 1015, H.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1082 be adopted and H.B. No. 1015, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1082 was adopted and H.B. No. 1015, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE BROWNFIELDS CLEANUP REVOLVING LOAN FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Stand. Com. Rep. No. 1086 (H.B. No. 1079, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1086 be adopted and H.B. No. 1079, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"Because we're adding additional fees and we have not shown that the fees that we presently use for habitat conservation have been effective, I oppose the bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1086 was adopted and H.B. No. 1079, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR HABITAT CONSERVATION PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1087 (H.B. No. 70, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1087 be adopted and H.B. No. 70, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Green rose to speak in opposition to the measure said:

"I think that it's laudable that we're taking up the matter, and I really respect the Chair of Human Services for the extraordinary gathering she put together and how many important people are on the matter. I'm opposed to this bill because I think what happens with bills like this is: number one, people will say, 'Oh, we came up with some solution,' when in reality this may help a few people in a good way, but I don't want anyone to get the idea that this very small sliver of a solution for some people that need to get back to their families will in any way be a real meaningful approach to the huge challenge that our chair has taken up. And I support her, and so that's really why I'm voting 'no' today on this bill. I think I'd rather see every single penny put toward a solution on the ground here in Hawai'i. Thank you, Mr. President."

Senators Ihara, Nishihara, Taniguchi, Kahele, Solomon, Dela Cruz, Wakai, and Kidani requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1087 was adopted and H.B. No. 70, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Dela Cruz, Ihara, Kahele, Kidani, Nishihara, Solomon, Taniguchi, Wakai). Noes, 2 (Green, Kim).

Stand. Com. Rep. No. 1088 (H.B. No. 945, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1088 be adopted and H.B. No. 945, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"I know that the education chairman did a very good job in trying to get this bill through and get the change in instructional days, but the fact of the matter is the bill does not increase the instructional days, and it actually puts it off. You know, we're talking about priorities, and we're talking about we're all in agreement and education is an investment and all that; and yet in this bill, there is even a provision that requires the Department of Education to re-examine what constitutes student instructional days. Now, if they don't even know what constitutes instructional days, and we went down to the lowest in the nation last year, I think we have a real problem. It also gives the DOE plenty of time because they have to make a report to the Legislature prior to the beginning of the 2013, 2014, 2015, 2016, 2017, and 2018 sessions. This is not a priority. This is not making a change. If we really are serious about these things, then let's do them and not talk about them. Thank you."

Senator Tokuda rose to speak in support of the measure said:

"Well, I wholeheartedly agree that we must do more to add to the rigor of our school days and our school hours sooner than later. I believe this measure to delay the provisions of Act 167 until 2014 is both fiscally prudent and necessary to preserve as much resources as we can going directly into the classroom. As the Legislature has no involvement in collective bargaining which is currently ongoing, it is difficult to determine the actual cost to increase school days and school hours as mandated in

Act 167. However, conservative estimates have come in at around \$55 million. Regardless of what the final amount is, given that we may already have to look at double digit million dollar cuts to the Department of Education, I strongly believe it is necessary that this bill continue to move forward so that we can continue to do everything we can to preserve school funding and minimize the chance of future devastating restrictions to the department's budget once we're out of session. I would also note that the reporting requirements that we have mandated is really to make sure that we keep the fire under both the Department of Education and all bargaining units to make sure that we are in compliance and ready to proceed with the increased school days and school hours come 2014. But I definitely respect the opinions of the minority on this issue, as well. We will continue to move forward to try to make sure that our students have the most time in our classrooms with highly qualified and effective teachers, and I hope that you will all support moving this measure forward. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1088 was adopted and H.B. No. 945, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Chun Oakland, Espero, Green, Solomon). Noes, 1 (Slom).

Stand. Com. Rep. No. 1090 (H.B. No. 1566, H.D. 1, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1090 be adopted and H.B. No. 1566, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"I think the bill is very complicated and seeks to add commercial permits and commercial use of the Ala Wai. Certainly the Ala Wai Harbor is our primary jewel in terms of boating. There is no provision right now, currently, to allow for commercial enterprises. There have been issues brought up by surfers, by recreational boaters, and by others in terms of transportation, in terms of safety, in terms of access. This bill also would add new fees and allow, I believe, 15 percent of the usage for commercial. I think, perhaps, going ahead in conference, maybe it'll work out, but having to vote on it now, I vote 'no.' Thank you."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1090 was adopted and H.B. No. 1566, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, 1 (Slom).

