

## FIFTY-NINTH DAY

Tuesday, May 1, 2012

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2012, convened at 9:41 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 Fifty-Eighth Day.

At this time, Senator Slom introduced Sharon Nagasako and other members of the Friends of the 'Āina Haina Public Library who were seated in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 245 and 1191 to 1198) were read by the Clerk and were placed on file:

Gov. Msg. No. 245, dated April 6, 2012, transmitting the Lead By Example: State of Hawaii Agencies' Energy Initiatives FY 2010-2011 Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96 and Act 160, SLH 2006.

Gov. Msg. No. 1191, informing the Senate that on April 27, 2012, the Governor signed into law Senate Bill No. 2110, S.D. 1, H.D. 1 as Act 90, entitled: "RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES."

Gov. Msg. No. 1192, dated April 27, 2012, informing the Senate that on April 25, 2012, the Governor allowed the following measure to become law without signature, which reads as follows:

House Bill No. No. 2537, H.D. 2 as Act 91, entitled: "RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT."

Gov. Msg. No. 1193, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 2084, S.D. 1, H.D. 1 as Act 92, entitled: "RELATING TO HEALTH INSURANCE."

Gov. Msg. No. 1194, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 2126, S.D. 2, H.D. 2 as Act 93, entitled: "RELATING TO HEALTH CARE."

Gov. Msg. No. 1195, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 2247, S.D. 2, H.D. 1 as Act 94, entitled: "RELATING TO PUBLIC SAFETY."

Gov. Msg. No. 1196, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 2798, S.D. 1, H.D. 1 as Act 95, entitled: "RELATING TO INSURER REQUIREMENTS."

Gov. Msg. No. 1197, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 2828, H.D. 3 as Act 96, entitled: "RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL."

Gov. Msg. No. 1198, informing the Senate that on April 30, 2012, the Governor signed into law Senate Bill No. 3003, S.D. 1, H.D. 2 as Act 97, entitled: "RELATING TO GEOTHERMAL RESOURCES."

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 82) was read by the Clerk and was placed on file:

Dept. Com. No. 82, from the Office of Elections dated April 25, 2012, transmitting a Report Relating to Office of Election Budget Provisions, pursuant to Act 164, Section 31, SLH 2011.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 711 to 714) were read by the Clerk and were placed on file:

Hse. Com. No. 711, informing the Senate that the House agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 27, 2012:

H.B. No. 461, H.D. 1, S.D. 1;  
H.B. No. 755, H.D. 3, S.D. 2;  
H.B. No. 2030, H.D. 2, S.D. 1;  
H.B. No. 2150, H.D. 2, S.D. 1;  
H.B. No. 2608, H.D. 1, S.D. 2; and  
H.B. No. 2751, H.D. 2, S.D. 1.

Hse. Com. No. 712, informing the Senate that on April 27, 2012, the House reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 2314, H.D. 1 (S.D. 1);  
H.B. No. 2375, (S.D. 2);  
H.B. No. 2398, H.D. 2 (S.D. 1);  
H.B. No. 2526, H.D. 2 (S.D. 2);  
H.B. No. 2529, H.D. 1 (S.D. 1); and  
H.B. No. 2553, H.D. 2 (S.D. 2).

Hse. Com. No. 713, informing the Senate that on April 30, 2012, the Speaker made the following changes to the conferees on the following bill:

H.B. No. 2319, H.D. 2 (S.D. 1):

Representative Yamashita discharged as a conferee.

Hse. Com. No. 714, informing the Senate that on April 30, 2012, the House discharged all conferees to H.B. No. 2681, H.D. 1 (S.D. 1).

## CONFERENCE COMMITTEE REPORTS

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1269, S.D. 2, presented a report (Conf. Com. Rep. No. 107-12) recommending that S.B. No. 1269, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107-12 and S.B. No. 1269, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF COMPENSATION FOR PURPOSES OF THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2214, S.D. 2, presented a report (Conf. Com. Rep. No. 108-12) recommending that S.B. No. 2214, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108-12 and S.B. No. 2214, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2576, S.D. 1, presented a report (Conf. Com. Rep. No. 109-12) recommending that S.B. No. 2576, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109-12 and S.B. No. 2576, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred for a period of 48 hours.

Senator Dela Cruz, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2378, S.D. 1, presented a report (Conf. Com. Rep. No. 110-12) recommending that S.B. No. 2378, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110-12 and S.B. No. 2378, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2664, H.D. 1, presented a report (Conf. Com. Rep. No. 124-12) recommending that H.B. No. 2664, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124-12 and H.B. No. 2664, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2275, H.D. 2, presented a report (Conf. Com. Rep. No. 125-12) recommending that H.B. No. 2275, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125-12 and H.B. No. 2275, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2739, S.D. 2, presented a report (Conf. Com. Rep. No. 126-12) recommending that S.B. No. 2739, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126-12 and S.B. No. 2739, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2239, S.D. 1, presented a report (Conf. Com. Rep. No. 127-12) recommending that S.B. No. 2239, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 127-12

and S.B. No. 2239, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Senator Dela Cruz, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2927, S.D. 2, presented a report (Conf. Com. Rep. No. 128-12) recommending that S.B. No. 2927, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

Senator Dela Cruz then offered the following amendment (Floor Amendment No. 10) to S.B. No. 2927, S.D. 2, H.D. 1, C.D. 1:

SECTION 1. Senate Bill No. 2927, S.D. 2, H.D. 1, C.D. 1, Section 2, is amended by amending page 8, lines 6-12, to read as follows:

"(A) Bus transit station or center, as designated by the county to achieve density and ridership goals, located within the county development or sustainable communities plans for Ewa, Central Oahu, and Primary Urban Center that has existing infrastructure, public utilities, and roadways; or"

Senator Dela Cruz moved that Floor Amendment No. 10 be adopted, seconded by Senator Solomon.

At 9:45 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:54 a.m.

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

"The amendment further clarifies where the bill is applicable."

The motion to adopt Floor Amendment No. 10 was put by the Chair and carried.

Senator Dela Cruz then moved that Conf. Com. Rep. No. 128-12 be received and placed on file, seconded by Senator Solomon and carried.

