

FORTY-SECOND DAY

Tuesday, April 2, 2013

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2013, convened at 11:35 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

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

At this time, Senator Shimabukuro recognized Wai'anae High School's Searider Productions Digital Program for receiving the Apple Distinguished Program Award. Representing the Searider Digital Program were Lead Instructor Michael O'Connor and Searider Digital students Jacoby Cid and Schae-Leigh Nii. Seated in the gallery were 26 Searider Digital students accompanied by Searider Digital teachers Na'a Makekau and Curtis Furumoto, Apple Representatives Nani Daniels and Pete Vraspir, Searider Productions Executive Director Candy Suiso, Wai'anae High School Principal Nelson Shigeta, Academy Vice Principal Kevin Matsuba, Academy Counselor Shane Nakamura, and Leeward District Complex Area Superintendent Ann Mahi.

Senator Ige rose to extend additional congratulations to the Searider Productions Digital Program and wished them continued success.

At 11:42 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 778 to 794) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 778, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of REID NOGUCHI, term to expire June 30, 2015, was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Gov. Msg. No. 779, submitting for consideration and confirmation to the Board of Education, the nomination of BRIAN DELIMA, term to expire June 30, 2016, was referred to the Committee on Education.

Gov. Msg. No. 780, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of CARLETON WILLIAMS, term to expire June 30, 2017, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 781, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of LESLIE TAWATA, term to expire June 30, 2015, was referred to the Committee on Health.

Gov. Msg. No. 782, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of JAMES WILBURN, JR., term to expire June 30, 2017, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 783, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of WILLIAM SOUZA, term to expire June 30, 2017, was referred to the Committee on Technology and the Arts.

Gov. Msg. No. 784, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of NANCY PEACOCK, term to expire June 30, 2017, was referred to the Committee on Technology and the Arts.

Gov. Msg. No. 785, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of EVA ROSE WASHBURN-REPOLLO, term to expire June 30, 2017, was referred to the Committee on Technology and the Arts.

Gov. Msg. No. 786, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of PATRICIA WIELAND, term to expire June 30, 2017, was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Gov. Msg. No. 787, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of STEPHEN DAY, term to expire June 30, 2015, was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Gov. Msg. No. 788, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of DANIEL HANLON, term to expire June 30, 2015, was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Gov. Msg. No. 789, submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, the nomination of MARK SPENCE, term to expire June 30, 2015, was referred to the Committee on Public Safety, Intergovernmental and Military Affairs.

Gov. Msg. No. 790, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of JOVANIE DE LA CRUZ, term to expire June 30, 2017, was referred to the Committee on Transportation and International Affairs.

Gov. Msg. No. 791, submitting for consideration and confirmation to the Health Planning Council, West O'ahu Subarea, the nomination of MARALYN KURSHALS, term to expire June 30, 2017, was referred to the Committee on Health.

Gov. Msg. No. 792, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of CRAIG TAKAMINE, term to expire June 30, 2016, was referred to the Committee on Economic Development, Government Operations and Housing.

Gov. Msg. No. 793, informing the Senate that on April 1, 2013, the Governor withdrew ANNE CHIPCHASE, Gubernatorial Nominee to the Board of Registration, Island of O'ahu, from consideration by the Senate (Gov. Msg. No. 566), was placed on file.

Gov. Msg. No. 794, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of JUDITH LEMUS, term to expire June 30, 2015, was referred to the Committee on Water and Land.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 386 to 405) were read by the Clerk and disposed of as follows:

Hse. Com. No. 386, returning S.C.R. No. 61, S.D. 1, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

Hse. Com. No. 387, transmitting H.C.R. No. 33, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO PARTICIPATE IN "LIGHT THE STATE CAPITOL BLUE" DURING A PORTION OF THE 2013 REGULAR SESSION," was deferred.

Hse. Com. No. 388, transmitting H.C.R. No. 120, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY OF THE COMMERCIAL VESSEL PERMITS IN STATE SMALL BOAT HARBORS INVOLVING OCEAN-RELATED ACTIVITIES FOR OCEAN WATERS BETWEEN KALAELOA POINT AND KAENA POINT," was deferred.

Hse. Com. No. 389, transmitting H.C.R. No. 127, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR OF THE COUNTY OF KAUAI, THE KAUAI COUNTY COUNCIL, KAUAI PLANNING AND ACTION ALLIANCE, WEST SIDE KAUAI COMMUNITIES, AND THE WAIMEA SPORTS COMPLEX STEERING COMMITTEE TO COLLABORATE TO EXPEDITE THE CONSTRUCTION OF THE WAIMEA SPORTS COMPLEX," was deferred.