Stand. Com. Rep. No. 1092 (H.B. No. 273, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1092 was adopted and H.B. No. 273, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1096 (H.B. No. 596, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1096 was adopted and H.B. No. 596, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1097 (H.B. No. 916, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1097 be adopted and H.B. No. 916, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"And let me make clear the reason I'm voting against the bill is because of two things: It creates an accessible parking special account, which I read as a special fund even within the existing special fund; and it increases the fee to do this. I don't think we have to increase the fees to do it, and we don't need another special fund. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1097 was adopted and H.B. No. 916, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1098 (H.B. No. 902, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1098 was adopted and H.B. No. 902, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1101 (H.B. No. 773, H.D. 1, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1101 be adopted and H.B. No. 773, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose and said:

"Mr. President, again, I rise to recuse myself from the votes since my son is a student at St. Louis."

The Chair responded that there was no conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1101 was adopted and H.B. No. 773, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SAINT LOUIS SCHOOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 44, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 44, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 640, H.D. 1, S.D. 1:

Senator Hee moved that H.B. No. 640, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senators Dela Cruz and Solomon requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 640, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Dela Cruz, Solomon). Noes, 1 (Kidani).

H.B. No. 1613, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1613, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1368, H.D. 2, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 1368, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 467, H.D. 2, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 467, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 593, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 593, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOMINATION PAPERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 638, H.D. 1, S.D. 1:

Senator Hee moved that H.B. No. 638, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senators Kouchi, Solomon, Dela Cruz, Ryan, Tokuda, Gabbard, English, Kim, and Kidani requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 638, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Dela Cruz, English, Gabbard, Kidani, Kim, Kouchi, Ryan, Solomon, Tokuda). Noes, 1 (Slom).

H.B. No. 1270, H.D. 1, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, H.B. No. 1270, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Kim).

H.B. No. 1376, S.D. 1:

Senator Hee moved that H.B. No. 1376, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

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

"When this bill was passed three years ago, it was one of the first in the nation; and it was used by news media and other state administrations as a model for the new technology and for non-printed electronic journalism. So, it was to sunset this year, and initially the request was made to remove the sunset provision, make the law permanent. Then, the suggestion was to have a five year sunset on the bill, and then there was some communication from the Judiciary and the version that we have before us is for only two years. My question was, in looking over the Judiciary's concerns which really were vague and not very specific, there were three years of the bill in operation, plenty of time to examine and plenty of time to raise any issues, and they were not raised. So, I certainly support the legislation, but I don't think that we need a two year sunset. At the least, we should have the five year. Thank you."

Senator Solomon requested her vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Dela Cruz). Noes, 1 (Solomon).

H.B. No. 257, H.D. 2, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 257, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 546, S.D. 1:

Senator Hee moved that H.B. No. 546, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Slom rose to speak in opposition to the measure said:

"You know, it seems like we spend an awful lot of time here about prostitution, sexual orientation, and marijuana. During the hearing in Judiciary, the representative from the Civil Rights Commission did testify that under existing law, any of these alleged offenses are covered and can be adjudicated; and number two, that there, in their experience, were very few examples of any problems or any alleged violations appearing. So again, I think it's a situation where we are providing special legislation for something that needs no legislation and are focusing on issues that really are outside of both the justice system and also labor issues. Thank you."

The motion was put by the Chair and carried, H.B. No. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Gabbard, Slom). Excused, 1 (Ryan).

H.B. No. 563, H.D. 1, S.D. 1:

Senator Gabbard moved that H.B. No. 563, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Slom rose to speak in support of the measure said:

“Again, you know, we’ve talked a lot about tax credits and whether they’re valuable, and whether they should be there or should be audited. Here, we’ve had this tax credit. We’ve had the illusion of an ethanol facility. We still have the 10 percent ethanol requirement in our gasoline which lowers the productivity and increases the cost. And finally, we’re going to get this off the books because those people that told us years ago that they were going to be ready with the ethanol facility in fact are not going to be ready and they’ve now told us that. So, I mention this because when we are looking at tax credits, we should be looking at realistic credits and helping, if we’re going to, those people that are actually doing the work that are in the field. Thank you.”

The motion was put by the Chair and carried, H.B. No. 563, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1179, H.D. 3, S.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, H.B. No. 1179, H.D. 3, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INVESTMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:05 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:08 a.m.