By unanimous consent, S.B. No. 2927, S.D. 2, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," was placed on the calendar for Final Reading on Thursday, May 3, 2012.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2466, S.D. 2, presented a report (Conf. Com. Rep. No. 129-12) recommending that S.B. No. 2466, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 129-12 and S.B. No. 2466, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2515, H.D. 3, presented a report (Conf. Com. Rep. No. 130-12) recommending that H.B. No. 2515, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 130-12 and H.B. No. 2515, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate to H.B. No. 2012, H.D. 1, presented a report (Conf. Com. Rep. No. 131-12) recommending that H.B. No. 2012, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 131-12 and H.B. No. 2012, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1800, H.D. 2, presented a report (Conf. Com. Rep. No. 132-12) recommending that H.B. No. 1800, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 132-12 and H.B. No. 1800, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1838, presented a report (Conf. Com. Rep. No. 133-12) recommending that H.B. No. 1838, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133-12 and H.B. No. 1838, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2684, H.D. 2, presented a report (Conf. Com. Rep. No. 134-12) recommending that H.B. No. 2684, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134-12 and H.B. No. 2684, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 283, H.D. 1, presented a report (Conf. Com. Rep. No. 135-12) recommending that H.B. No. 283, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135-12 and H.B. No. 283, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1942, H.D. 2, presented a report (Conf. Com. Rep. No. 136-12) recommending that H.B. No. 1942, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136-12 and H.B. No. 1942, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1943, H.D. 2, presented a report (Conf. Com. Rep. No. 137-12) recommending that H.B. No. 1943, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137-12 and H.B. No. 1943, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2100, H.D. 2, presented a report (Conf. Com. Rep. No. 138-12) recommending that H.B. No. 2100, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138-12 and H.B. No. 2100, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1953, H.D. 1, presented a report (Conf. Com. Rep. No. 139-12) recommending that H.B. No. 1953, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139-12 and H.B. No. 1953, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 246, H.D. 1, presented a report (Conf. Com. Rep. No. 140-12) recommending that H.B. No. 246, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140-12 and H.B. No. 246, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1755, H.D. 2, presented a report (Conf. Com. Rep. No. 141-12) recommending that H.B. No. 1755, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141-12 and H.B. No. 1755, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2251, presented a report (Conf. Com. Rep. No. 142-12) recommending that H.B. No. 2251, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142-12 and H.B. No. 2251, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Dela Cruz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2883, H.D. 2, presented a report (Conf. Com. Rep. No. 143-12) recommending that H.B. No. 2883, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143-12 and H.B. No. 2883, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," was deferred for a period of 48 hours.

Senator Galuteria, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2806, H.D. 2, presented a report (Conf. Com. Rep. No. 144-12) recommending that H.B. No. 2806, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144-12 and H.B. No. 2806, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2319, H.D. 2, presented a report (Conf. Com. Rep. No. 145-12) recommending that H.B. No. 2319, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145-12 and H.B. No. 2319, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2873, H.D. 2, presented a report (Conf. Com. Rep. No. 146-12) recommending that H.B. No. 2873, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146-12 and H.B. No. 2873, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1726, H.D. 1, presented a report (Conf. Com. Rep. No. 147-12) recommending that H.B. No. 1726, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147-12 and H.B. No. 1726, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2302, H.D. 2, presented a report (Conf. Com. Rep. No. 148-12) recommending that H.B. No. 2302, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148-12 and H.B. No. 2302, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2540, H.D. 2, presented a report (Conf. Com. Rep. No. 149-12) recommending that H.B. No. 2540, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149-12 and H.B. No. 2540, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2448, H.D. 2, presented a report (Conf. Com. Rep. No. 150-12) recommending that H.B. No. 2448, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150-12 and H.B. No. 2448, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2415, H.D. 2, presented a report (Conf. Com. Rep. No. 151-12) recommending that H.B. No. 2415, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151-12 and H.B. No. 2415, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2404, H.D. 1, presented a report (Conf. Com. Rep. No. 152-12) recommending that H.B. No. 2404, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152-12 and H.B. No. 2404, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 304, H.D. 1, presented a report (Conf. Com. Rep. No. 153-12) recommending that H.B. No. 304, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153-12 and H.B. No. 304, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2116, S.D. 2, presented a report (Conf. Com. Rep. No. 154-12) recommending that S.B. No. 2116, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 154-12 and S.B. No. 2116, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2778, S.D. 1, presented a report (Conf. Com. Rep. No. 155-12) recommending that S.B. No. 2778, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 155-12 and S.B. No. 2778, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2424, S.D. 2, presented a report (Conf. Com. Rep. No. 156-12) recommending that S.B. No. 2424, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 156-12 and S.B. No. 2424, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2780, S.D. 1, presented a report (Conf. Com. Rep. No. 157-12) recommending that S.B. No. 2780, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 157-12 and S.B. No. 2780, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2939, S.D. 1, presented a report (Conf. Com. Rep. No. 158-12) recommending that S.B. No. 2939, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 158-12 and S.B. No. 2939, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2827, S.D. 1, presented a report (Conf. Com. Rep. No. 159-12) recommending that S.B. No. 2827, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 159-12 and S.B. No. 2827, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2536, presented a report (Conf. Com. Rep. No. 160-12) recommending that S.B. No. 2536, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 160-12 and S.B. No. 2536, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2435, S.D. 1, presented a report (Conf.

Com. Rep. No. 161-12) recommending that S.B. No. 2435, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 161-12 and S.B. No. 2435, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2779, S.D. 2, presented a report (Conf. Com. Rep. No. 162-12) recommending that S.B. No. 2779, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 162-12 and S.B. No. 2779, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2261, presented a report (Conf. Com. Rep. No. 163-12) recommending that S.B. No. 2261, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163-12 and S.B. No. 2261, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 112, S.D. 1, presented a report (Conf. Com. Rep. No. 164-12) recommending that S.B. No. 112, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 164-12 and S.B. No. 112, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2776, S.D. 2, presented a report (Conf. Com. Rep. No. 165-12) recommending that S.B. No. 2776, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 165-12 and S.B. No. 2776, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2320, S.D. 2, presented a report (Conf. Com. Rep. No. 166-12) recommending that S.B. No. 2320, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 166-12 and S.B. No. 2320, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 490, S.D. 3, presented a report (Conf. Com. Rep. No. 167-12) recommending that S.B. No. 490, S.D. 3, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 167-12 and S.B. No. 490, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2220, S.D. 1, presented a report (Conf. Com. Rep. No. 168-12) recommending that S.B. No. 2220, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 168-12 and S.B. No. 2220, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," was deferred for a period of 48 hours.

Senator Nishihara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2695, S.D. 2, presented a report (Conf. Com. Rep. No. 169-12) recommending that S.B. No. 2695, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 169-12 and S.B. No. 2695, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1968, H.D. 1, presented a report (Conf. Com. Rep. No. 170-12) recommending that H.B. No. 1968, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 170-12 and H.B. No. 1968, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2226, H.D. 2, presented a report (Conf. Com. Rep. No. 171-12) recommending that H.B. No. 2226, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 171-12 and H.B. No. 2226, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2599, H.D. 1, presented a report (Conf. Com. Rep. No. 172-12) recommending that H.B. No. 2599, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 172-12 and H.B. No. 2599, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," was deferred for a period of 48 hours.

