

THIRTY-SECOND DAY

Thursday, March 15, 2012

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2012, convened at 11:35 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 Thirty-First Day.

At this time, Senator Shimabukuro introduced a group of tenth-grade students from Waianae High School's "Sharin' D' Lemon" Lemonade Alley team who were participating in the nationwide business literacy competition, including Charlemaine Blue, Maryann Manouthan, Marina Neito-Lopes, Taase Taofi, and their advisor Diana Seppelfrick.

Senator Ige introduced a group of students from Waimalu Elementary School including Kaila Takai, Matthew Takai, Jaymie Nomura, Erin Morinaga, Raelyn Yoshioka, Kailee Tanaka, Brycen Tanaka, Jett Nomura, Rayna Nomura, and Jared Nomura, who were seated in the gallery with parents Sami Takai, Jeanna Nomura, Shelly Tanaka, and Sharla Nomura.

Senator Fukunaga introduced her office manager Doris Lam, who was seated in the gallery with her husband Andy and their children in support of the principal of Hokulani Elementary School.

Senator Tokuda noted the presence of Department of Education Superintendent Kathryn Matayoshi in the gallery.

Senator Tokuda also welcomed a group of fourth-, eleventh-, and twelfth-grade students and teachers from Ko'olau Baptist Academy including teachers Bryce Mangus, Sharon Napuunoo, and Tiffany Roback; chaperone Al Balocan; and Principal John Goodale.

Senator Tokuda recognized He'eia Elementary School, a 2012 Hawaii Blue Ribbon School, represented by Jed Tesoro on behalf of Acting Principal Wendy Matsuzaki. Additional supporters included Vice Principal Sindri Olson, first-grade teacher Charlene Upton, kindergarten teacher Linda Lee, third-grade teacher Keaupono McGee, PSAP Coordinator Becca Falelua, first-grade student Psalms Falelua, kindergarten teacher Patty Chung, second-grade teacher Marlene Deai, and second-grade teacher Janice Ho.

Senator Ryan recognized Enchanted Lake Elementary School, a 2012 Hawaii Blue Ribbon School, represented by Principal Puaala McElhaney.

Senator Taniguchi recognized Hokulani Elementary School, a 2012 Hawaii Blue Ribbon School, represented by Principal Alan Ramos. Additional supporters included second-grade student Isabel Takane and her dad Livingston Takane; first-grade student Mira Tokuda and her dad Brian Tokuda; third-grade student Ariel Tishammer and her mother Kaho Tishammer; Jerilynn Bernal, community representative for the Hokulani School Community Council; third-grade student Sean Vanairsdale, second-grade student Ryan Vanairsdale, and their dad Dennis Vanairsdale; and the Lam family.

Senator Dela Cruz congratulated Principal Samiann "Aloha" Coleman of Leilehua High School, who was selected as the 2011 Metlife/National Association of Secondary School Principals (NASSP) Hawaii High School Principal of the Year.

Senator Baker congratulated Assistant Principal Jacquelyn Davis of Maui Waena Intermediate School, who was selected

as the 2011 NASSP/Virco Hawaii Assistant Principal of the Year.

Senator Solomon congratulated Principal Joyce Iwashita of Prince Jonah Kūhiō Kalaniana'ole Elementary and Intermediate School, who was selected as a 2011 National Association of Elementary School Principals Distinguished Principal. Principal Iwashita was accompanied by her husband Andrew.

Senator Espero offered additional congratulations to Principal Ramos, and noted that his sons, now ages 27 and 28, had attended 'Ewa Beach Elementary School.

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

The Senate reconvened at 12:02 p.m.

DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 78) was read by the Clerk and was placed on file:

Dept. Com. No. 78, from the State Auditor dated March 14, 2012, transmitting the report, "Investigation of the Stadium Authority's Swap Meet Operations" (Report No. 12-02).

STANDING COMMITTEE REPORTS

Senators English and Espero, for the Committee on Transportation and International Affairs and the Committee on Public Safety, Government Operations, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2834) recommending that H.B. No. 2030, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2030, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 19, 2012.

Senators Fukunaga and Espero, for the Committee on Economic Development and Technology and the Committee on Public Safety, Government Operations, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2835) recommending that S.C.R. No. 40, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RENAMING OF AND THE EXTENSION OF THE PROMPT PAYMENT TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, COMMUNITIES, AND OTHER SMALL BUSINESSES," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2836) recommending that H.B. No. 2508, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2508, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, MARCH 14, 2012

Stand. Com. Rep. No. 2832 (S.C.R. No. 28, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF COMMEMORATIVE PLAQUES DESIGNATING THE FORMER SITES OF THE KOREAN CHRISTIAN INSTITUTE," was adopted.

Stand. Com. Rep. No. 2833 (S.C.R. No. 29, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was adopted.

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 HOUSE BILLS

The President made the following committee assignments of House bills received on Tuesday, March 13, 2012:

H.B. No.:	Referred to:
H.B. No. 1800, H.D. 2	Committee on Judiciary and Labor, then to the Committee on Ways and Means
H.B. No. 2012, H.D. 1	Committee on Ways and Means

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

H.B. No.:	Re-referred to:
H.B. No. 1671, H.D. 2	Committee on Public Safety, Government Operations, and Military Affairs, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
H.B. No. 1756, H.D. 1	Committee on Judiciary and Labor, then to the Committee on Ways and Means
H.B. No. 2404, H.D. 1	Jointly to the Committee on Economic Development and Technology and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

At this time, Senator Green rose to speak on a point of personal privilege as follows:

"Colleagues, today, just very briefly, I'd like to say three names: Irving, Virgil, and Jonathan. These three men, Hawai'i residents, are alive today. Not six weeks ago, we came together as a body in a bipartisan fashion—thank you, Sam—and we approved \$1.5 million for the Queen's transplant program.

"I just had the honor of going over to Queen's, on your behalf and the behalf of many families in Hawai'i, and was able to sit with them. Two of those gentlemen had their liver transplants in the last two weeks. They are thriving. The third gentleman was the last individual to get a transplant at HMC West; he is doing terrific. I was able to sit with their wives, who are grateful that they have their husbands, who are all grandfathers.

"It is really very rare, I think, that we get to reflect on something that we do here at the Capitol, and in very short order see a result like that. So honest to goodness, Irving, Virgil, and Jonathan are alive today because of your generosity and the very hard work of Dr. Wong and Art Ushijima at Queen's and the many advocates—the Lucys of the world—who advocate for transplant services. But I wanted to thank you. You looked out for those gentlemen; there are going to be a lot more people to come that are going to get transplants here in Hawai'i. You should be very proud of yourselves and so should the State of Hawai'i. Thank you."

Senator Gabbard rose to remind the members about the upcoming Hawai'i Foodbank fundraiser, Capitol Idol 2012, and exhorted the members to use their talents to raise funds for a worthy cause.

Senator Shimabukuro rose on a point of personal privilege to suggest that Senator Espero do a poetry reading for the event.

Senator Kim rose on a point of personal privilege to extend belated happy birthday wishes to Senator Hee, and humorously encouraged him to share his various talents in rodeo and horseback riding at the event.

Senator Hee responded by noting that Senator Gabbard was proficient in jumping rope, and suggested that he share that unique talent at the event.

ADJOURNMENT

At 12:09 p.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 16, 2012.