H.B. No. 793, S.D. 1:

Senator Kidani moved that H.B. No. 793, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Slom rose to speak in opposition to the measure said:

“We had a very healthy discussion in Ways and Means last week, and in fact we did separate out the portion that would have increased the general excise tax. My position has been very clear. I do support review and complete transparency of tax credits, and I think there are certain credits that should be removed. Other should not be permanent. They should be reviewed every several years. But, as the testimony in the auditorium indicated, if we just take away these tax credits that are listed here, it’s going to have a number of unintended consequences, particularly in the transportation and construction fields and is going to result in even higher costs for our residents. So, in that respect, this bill still represents a tax increase, and I think we need to be very careful and to look at it much more specifically. Thank you.”

The motion was put by the Chair and carried, H.B. No. 793, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Chun Oakland, Dela Cruz, Gabbard, Kidani, Nishihara, Taniguchi). Noes, 7 (Baker, Espero, Fukunaga, Green, Ige, Ihara, Slom).

H.B. No. 1405, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1405, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PLANNING,” was deferred until the end of the calendar.

H.B. No. 1529, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1529, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PLANNING,” was deferred until the end of the calendar.

H.B. No. 243, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, H.B. No. 243, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1138 (H.B. No. 331, H.D. 2, S.D. 2):

On motion by Senator Dela Cruz, seconded by Senator Ige and carried, Stand. Com. Rep. No. 1138 was adopted and H.B. No. 331, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC LANDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1143 (H.B. No. 1483, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1143 was adopted and H.B. No. 1483, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Espero, Ihara, Kidani, Kim, Taniguchi). Noes, none.

Stand. Com. Rep. No. 1144 (H.B. No. 865, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1144 was adopted and H.B. No. 865, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INSPECTION FEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1147 (H.B. No. 786, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1147 was adopted and H.B. No. 786, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SOLID WASTE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1148 (H.B. No. 1060, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1148 was adopted and H.B. No. 1060, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1149 (H.B. No. 526, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1149 was adopted and H.B. No. 526, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1151 (H.B. No. 569, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1151 was adopted and H.B. No. 569, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1160 (H.B. No. 605, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1160 was adopted and H.B. No. 605, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Kim, Slom).

Stand. Com. Rep. No. 1162 (H.B. No. 985, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1162 be adopted and H.B. No. 985, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"This is the design-build bill, but also with the wrinkle that we give money to the non-successful bidders. I was just thinking after yesterday's news with the two of the three rail transit bidders, who are now going to be suing the city. If we just paid everybody off, it would be a good thing, and maybe we could forestall lawsuits. Of course, then it would be like the AYSO soccer: everybody's a winner, everybody gets a trophy. This is wrong, Mr. President. We don't pay losing bidders. They know what the costs are. They know what the risks are. They also know what the benefits are if they win the bid. Nobody forces them to bid, so it's very bad precedent, and we should all be opposed to this. Thank you."

Senators Solomon, Kahele, Wakai, Kidani, and Ryan requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1162 was adopted and H.B. No. 985, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Kahele, Kidani, Ryan, Solomon, Wakai). Noes, 2 (Kim, Slom). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1164 (H.B. No. 953, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1164 was adopted and H.B. No. 953, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Solomon). Noes, 1 (Slom). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1165 (H.B. No. 159, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1165 was adopted and H.B. No. 159, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Baker, Espero, Ihara, Kouchi). Noes, none. Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1167 (H.B. No. 1322, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1167 be adopted and H.B. No. 1322, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"I do not support the bill because again it converts certain existing funds into special funds and creates other new special funds. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1167 was adopted and H.B. No. 1322, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN FUNDS OF THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Solomon). Noes, 1 (Slom). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1168 (H.B. No. 1009, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1168 be adopted and H.B. No. 1009, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in support of the measure with reservations and said:

"While I certainly think that there are two ways of looking at this, if you have to have your fingerprints taken—and we're not just talking about criminals, we're talking about for certain physicians and all of that—it certainly is more desirable to have the fingerprints on record and not have to go back or go to different agencies. On the other hand, the fact that there is an in perpetuity clause within this bill that those fingerprints will always be kept on record, and the fact that we've had problems with privacy and with disclosure of certain personnel information in the past, leads me to be concerned about the information here being kept permanently. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1168 was adopted and H.B. No. 1009, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINGERPRINT RETENTION BY HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Slom). Noes, none.