Senator Tokuda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2545, S.D. 2, presented a report (Conf. Com. Rep. No. 173-12) recommending that S.B. No. 2545, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 173-12 and S.B. No. 2545, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Dela Cruz, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2933, S.D. 2, presented a report (Conf. Com. Rep. No. 174-12) recommending that S.B. No. 2933, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 174-12 and S.B. No. 2933, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2344, S.D. 2, presented a report (Conf. Com. Rep. No. 175-12) recommending that S.B. No. 2344, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 175-12 and S.B. No. 2344, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2947, S.D. 2, presented a report (Conf. Com. Rep. No. 176-12) recommending that S.B. No. 2947, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 176-12 and S.B. No. 2947, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2678, S.D. 2, presented a report (Conf. Com. Rep. No. 177-12) recommending that S.B. No. 2678, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 177-12 and S.B. No. 2678, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONOULIULI," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2236, presented a report (Conf. Com. Rep. No. 178-12) recommending that S.B. No. 2236, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 178-12 and S.B. No. 2236, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred for a period of 48 hours.

Senator Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2958, S.D. 2, presented a report (Conf. Com. Rep. No. 179-12) recommending that S.B. No. 2958, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 179-12

and S.B. No. 2958, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2804, S.D. 2, presented a report (Conf. Com. Rep. No. 180-12) recommending that S.B. No. 2804, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 180-12 and S.B. No. 2804, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORT

Senator Dela Cruz, for the Committee on Water, Land and Housing, presented a report (Stand. Com. Rep. No. 3578) recommending that the Senate advise and consent to the nominations to the Koke'e State Park Advisory Council of the following:

JOSE BULATAO, JR., in accordance with Gov. Msg. No. 728;

MARY BUZA-SIMS, in accordance with Gov. Msg. No. 729;

CANEN HOOKANO, in accordance with Gov. Msg. No. 730; and

VAL TSUCHIYA, in accordance with Gov. Msg. No. 732.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3578 and Gov. Msg. Nos. 728, 729, 730, and 732 was deferred until Thursday, May 3, 2012.

#### ORDER OF THE DAY

##### FINAL READING

##### MATTER DEFERRED FROM MONDAY, APRIL 23, 2012

Conf. Com. Rep. No. 26-12 (H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 26-12 was adopted and H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

##### FINAL READING

##### MATTER DEFERRED FROM WEDNESDAY, APRIL 25, 2012

Conf. Com. Rep. No. 27-12 (H.B. No. 2595, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 27-12 was adopted and H.B. No. 2595, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

Conf. Com. Rep. No. 8-12 (S.B. No. 2640, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 8-12 was adopted and S.B. No. 2640, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 9-12 (S.B. No. 2767, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 9-12 was adopted and S.B. No. 2767, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 12-12 (S.B. No. 2769, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 12-12 was adopted and S.B. No. 2769, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13-12 (S.B. No. 2871, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Espero and carried, Conf. Com. Rep. No. 13-12 was adopted and S.B. No. 2871, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 15-12 (S.B. No. 2765, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 15-12 was adopted and S.B. No. 2765, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17-12 (S.B. No. 3062, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 17-12 was adopted and S.B. No. 3062, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18-12 (S.B. No. 3002, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Hee and carried, Conf. Com. Rep. No. 18-12 was adopted and S.B. No. 3002, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20-12 (S.B. No. 1500, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 20-12 was adopted and S.B. No. 1500, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 21-12 (S.B. No. 2508, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 21-12 was adopted and S.B. No. 2508, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22-12 (S.B. No. 2486, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 22-12 was adopted and S.B. No. 2486, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 24-12 (S.B. No. 2221, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 24-12 was adopted and S.B. No. 2221, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25-12 (S.B. No. 2222, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hee and carried, Conf. Com. Rep. No. 25-12 was adopted and S.B. No. 2222, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29-12 (H.B. No. 1925, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Espero and carried, Conf. Com. Rep. No. 29-12 was adopted and H.B. No. 1925, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30-12 (H.B. No. 2686, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 30-12 was adopted and H.B. No. 2686, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32-12 (H.B. No. 1984, S.D. 1, C.D. 1):

On motion by Senator Galuteria, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 32-12 was adopted and H.B. No. 1984, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33-12 (H.B. No. 1666, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 33-12 was adopted and H.B. No. 1666, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35-12 (H.B. No. 2623, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 35-12 was adopted and H.B. No. 2623, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36-12 (H.B. No. 1788, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hee and carried, Conf. Com. Rep. No. 36-12 was adopted and H.B. No. 1788, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37-12 (H.B. No. 2232, H.D. 2, S.D. 1, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 37-12 be adopted and H.B. No. 2232, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hee.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"I rise in support of HB2232 HD2 SD1 CD1.



“This bill would require informed consent to be given before medical personnel could perform a pelvic examination for medical or training purposes on an anesthetized or unconscious female patient.

“This is an important measure for the protection of women. Under current law, women can unknowingly be subject to pelvic exams while unconscious and awaiting other medical procedures. It has been the practice in teaching hospitals to allow medical students to perform these examinations without the consent of the unconscious patient. These procedures are so invasive in nature that the informed consent of the patient should be required unless it is medically necessary to perform an examination immediately and consent cannot be obtained, but not as a matter of routine.

“Organizations such as the American College of Obstetricians and Gynecologists and American Medical Association have condemned the practice of unconsented pelvic exams by medical students on women under anesthesia. While learning to perform pelvic examinations is important, to do so without prior informed consent is bad medical practice. To teach students that this form of consent is unnecessary is not only a disservice to women but to the ethical development of the student. Studies have found that around 53 percent of women would consent to a medical student conducting a pelvic exam for educational purposes if asked first.

“By enacting a law that expressly requires informed consent before pelvic examinations on unconscious patients, the Legislature will help to guarantee the dignity of the female patients without jeopardizing quality medical education.

“This measure was introduced as part of the Women’s Legislative Package and I urge all my colleagues to join in making this measure a part of our statutes. Mahalo.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 37-12 was adopted and H.B. No. 2232, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38-12 (H.B. No. 2568, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 38-12 was adopted and H.B. No. 2568, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39-12 (H.B. No. 2776, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 39-12 was adopted and H.B. No. 2776, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 40-12 (H.B. No. 2244, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Espero and carried, Conf. Com. Rep. No. 40-12 was adopted and H.B. No. 2244, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41-12 (H.B. No. 679, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 41-12 was adopted and H.B. No. 679, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FIREARMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 42-12 (H.B. No. 1398, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 42-12 was adopted and H.B. No. 1398, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43-12 (H.B. No. 2589, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 43-12 was adopted and H.B. No. 2589, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VESSELS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 44-12 (H.B. No. 1791, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Hee and carried, Conf. Com. Rep. No. 44-12 was adopted and H.B. No. 1791, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOMICIDE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47-12 (H.B. No. 2004, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Espero and carried, Conf. Com. Rep. No. 47-12 was adopted and H.B. No. 2004, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48-12 (H.B. No. 2513, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 48-12 was adopted and H.B. No. 2513, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 50-12 (H.B. No. 2099, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 50-12 was adopted and H.B. No. 2099, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51-12 (H.B. No. 2326, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 51-12 was adopted and H.B. No. 2326, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53-12 (H.B. No. 2871, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 53-12 was adopted and H.B. No. 2871, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55-12 (H.B. No. 2290, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Ige and carried, Conf. Com. Rep. No. 55-12 was adopted and H.B. No. 2290, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56-12 (H.B. No. 2320, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Hee and carried, Conf. Com. Rep. No. 56-12 was adopted and H.B. No. 2320, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57-12 (H.B. No. 2740, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Kouchi and carried, Conf. Com. Rep. No. 57-12 was adopted and H.B. No. 2740, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58-12 (H.B. No. 1705, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Wakai and carried, Conf. Com. Rep. No. 58-12 was adopted and H.B.

No. 1705, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59-12 (H.B. No. 1295, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 59-12 was adopted and H.B. No. 1295, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60-12 (H.B. No. 2644, H.D. 2, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 60-12 be adopted and H.B. No. 2644, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ige.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"I rise in support of HB2644 HD2 SD1 CD1.

"This bill allows the Public Utilities Commission to authorize preferential rates for water carrier services for ratepayers engaged in agricultural activities.

"This measure is important to allow Hawaii's farmers to be competitive. The PUC regulates the water carrier rates currently, but the current practice of providing preferential rates for ag producers has been questioned as not having a basis in statute. This measure expressly gives the PUC the authority to provide discounted rates to farmers which will be very beneficial to our local agricultural industry.

"This is particularly important for our neighbor island farmers. An increase in water carrier (barge service) rates would mean that many farmers would not be able to provide their products at prices competitive to the mainland grown produce. This situation would negatively impact the viability of agriculture in our State. Many farmers have struggled to maintain their businesses while the economy has struggled. If they are no longer allowed to receive preferential rates, it could be devastating to the local agricultural industry.

"The diversification and sustainability of agriculture are also stated goals for Hawai'i in our constitution and other laws. This measure will help achieve those goals by providing a mechanism to help keep local produce competitive. For these reasons, I stand in strong support of this bill and urge my colleagues to support it as well. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 60-12 was adopted and H.B. No. 2644, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61-12 (H.B. No. 1892, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 61-12 was adopted and H.B. No. 1892, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE REAPPORTIONMENT COMMISSION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62-12 (H.B. No. 2265, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 62-12 was adopted and H.B. No. 2265, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63-12 (H.B. No. 1875, H.D. 2, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 63-12 be adopted and H.B. No. 1875, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hee.

Senator Kim requested her vote be cast “no,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 63-12 was adopted and H.B. No. 1875, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FORECLOSURES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kim).

Conf. Com. Rep. No. 66-12 (S.B. No. 2103, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Baker and carried, Conf. Com. Rep. No. 66-12 was adopted and S.B. No. 2103, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73-12 (S.B. No. 2056, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 73-12 was adopted and S.B. No. 2056, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PENAL CODE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74-12 (S.B. No. 2001, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 74-12 was adopted and S.B. No. 2001, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75-12 (S.B. No. 2763, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 75-12 was adopted and S.B. No. 2763, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION,”

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 76-12 (S.B. No. 2540, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 76-12 was adopted and S.B. No. 2540, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77-12 (S.B. No. 2800, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 77-12 was adopted and S.B. No. 2800, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79-12 (S.B. No. 2277, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 79-12 was adopted and S.B. No. 2277, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80-12 (S.B. No. 2810, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Hee and carried, Conf. Com. Rep. No. 80-12 was adopted and S.B. No. 2810, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81-12 (S.B. No. 1382, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 81-12 was adopted and S.B. No. 1382, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87-12 (S.B. No. 2766, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 87-12 was adopted and S.B. No. 2766, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER,” having been read

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89-12 (S.B. No. 2238, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Ige and carried, Conf. Com. Rep. No. 89-12 was adopted and S.B. No. 2238, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91-12 (S.B. No. 2797, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 91-12 was adopted and S.B. No. 2797, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 92-12 (S.B. No. 2816, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Baker and carried, Conf. Com. Rep. No. 92-12 was adopted and S.B. No. 2816, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93-12 (S.B. No. 2821, H.D. 3, C.D. 1):

On motion by Senator Green, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 93-12 was adopted and S.B. No. 2821, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 94-12 (S.B. No. 2833, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Hee and carried, Conf. Com. Rep. No. 94-12 was adopted and S.B. No. 2833, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 96-12 (S.B. No. 2737, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hee and carried, Conf. Com. Rep. No. 96-12 was adopted and S.B. No. 2737, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," having been read

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 98-12 (S.B. No. 2318, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Hee and carried, Conf. Com. Rep. No. 98-12 was adopted and S.B. No. 2318, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 99-12 (S.B. No. 2813, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Ige and carried, Conf. Com. Rep. No. 99-12 was adopted and S.B. No. 2813, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 100-12 (S.B. No. 596, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Green, seconded by Senator Tokuda and carried, Conf. Com. Rep. No. 100-12 was adopted and S.B. No. 596, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 102-12 (S.B. No. 2158, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, Conf. Com. Rep. No. 102-12 was adopted and S.B. No. 2158, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 106-12 (S.B. No. 3001, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 106-12 was adopted and S.B. No. 3001, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 111-12 (H.B. No. 1879, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 111-12 was adopted and H.B. No. 1879, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112-12 (H.B. No. 1617, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 112-12 was adopted and H.B. No. 1617, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 113-12 (H.B. No. 1972, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 113-12 was adopted and H.B. No. 1972, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 115-12 (H.B. No. 2487, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 115-12 was adopted and H.B. No. 2487, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 123-12 (H.B. No. 1974, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 123-12 was adopted and H.B. No. 1974, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2859, S.D. 1, H.D. 2:

On motion by Senator Hee, seconded by Senator Shimabukuro and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2859, S.D. 1, and S.B. No. 2859, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2876, S.D. 2, H.D. 3:

On motion by Senator Dela Cruz, seconded by Senator English and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2876, S.D. 2, and S.B. No. 2876, S.D. 2, H.D. 3, entitled: "BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTER DEFERRED FROM WEDNESDAY, APRIL 25, 2012

S.B. No. 650, H.D. 1:

Senator Hee moved that S.B. No. 650, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Shimabukuro.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"I rise in support of SB650 HD1.