Stand. Com. Rep. No. 1173 (H.B. No. 1001, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1173 was adopted and H.B. No. 1001, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1175 (H.B. No. 1085, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1175 was adopted and H.B. No. 1085, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1180 (H.B. No. 1082, H.D. 1, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1180 be adopted and H.B. No. 1082, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"Yes, I rise in opposition to the bill primarily because again it's starting a new special fund."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1180 was adopted and H.B. No. 1082, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1185 (H.B. No. 1570, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1185 be adopted and H.B. No. 1570, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"You know, we talk about how important agriculture is in our state. We put it in our constitution. We try all kinds of things, and yet, we continue to see agriculture diminishing and failing. And then we try to prop up those industries once they are failing by subsidies and special treatment, and yet, by that time it's too late. We need to develop a comprehensive program, and if we're really serious about saving agriculture, then we save those parts of agriculture and enhance diversified agriculture and the things we can do. But this bill has got a number of different ideas here, and it also has the idea of putting the taxpayers on the hook for the slaughterhouse and other operations. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1185 was adopted and H.B. No. 1570, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Gabbard, Ryan, Slom, Wakai).

Stand. Com. Rep. No. 1186 (H.B. No. 1203, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1186 be adopted and H.B. No. 1203, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

"You know, it was said, 'The doctors can afford this fee. Why shouldn't they pay it?' It would be a permanent assessment fee to do workforce studies. During the hearing I asked the folks at the University of Hawai'i who were doing the studies when they expected the studies to be completed. The answer basically was, 'We don't expect them to be completed. We expect this to be a permanent thing.' I see this as a permanent source of employment for one group of people paid

for by another people. It's not an issue of how much can a doctor afford to pay. It's whether or not the doctor should afford to pay and whether or not we're listening to the doctors when they tell us freely what the barriers to retaining good physicians are, what the barriers to new practices are; and we don't seem to listen to that. So, the assessment fee is not going to help our situation here. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1186 was adopted and H.B. No. 1203, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1187 (H.B. No. 270, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1187 was adopted and H.B. No. 270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Dela Cruz, Ihara). Noes, none.

At 11:22 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 a.m.

Stand. Com. Rep. No. 1188 (H.B. No. 744, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1188 and H.B. No. 744, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1189 (H.B. No. 1505, H.D. 2, S.D. 1):

Senator Kidani moved that Stand. Com. Rep. No. 1189 be adopted and H.B. No. 1505, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Slom rose to speak in opposition to the measure said:

"I believe in the intent of the bill but it creates a special fund, so I'll be voting 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1189 was adopted and H.B. No. 1505, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ige).

Stand. Com. Rep. No. 1196 (H.B. No. 1164, H.D. 1, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1196 was adopted and H.B. No. 1164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Espero, Ihara). Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 1197 (H.B. No. 122, H.D. 1, S.D. 2):

On motion by Senator Nishihara, seconded by Senator Kahele and carried, Stand. Com. Rep. No. 1197 was adopted and H.B. No. 122, H.D. 1, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO RENEWABLE ENERGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1198 (H.B. No. 484, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 1198 be adopted and H.B. No. 484, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1198 was adopted and H.B. No. 484, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Galuteria).

Stand. Com. Rep. No. 1201 (H.B. No. 169, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1201 was adopted and H.B. No. 169, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Galuteria).

Stand. Com. Rep. No. 1204 (H.B. No. 1312, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1204 was adopted and H.B. No. 1312, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1205 (H.B. No. 678, H.D. 3, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1205 be adopted and H.B. No. 678, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“I think it’s an important bill, and I think we need to do this. Unfortunately, some of the requirements, particularly for the very smallest of businesses, are extremely burdensome, and I think we need to rethink that if we go into conference. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1205 was adopted and H.B. No. 678, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Galuteria).

Stand. Com. Rep. No. 1206 (H.B. No. 1038, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1206 be adopted and H.B. No. 1038, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in support of the measure said:

“I’ve been a critic of a number of the things that we’ve done or not done in the Employees’ Retirement System, and we need

to make changes. Hopefully, this bill which only affects prospective employees is a step in the right direction and hope it comes out that way after conference, so I’ll support it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1206 was adopted and H.B. No. 1038, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Taniguchi). Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1209 (H.B. No. 1434, H.D. 2, S.D. 1):

On motion by Senator Shimabukuro, seconded by Senator Gabbard and carried, Stand. Com. Rep. No. 1209 was adopted and H.B. No. 1434, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1212 (H.B. No. 56, H.D. 2, S.D. 2):

Senator Shimabukuro moved that Stand. Com. Rep. No. 1212 be adopted and H.B. No. 56, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Gabbard.