"This bill proposes an amendment to the Constitution that would allow the Chief Justice to appoint judges who have retired upon reaching the age of seventy to serve as emeritus judges temporarily in defined circumstances.

"Adoption of this constitutional amendment will greatly assist our judiciary. Due to the mandatory retirement for judges, we often lose valuable legal expertise and skill from judges who are still capable of performing their duties. This amendment would allow them to continue share that expertise in temporary assignments designated by the Chief Justice. These temporary judges will provide support to current judges and help with the expeditious disposition of cases.

"Temporary judges will only serve for three month appointments and will not serve in a court higher than a court to which they were appointed. Limiting their appointments will still allow the emeritus judges to make a valuable contribution to the judiciary without undercutting the intent of the mandatory retirement age or the ability to bring new talent into the Judiciary.

"For these reasons, I stand in strong support of this measure and urge my colleagues to support it as well. I hope the voters of Hawai'i will view it favorably as well. Mahalo."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 650, and S.B. No. 650, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

Conf. Com. Rep. No. 10-12 (S.B. No. 2632, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Hee and carried, Conf. Com. Rep. No. 10-12 was adopted and S.B. No. 2632, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11-12 (S.B. No. 2745, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 11-12 was adopted and S.B. No. 2745, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 14-12 (S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Wakai, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 14-12 was adopted and S.B. No. 2402, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 16-12 (S.B. No. 1276, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 16-12 was adopted and S.B. No. 1276, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19-12 (S.B. No. 2375, S.D. 3, H.D. 2, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 19-12 be adopted and S.B. No. 2375, S.D. 3, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Dela Cruz

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

The motion was put by the Chair and carried, Conf. Com. Rep. No. 19-12 was adopted and S.B. No. 2375, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25; Aye with Reservations (Taniguchi). Noes, none.

A 9:59 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:59 a.m.

Conf. Com. Rep. No. 23-12 (S.B. No. 2873, S.D. 1, H.D. 3, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 23-12 be adopted and S.B. No. 2873, S.D. 1, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ihara.

Senator Gabbard then offered the following amendment (Floor Amendment No. 11) to S.B. No. 2873, S.D. 1, H.D. 3, C.D. 1:

SECTION 1. S.B. No. 2873, S.D. 1, H.D. 3, C.D. 1, RELATING TO ENVIRONMENTAL IMPACT STATEMENTS, is amended by amending subsection (d) of section 343-5, Hawaii Revised Statutes, in Section 2 to read as follows:

"(d) Whenever an applicant requests approval for a proposed action and there is a question as to which of two or more state or county agencies with jurisdiction has the responsibility of ~~preparing the~~ determining whether an environmental assessment ~~[ ] is required~~, the office, after consultation with and assistance from the affected state or county agencies, shall determine which agency ~~shall prepare the assessment~~ has the responsibility for determining whether an environmental assessment by the applicant is required, except in situations

involving secondary actions under section 343- ; provided that in no case shall the office be considered the approving agency."

Senator Gabbard moved that Floor Amendment No. 11 be adopted, seconded by Senator Green.

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

"This floor amendment corrects the gap that currently says that the Office of Environmental Quality Control shall determine whether preparation of an environmental assessment by an applicant is required. Moreover, the current language in the CD 1 could be interpreted that OEQC could be considered as the approving agency, but OEQC is not equipped to do either of these tasks. This amendment clarifies that the OEQC chooses which agency becomes the approving agency with the responsibility to determine whether the applicant needs to prepare an environmental assessment. It also makes clear that OEQC would not be the approving authority. Mahalo."

The motion to adopt Floor Amendment No. 11 was put by the Chair and carried.

Senator Gabbard then moved that Conf. Com. Rep. No. 23-12 be received and placed on file, seconded by Senator Green and carried.

By unanimous consent, S.B. No. 2873, S.D. 1, H.D. 3, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was placed on the calendar for Final Reading on Thursday, May 3, 2012.

Conf. Com. Rep. No. 31-12 (H.B. No. 2593, H.D. 2, S.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 31-12 be adopted and H.B. No. 2593, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Dela Cruz

Senator Slom rose to speak in support of the measure with reservations as follows:

"The problem that I have with the bill is that it broadens the conditions under which emergency administrative rules may be adopted to include instances of imminent peril to natural resources. I think that the definition of 'imminent peril' is too broad and too vague. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 31-12 was adopted and H.B. No. 2593, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 34-12 (H.B. No. 1543, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 34-12 was adopted and H.B. No. 1543, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45-12 (H.B. No. 2685, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 45-12 and H.B. No. 2685, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO HUMAN SERVICES,” were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 46-12 (H.B. No. 2175, H.D. 2, S.D. 1, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 46-12 be adopted and H.B. No. 2175, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Shimabukuro

Senator Slom rose to speak in opposition to the measure as follows:

“As I’ve said previously, I have no problem with having people on task forces and making sure and defining that they are not employees, but I do not think that they should be exempted from the state ethics rules, all of them, since in fact they have been appointed by a state body. 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, Conf. Com. Rep. No. 46-12 was adopted and H.B. No. 2175, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ETHICS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 49-12 (H.B. No. 2347, S.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 49-12 be adopted and H.B. No. 2347, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kidani

Senator Slom rose to speak in opposition to the measure as follows:

“This bill gives broad latitude to the counties for general obligation bonds for pledges of other revenues other than their traditional sources—real property taxes and so forth—and I see this as a way of increasing yet more of taxpayer liability for projects such as the rail. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 49-12 was adopted and H.B. No. 2347, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 52-12 (H.B. No. 2502, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 52-12 was adopted and H.B. No. 2502, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54-12 (H.B. No. 2328, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 54-12 was adopted and H.B. No. 2328, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64-12 (H.B. No. 2078, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kouchi, seconded by Senator Baker and carried, Conf. Com. Rep. No. 64-12 was adopted and H.B. No. 2078, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 65-12 (H.B. No. 1054, H.D. 1, S.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 65-12 be adopted and H.B. No. 1054, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kidani.

Senator Slom rose to speak in strong support of the measure as follows:

“This is the ‘little bill that could,’ having to do with the libraries. It was a bill that, at the beginning, we just thought was a housekeeping measure, and one that made common sense to extend the ability for independent Friends of the Library groups, like those in ‘Āina Haina and on Maui and elsewhere, to continue their good work that had been doing for more than 50 years, and that is to raise funds solely for their particular library. But along the way, we found opposition, and we found some discrepancies in the law, and we found that the state librarian and the State Friends of the Library in fact were not following the law. I’m very happy that my colleagues in the Senate were in the forefront of making these changes, hopefully to everyone’s satisfaction, but certainly to keep the volunteers who help our libraries and do so much for us to help them continue their good works. Thank you, Mr. President.”

Senator Kouchi rose to speak in support of the measure as follows:

“I guess I would be remiss if I didn’t extend my thanks to the Education Chair. So much misinformation was circulated on this item; she came under much criticism, most of it unwarranted. She assured us that she was trying to work for the solution that my colleague described; and I admire the way that she kept her wits about her, kept her demeanor cool and calm, and made sure that the legislation worked out in the best interest of the people of Hawai‘i, and didn’t let the personal attacks sidetrack her from her mission and commitment. So, I would like to thank the Education Chair.”

Senator Kidani rose to speak in support of the measure as follows:

“The administrators of the Friends of the Library of Hawai‘i have yet to acknowledge that they are currently operating outside the scope of the current HRS in allowing their individual libraries to keep their funds from fundraisers on library property in their own accounts. Rather, they chose to publically attack Senators Tokuda, Slom, and myself as being the originators of this legislation that was already on the books. The legislation we first introduced was merely to allow our fearless Friends of the ‘Āina Haina Library, as well as most of the Maui and Kaua‘i libraries, to be able to continue to fundraise on library property and not have to join the Big Friends, like the state librarian and the Big Friends insisted they do. Their latest emails are now hailing the House and the Attorney General for saving them. Make no mistake that had it not been for our leader, our Chair Senator Tokuda, Senator Slom, and myself, this bill would never have seen the light of day. We could have easily given up, but we chose to persevere because of our fearless lady friends of ‘Āina Haina Library. Mr.

President, I will not hold my breath awaiting a public apology which a professional organization would have long offered. Thank you.”

Senator Tokuda rose to speak in support of the measure as follows:

“Mr. President, I rise to speak ‘poetically’ in support of the measure:

From the AG to the Governor,  
To the top of the daily news,  
Bills about our libraries have gotten mixed reviews.  
Some love it, some hate it, but in the end they’ll see  
That, like a good romance novel, these changes were  
meant to be.  
As is the legislative process, amendments were made at  
every turn,  
Focused on increasing support for our libraries,  
accountability, transparency, and helping people learn.  
This was never about taking—only helping groups give  
back.  
We care about our libraries; I assure you that’s a fact.  
They are critical to our communities and their volunteers  
can’t be beat.  
So your conference committee has worked real hard to  
ensure they could operate legally.  
From Budget and Finance to DoTax, to the AG and BOE,  
Many minds have come together to produce the bill you  
see.  
So, is this it? The final fix we need?  
I hope so, desperately, because in the end  
We all need friends,  
Big ones, Little ones, and everyone in between.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 65-12 was adopted and H.B. No. 1054, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:10 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:12 a.m.

Conf. Com. Rep. No. 67-12 (S.B. No. 2341, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-12 and S.B. No. 2341, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LAND USE,” was deferred until the end of the calendar.

Conf. Com. Rep. No. 68-12 (S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Espero and carried, Conf. Com. Rep. No. 68-12 was adopted and S.B. No. 2646, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BUILDING PERMITS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69-12 (S.B. No. 2746, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator English, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 69-12 was adopted and S.B. No. 2746, S.D. 1, H.D. 3, C.D. 1, entitled: “A BILL FOR AN

ACT RELATING TO ELECTRIC VEHICLES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 71-12 (S.B. No. 2787, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 71-12 was adopted and S.B. No. 2787, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRICITY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 72-12 (S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 72-12 be adopted and S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition to the measure as follows:

“This is interesting. This is yet another data registry bill by the government, and it gives a person the opportunity to opt-out of the registry, which I think is fine because I believe in choice. However, if the person decides to opt-out of the registry, some data of that person is still kept by the state; and as we know recently and in a trend, data has not been well protected by the federal government or by the state government as well. So, I think if a person wants to opt-out, in fact, they should opt-out and no record be kept; and that’s why I’m voting ‘no’. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 72-12 was adopted and S.B. No. 2825, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 78-12 (S.B. No. 2655, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Baker and carried, Conf. Com. Rep. No. 78-12 was adopted and S.B. No. 2655, S.D. 2, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 82-12 (S.B. No. 3008, H.D. 3, C.D. 1):

On motion by Senator Hee, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 82-12 was adopted and S.B. No. 3008, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FAMILY COURT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 83-12 (S.B. No. 243, S.D. 2, H.D. 1, C.D. 1):

Senator Tokuda moved that Conf. Com. Rep. No. 83-12 be adopted and S.B. No. 243, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ige



Senator Slom rose to speak in opposition to the measure as follows:

“While I support the general objectives and goal of the bill, it does create a special fund. So, I’m in opposition. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 83-12 was adopted and S.B. No. 243, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 84-12 (S.B. No. 2773, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tokuda, seconded by Senator Ige and carried, Conf. Com. Rep. No. 84-12 was adopted and S.B. No. 2773, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIBRARIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88-12 (S.B. No. 2742, S.D. 1, H.D. 2, C.D. 1):

Senator Dela Cruz moved that Conf. Com. Rep. No. 88-12 be adopted and S.B. No. 2742, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak in opposition to the measure as follows:

“This bill gives the HCDA additional authority, but it also limits and restricts small businesses. Many of us still remember that Kaka’ako was supposed to be and continue to be a small business area, and we’ve watched that dwindle away to nothing; and now in this bill, you can’t even have any small business representation. Thank you.”

Senators Ihara, Fukunaga, Ryan, Chun Oakland, and Ige requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 88-12 was adopted and S.B. No. 2742, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Chun Oakland, Fukunaga, Ige, Ihara, Ryan). Noes, 1 (Slom).

Conf. Com. Rep. No. 95-12 (S.B. No. 3006, S.D. 2, H.D. 2, C.D. 1):

Senator Green moved that Conf. Com. Rep. No. 95-12 be adopted and S.B. No. 3006, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Gabbard.

Senator Slom rose to speak in opposition to the measure as follows:

“It seems innocuous enough, a task force, although I don’t know why we need a task force to get rid of tires. We’ve been getting rid of tires and consumers have been paying for that for quite some time now, but this task force, again, is created and is exempted from the State Ethics Commission.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 95-12 was adopted and S.B. No. 3006, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 97-12 (S.B. No. 2335, H.D. 2, C.D. 1):

On motion by Senator Dela Cruz, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 97-12 was adopted and S.B. No. 2335, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 105-12 (S.B. No. 2858, S.D. 1, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 105-12 be adopted and S.B. No. 2858, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Shimabukuro.

Senator Ihara rose to speak in opposition to the measure as follows:

“Senate Bill 2858 allows government agencies to appeal Office of Information Practices decisions involving the open records law for the first time and establishes a court appeals process for OIP decisions of this law and the sunshine law. I want to first express my appreciation to the Office of Information Practices for their intention in seeking a practical solution to the problem of enforcing Hawai’i’s open records law. But even with good intentions, S.B. 2858 ignores the legislative history and role of OIP in enforcing the open records law, which was adopted 24 years ago.