Senator Gabbard requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1212 was adopted and H.B. No. 56, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHILD VISITATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Gabbard). Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1229 (H.B. No. 1183, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1229 be adopted and H.B. No. 1183, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“You know, you can dress up a pig and put lipstick on it, but it’s still a pig. And this bill is still a pig. It will extract more money from our residents. It’s called streamline, but what it really is is an internet tax. We saw what happened two years ago with Amazon.com and a number of other providers who said that if we were to pass this and effect this that they would withdraw from Hawai’i. There are more and more of our residents that rely on online purchases to survive, and there are more and more opportunities to do so. We have contentious court cases that say that you cannot tax an entity if it does not have a situs within the state. Some of these national companies in fact do have presence here, and they should be taxed. They should be subject to either the general excise gross income or use tax. But to try to expand this is a money grab by the states, and I know my worthy opponent and supporter of this every year comes up with more states that are proposing to join a compact, and I realize a lot has to be done, but the philosophy is wrong about this. It is a detrimental bill to the taxpayers of this state and to those people that rely on fair commerce across the country. So, I will continue to oppose it. Thank you.”

Senator Fukunaga rose to speak in support of the measure said:

“This is becoming an annual ritual. I rise to speak in support of this measure and to bring members’ attention to some recent updates from the National Conference of State Legislatures. Two years ago, Dr. William Fox of the University of Tennessee had been one of the authors of a study which examined only the electronic b-to-b and b-to-c (and that means business-to-business or business-to-consumer transactions). At that time, Department of Taxation concluded that Hawai‘i was only losing out on roughly \$60 million dollars of uncollected use taxes which have been on the books for over 25 years in our state. What this year’s study adds to the mix is nonelectronic business-to-consumer, as well as nonelectronic business-to-business purchases; these would be the kind of purchases that are via catalog or other kinds of direct mail sales. So as we’re looking for ways to address our revenues shortfalls, I wanted to remind the members that NCSL has been an active proponent of working collaboratively with states as well as with state tax departments. If you look at the map on page two of this handout, all of the states that are participating in this voluntary program to demonstrate the efficacy of using technology to collect your use taxes, you should note that none of these participating states—those that are in yellow at this point or those that are green—have had their legislation challenged in the courts. And for those states that are in yellow, they have been collecting from out-of-state merchants who voluntarily collected those states’ use taxes to demonstrate that this is a practical and efficient way to help states balance their budgets. For those reasons, Mr. President, I urge my colleagues to vote ‘yes’ on this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1229 was adopted and H.B. No. 1183, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ryan). Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1230 (H.B. No. 983, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1230 was adopted and H.B. No. 983, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1231 (H.B. No. 301, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1231 was adopted and H.B. No. 301, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1232 (H.B. No. 838, H.D. 2, S.D. 1):

Senator Ige moved that Stand. Com. Rep. No. 1232 be adopted and H.B. No. 838, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in support of the measure with reservations and said:

“The two hearings that we had in Ways and Means were very unsettling. The Reapportionment Commission did not have good answers to the questions of the committee. It was very

difficult to substantiate some of the figures that they did have: the money, the people, the overtime, and even a computer graphic planner that they were going to buy. We recognize that we have to have reapportionment and that there are certain expenditures, but I would hope that as we go forward with this bill, that we hold the Reapportionment Commission more accountable and more transparent on how they’re actually going to spend our money. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1232 was adopted and H.B. No. 838, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REAPPORTIONMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1233 (H.B. No. 277, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1233 be adopted and H.B. No. 277, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Solomon requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1233 was adopted and H.B. No. 277, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Solomon). Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1234 (H.B. No. 1308, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1234 was adopted and H.B. No. 1308, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DIGITAL MEDIA,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1237 (H.B. No. 575, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1237 was adopted and H.B. No. 575, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SALARIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1238 (H.B. No. 324, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1238 be adopted and H.B. No. 324, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“I’m all for historic preservation, but I notice that we continue to expand the historic preservation. This bill includes both Kona and West O‘ahu, and it does have implications for zoning for planning and future development, and I think it limits what the residents of those areas can actually do under the guise of preservation. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1238 was adopted and H.B. No. 324, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1241 (H.B. No. 1000, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1241 be adopted and H.B. No. 1000, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“If I had my druthers, we would get rid of this—the fund and all of this. We’ve achieved the objective that we had initially and that was to extend the coverage, enhance 911. We’re still paying 66 cents per month on our wireless bill. What this proposes to do is to extend the surcharge to all users of electronic communications. We’re not sure what the money is going to be used for, and we’re not sure when and if it’ll ever end, but I think we should seriously take a look at the reasons for this fund continuing. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1241 was adopted and H.B. No. 1000, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (English, Ryan, Solomon). Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1242 (H.B. No. 1626, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1242 was adopted and H.B. No. 1626, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FUEL TAXES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Dela Cruz). Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1243 (H.B. No. 1039, H.D. 1, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1243 be adopted and H.B. No. 1039, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“While I certainly think that there should be changes to the vendors and people at the state airport, particularly when they’re denied access to customers, this was a gut-and-replace bill where basically what it comes out to be is a tax, a cost increase, taking the per vehicle per day rental fee and increasing it from \$2 a day to \$7 a day. Thank you.”