“The Hawai’i Appeals Court ruled in *Kauai v. OIP* that government agencies can appeal OI decisions involving open meetings law, but not decisions requiring agencies to disclose public records. While it may be practical to establish a uniform procedure for appealing both open records and open meetings laws and decisions by OIP, allowing appeals on open records gives too much of OIP’s power and authority in requiring a release of government documents. This bill gives agencies a second chance and longer delays in not providing citizens and the media those records that rightfully should be made public, and a court appeal would be costly and cumbersome and should not be necessary.

“On the initial passage of the open records law 24 years ago, the conference committee report stated, ‘A government agency dissatisfied with administrative ruling by the OIP does not have the right to bring an action in Circuit Court to contest the OIP ruling. The legislative intent for expediency and uniformity in providing access to government records would be frustrated by agencies suing each other.’ Because this legislative language was not applied to the open meetings law or sunshine law, one thing S.B. 2858 got right was the establishment of a court appeals process for the sunshine law, which is necessary, but this appeals process is not necessary for the open records law. A large coalition of good government groups asked that the appeals process in S.B. No. 2858 not include open records law, but this request was apparently declined. As the good government groups say, S.B. No. 2858 represents the most serious erosion of Hawai’i’s freedom of information law in 24 years. I could have voted for this bill if it excluded open records from the new appeals process, but since it does not, I must vote ‘no’ on this bill. Thank you, Mr. President.”

Senator Slom rose to speak in opposition to the measure as follows:

"I concur with all of the statements made by my colleague from Kaimuki, and would say that the OIP process is one of the best things that we have done in the Legislature in creating that agency, and it served the public well over these past 24 years. But we got a taste of the politicization of the open records law earlier this year, when the then-OIP director ruled against the executive branch and the administration in the release of information, and that person was summarily transferred from that position. This bill in its present form has a similar chilling effect. The University of Hawai'i Richardson School of Law did a study on the analysis of Chapter 92 of the Hawaii Revised Statutes, and found that it was the intent of the law to not permit OIP decisions to be adjudicated and to clearly promote promptness and uniformity in the matter in which such requests for information were handled.

"We also know that the news media, which is supposed to be the fourth branch of government, the fourth estate, relies heavily on being able to access records and information from the OIP in a timely manner to report to the general community. So, it would have taken a very small fix to amend that bill in conference. It was not done, for whatever reason; and I, too, am compelled to vote against it. Thank you."

Senator Ryan rose to speak in opposition to the measure as follows:

"My staff reminded me this morning that last year and this year I introduced a bill asking to prohibit the posting of government employee salary and titles, but the reason I did that, I still feel strongly that it can lead to identity theft, among other things, invasion of privacy. But I feel that this bill is necessary, not only for the public, but also for us in our duties and reminding the government agencies that they are accountable to the taxpayers and us as well. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 105-12 was adopted and S.B. No. 2858, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Baker, Espero, Green, Ige, Kim, Nishihara, Tokuda, Wakai). Noes, 7 (Chun Oakland, Fukunaga, Gabbard, Ihara, Kidani, Ryan, Slom).

Conf. Com. Rep. No. 114-12 (H.B. No. 280, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Kidani and carried, Conf. Com. Rep. No. 114-12 was adopted and H.B. No. 280, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 116-12 (H.B. No. 609, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Green, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 116-12 was adopted and H.B. No. 609, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 120-12 (H.B. No. 2569, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Green and carried, Conf. Com. Rep. No. 120-12 was adopted and H.B. No. 2569, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Chun Oakland, Shimabukuro). Noes, 3 (Gabbard, Kim, Slom).

Conf. Com. Rep. No. 122-12 (H.B. No. 2848, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Galuteria, seconded by Senator Espero and carried, Conf. Com. Rep. No. 122-12 was adopted and H.B. No. 2848, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2506, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2506, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 70-12 (S.B. No. 155, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70-12 and S.B. No. 155, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 85-12 (S.B. No. 240, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 85-12 and S.B. No. 240, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 86-12 (S.B. No. 2115, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 85-12 and S.B. No. 2115, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 90-12 (S.B. No. 2383, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 90-12 and S.B. No. 2383, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 101-12 (S.B. No. 1083, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 101-12 and S.B. No. 1083, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 103-12 (S.B. No. 2323, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 103-12 and S.B. No. 2323, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 104-12 (S.B. No. 2324, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 104-12 and S.B. No. 2324, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 117-12 (H.B. No. 2248, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 117-12 and H.B. No. 2248, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 118-12 (H.B. No. 2626, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 118-12 and H.B. No. 2626, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 119-12 (H.B. No. 2495, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 119-12 and H.B. No. 2495, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," was deferred until Thursday, May 3, 2012.

Conf. Com. Rep. No. 121-12 (H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 121-12 and H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Thursday, May 3, 2012.

S.B. No. 745, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 745, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," was deferred until Thursday, May 3, 2012.

At 10:27 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:28 a.m.

### THIRD READING

#### MATTER DEFERRED FROM TUESDAY, APRIL 10, 2012

Stand. Com. Rep. No. 3358 (H.B. No. 2127):

By unanimous consent, action on Stand. Com. Rep. No. 3358 and H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," was deferred until Thursday, May 3, 2012.

### FINAL READING

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 67-12 (S.B. No. 2341, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Nishihara, seconded by Senator Dela Cruz and carried, Conf. Com. Rep. No. 67-12 was adopted and S.B. No. 2341, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 10:30 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:51 a.m.

### MISCELLANEOUS BUSINESS

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2785, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2785, S.D. 2.

Senator Gabbard moved that the Senate reconsider its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to S.B. No. 2785, S.D. 2, seconded by Senator Espero and carried.

Senator Gabbard then moved that the Senate agree to the amendments made by the House to S.B. No. 2785, S.D. 2, seconded by Senator Espero.

Senator Gabbard noted:

"Colleagues, as you know, there have been some concerns expressed about this bill from opponents of the proposed wind projects on Lāna'i and Moloka'i. Your emails and phone messages may have been flooded this morning. I and other legislators heard those concerns firsthand, and we held a listening tour on those islands in November of last year about this measure. However, it's important to clarify that this bill does not—and I repeat, *does not*—require any interisland transmission cable to be built. If we pass it, it doesn't mean that any interisland transmission cable *will* be built. Also, if we defeat it, it doesn't mean that interisland transmission cable *won't* be built. What this bill does is it ensures that if—and I repeat, *if*—an interisland transmission cable is built, then it will be regulated by the PUC as a cable utility. The bill does not fast-track any project; it certainly does not short circuit environmental review or public input. I would be the first one to oppose any such provision. In fact, subparagraph 7 on pages 11 and 12 requires that the PUC hold a public hearing on each affected island prior to approving the application for a Certificate of Public Convenience and Necessity for a cable utility.