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

“I’d like to correct the previous speaker. This was an add-to bill. So, we left the original language and added more to it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1243 was adopted and H.B. No. 1039, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1244 (H.B. No. 306, H.D. 1, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1244 was adopted and H.B. No. 306, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1245 (H.B. No. 1411, H.D. 2, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1245 be adopted and H.B. No. 1411, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure said:

“This is a very important issue. I think that the committees have done a very good job in terms of trying to bring parties together in trying to reach a solution on the mortgage foreclosure problem. Unfortunately, this bill contains a lot of things that basically would hurt the industry, and particularly those in the industry, local purveyors of mortgages, who in fact did not commit any fraud, did not mislead anyone, did not do anything wrong. It also, I think, would make it more difficult for people to get mortgages and it penalizes those people that in effect have paid their mortgages, struggled to do so, but they have done it nonetheless. And in addition to that, there is a new special fund within the contents of this bill. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1245 was adopted and H.B. No. 1411, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Dela Cruz, Espero, Kidani, Solomon). Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

Stand. Com. Rep. No. 1246 (H.B. No. 1041, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1246 was adopted and H.B. No. 1041, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Galuteria, Hee).

At 11:43 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 a.m.

Stand. Com. Rep. No. 1247 (H.B. No. 782, H.D. 2, S.D. 2):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1247 and H.B. No. 782, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM,” were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1249 (H.B. No. 1330, H.D. 1, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1249 be adopted and H.B. No. 1330, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senators Ihara and Espero requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1249 was adopted and H.B. No. 1330, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND,”

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Espero, Ihara). Noes, 2 (Chun Oakland, Slom).

Stand. Com. Rep. No. 1252 (H.B. No. 1019, H.D. 1, S.D. 2):

Senator Ige moved that Stand. Com. Rep. No. 1252 be adopted and H.B. No. 1019, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senators Tokuda, Taniguchi, Dela Cruz, and Ihara requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1252 was adopted and H.B. No. 1019, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Dela Cruz, Ihara, Taniguchi, Tokuda). Noes, 1 (Slom).

Stand. Com. Rep. No. 1254 (H.B. No. 227, H.D. 2, S.D. 2):

Senator Hee moved that Stand. Com. Rep. No. 1254 be adopted and H.B. No. 227, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1254 was adopted and H.B. No. 227, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRESPASS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ihara). Noes, none.

Stand. Com. Rep. No. 1257 (H.B. No. 1221, H.D. 1, S.D. 2):

Senator Hee moved that Stand. Com. Rep. No. 1257 be adopted and H.B. No. 1221, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Dela Cruz requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1257 was adopted and H.B. No. 1221, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Dela Cruz). Noes, 1 (Kidani).

Stand. Com. Rep. No. 1261 (H.B. No. 879, H.D. 1, S.D. 2):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 1261 was adopted and H.B. No. 879, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Dela Cruz, Shimabukuro). Noes, none.

THIRD READING

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

H.B. No. 1405, H.D. 1, S.D. 1:

On motion by Senator Dela Cruz, seconded by Senator Ige and carried, H.B. No. 1405, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Espero). Noes, 2 (Green, Slom).

H.B. No. 1529, H.D. 2, S.D. 1:

Senator Dela Cruz moved that H.B. No. 1529, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Espero requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1529, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Espero). Noes, none.

At this time, the Chair made the following announcement:

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

REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The President made the following committee assignments of a House concurrent resolution received on Friday, April 8, 2011:

H.C.R. No.:	Referred to:
H.C.R. No. 78	Jointly to the Committee on Public Safety, Government Operations, and Military Affairs and the Committee on Water, Land, and Housing

ADJOURNMENT

At 11:52 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, April 14, 2011.