"Again, let me be clear: If this bill doesn't pass, a developer could still build an interisland transmission cable, but the cable company would not be subject to regulation by the PUC. So colleagues, I ask that you join me in voting to agree to this measure. Mahalo."

At 10:53 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:54 a.m.

Senator Ihara rose to speak in opposition to the measure as follows:

“Mr. President, would you cast a ‘no’ vote for me in this motion to agree? I oppose the House draft, which takes out the Senate amendments. Thank you.”

Senators Slom and Chun Oakland requested their votes be cast “no,” and the Chair so ordered.

The motion was put by the Chair and carried, with Senators Chun Oakland, Ihara, and Slom voting “No”, the Senate agreed to the amendments proposed by the House to S.B. No. 2785, S.D. 2 and S.B. No. 2785, S.D. 2, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS,” was placed on the calendar for Final Reading on Thursday, May 3, 2012.

#### WAIVER OF REFERRAL

Senator English, Chair of the Committee on Transportation and International Affairs, requested that the joint referral of H.C.R. No. 107 to the Committee on Transportation and International Affairs and the Committee on Education be waived pursuant to Senate Rule 46(4).

The Chair granted the waiver.

On motion by Senator English, seconded by Senator Tokuda and carried, H.C.R. No. 107, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO,” was placed on the calendar for adoption on Thursday, May 3, 2012.

#### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 4 to 10) were read by the Clerk and were placed on file:

Misc. Com. No. 4, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 27, 2012, transmitting a Legislative Communication amending the 2012 internal legislative timetable and the Conference Committee Guidelines to extend the Conference Committee deadlines for certain fiscal measures.

Misc. Com. No. 5, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 28, 2012, transmitting a Legislative Communication amending the 2012 internal legislative timetable and the Conference Committee Guidelines to further extend the Conference Committee deadlines for certain fiscal measures.

Misc. Com. No. 6, from the Honorable David Y. Ige, Chair of the Senate Committee on Ways and Means, and the Honorable Marcus R. Oshiro, Chair of the House Committee on Finance, to the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 29, 2012, transmitting a Legislative Communication to extend the Conference Committee deadlines for certain fiscal measures.

Misc. Com. No. 7, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 30, 2012, transmitting a Legislative Communication further extending the Conference Committees’ negotiations deadline.

Misc. Com. No. 8, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 30, 2012, transmitting a Legislative Communication further extending the Conference Committee Report Filing deadlines.

Misc. Com. No. 9, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 30, 2012, further extending the Conference Committee deadlines.

Misc. Com. No. 10, from the Honorable Shan S. Tsutsui, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 30, 2012, further extending the Conference Committee deadlines for S.B. No. 2804, S.D. 2, H.D. 2.

#### APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 112, S.D. 1 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 112, S.D. 1.

S.B. No. 490, S.D. 3 (H.D. 1):

The President discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 490, S.D. 3.

S.B. No. 2116, S.D. 2 (H.D. 1):

The President discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2116, S.D. 2.

S.B. No. 2220, S.D. 1 (H.D. 2):

The President appointed Senator Ige as co-chair then discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2220, S.D. 1.

S.B. No. 2236 (H.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2236.

S.B. No. 2261 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2261.

S.B. No. 2320, S.D. 2 (H.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Green as manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2320, S.D. 2.

S.B. No. 2344, S.D. 2 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2344, S.D. 2.

S.B. No. 2424, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2424, S.D. 2.

S.B. No. 2435, S.D. 1 (H.D. 1):

The President discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2435, S.D. 1.

S.B. No. 2536 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2536.

S.B. No. 2545, S.D. 2 (H.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Nishihara as manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2545, S.D. 2.

S.B. No. 2678, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2678, S.D. 2.

S.B. No. 2695, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2695, S.D. 2.

S.B. No. 2776, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2776, S.D. 2.

S.B. No. 2778, S.D. 1 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2778, S.D. 1.

S.B. No. 2779, S.D. 2 (H.D. 1):

The President discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2779, S.D. 2.

S.B. No. 2780, S.D. 1 (H.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2780, S.D. 1.

S.B. No. 2785, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2785, S.D. 2.

S.B. No. 2804, S.D. 2 (H.D. 2):

The President discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2804, S.D. 2.

S.B. No. 2827, S.D. 1 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration

of amendments proposed by the House to S.B. No. 2827, S.D. 1.

S.B. No. 2933, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2933, S.D. 2.

S.B. No. 2939, S.D. 1 (H.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2939, S.D. 1.

S.B. No. 2947, S.D. 2 (H.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2947, S.D. 2.

S.B. No. 2958, S.D. 2 (H.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2958, S.D. 2.

H.B. No. 246, H.D. 1 (S.D. 2):

The President appointed Senator Ige as co-chair then discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 246, H.D. 1.

H.B. No. 283, H.D. 1 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 283, H.D. 1.

H.B. No. 1726, H.D. 1 (S.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1726, H.D. 1.

H.B. No. 1755, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair then discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1755, H.D. 2.

H.B. No. 1942, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1942, H.D. 2.

H.B. No. 1943, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1943, H.D. 2.

H.B. No. 1953, H.D. 1 (S.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1953, H.D. 1.

H.B. No. 1968, H.D. 1 (S.D. 2):

The President appointed Senator Ige as co-chair and Senator Green as manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1968, H.D. 1.

H.B. No. 2100, H.D. 2 (S.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2100, H.D. 2.

H.B. No. 2226, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2226, H.D. 2.

H.B. No. 2251 (S.D. 1):

The President appointed Senator Ige as co-chair then discharged Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2251.

H.B. No. 2319, H.D. 2 (S.D. 1):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2319, H.D. 1.

H.B. No. 2415, H.D. 2 (S.D. 1):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2415, H.D. 2.

H.B. No. 2448, H.D. 2 (S.D. 2):

The President discharged Senator Ige as co-chair and appointed Senator Kidani as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2448, H.D. 2.

H.B. No. 2540, H.D. 2 (S.D. 1):

The President discharged Senator Ige as co-chair and Senator Ihara as manager and appointed Senator Kidani as co-chair and Senator Green as manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2540, H.D. 2.

H.B. No. 2599, H.D. 1 (S.D. 1):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2599, H.D. 1.

H.B. No. 2684, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2684, H.D. 2.

H.B. No. 2806, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2806, H.D. 2.

H.B. No. 2873, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2873, H.D. 2.

H.B. No. 2883, H.D. 2 (S.D. 2):

The President appointed Senator Ige as co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2883, H.D. 2.

#### ADJOURNMENT

At 10:56 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, May 3, 2012.