Hse. Com. No. 390, transmitting H.C.R. No. 141, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO MAKE THE NECESSARY ACCOMMODATIONS TO ALLOW THE EASTBOUND SHOULDER LANES FROM THE MAKAKILO DRIVE ON-RAMP TO THE KUNIA OFF-RAMP ON THE H-1 FREEWAY DURING PEAK MORNING TRAFFIC HOURS TO ASSIST IN ALLEVIATING TRAFFIC CONGESTION," was deferred.

Hse. Com. No. 391, transmitting H.C.R. No. 142, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO EXAMINE ALTERNATIVE WAYS TO REDESIGN THE H-1/H-2 FREEWAY MERGE TO ALLEVIATE TRAFFIC CONGESTION," was deferred.

Hse. Com. No. 392, transmitting H.C.R. No. 183, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND CONGRESS TO SUPPORT AND PASS THE FILIPINO VETERANS FAMILY REUNIFICATION ACT OF 2013," was deferred.

Hse. Com. No. 393, transmitting H.C.R. No. 218, which was adopted by the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AWARD THE CONGRESSIONAL MEDAL OF HONOR TO JOHN KUULEI KAUHAIHAO, OF HONAUNAU, HAWAII," was deferred.

Hse. Com. No. 394, returning S.B. No. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO SIMULATED FIREARMS," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 395, returning S.B. No. 30, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 30, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 396, returning S.B. No. 31, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 31 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 397, returning S.B. No. 192, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 192 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 398, returning S.B. No. 194, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 194, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 399, returning S.B. No. 442, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 442, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 400, returning S.B. No. 502, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 502, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE SELLER DISCLOSURE," was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 401, returning S.B. No. 853, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 853, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO

THE ELECTIONS COMMISSION,” was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 402, returning S.B. No. 966, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 966 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT,” was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 403, returning S.B. No. 995, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

By unanimous consent, action on S.B. No. 995 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT,” was deferred until Wednesday, April 3, 2013.

Hse. Com. No. 404, returning S.B. No. 32, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

Hse. Com. No. 405, returning S.B. No. 341, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2013, was placed on file.

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1220) recommending that S.C.R. No. 125, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1220 and S.C.R. No. 125, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE AMERICAN ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY: HAWAII DIVISION, TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED MARRIAGE AND FAMILY THERAPISTS IN HAWAII,” was deferred until Wednesday, April 3, 2013.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1221) recommending that S.R. No. 88, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1221 and S.R. No. 88, S.D. 1, entitled: “SENATE RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE AMERICAN ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY: HAWAII DIVISION, TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED MARRIAGE AND FAMILY THERAPISTS IN HAWAII,” was deferred until Wednesday, April 3, 2013.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1222) recommending that S.R. No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1222 and S.R. No. 66, entitled: “SENATE RESOLUTION URGING THE GOVERNOR TO STRIVE TO ACHIEVE OR MAINTAIN GENDER EQUITY IN THE NOMINATIONS AND APPOINTMENTS OF MEMBERS TO STATE

BOARDS AND COMMISSIONS,” was deferred until Wednesday, April 3, 2013.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1223) recommending that S.C.R. No. 100 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1223 and S.C.R. No. 100, entitled: “SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO STRIVE TO ACHIEVE OR MAINTAIN GENDER EQUITY IN THE NOMINATIONS AND APPOINTMENTS OF MEMBERS TO STATE BOARDS AND COMMISSIONS,” was deferred until Wednesday, April 3, 2013.

Senators Gabbard and Espero, for the Committee on Energy and Environment and the Committee on Public Safety, Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1224) recommending that S.R. No. 5 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1224 and S.R. No. 5, entitled: “SENATE RESOLUTION ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS,” was deferred until Wednesday, April 3, 2013.

Senators Gabbard and Espero, for the Committee on Energy and Environment and the Committee on Public Safety, Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1225) recommending that S.C.R. No. 6 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1225 and S.C.R. No. 6, entitled: “SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS,” was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1226) recommending that S.C.R. No. 84, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1226 and S.C.R. No. 84, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CONTRACTORS LICENSE BOARD TO CONDUCT AN ASSESSMENT AND PREPARE A REPORT THAT EVALUATES EACH LICENSING CLASSIFICATION UNDER CHAPTER 444, HAWAII REVISED STATUTES,” was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1227) recommending that S.R. No. 50, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1227 and S.R. No. 50, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE CONTRACTORS LICENSE BOARD TO CONDUCT AN ASSESSMENT AND PREPARE A REPORT THAT EVALUATES EACH LICENSING CLASSIFICATION UNDER CHAPTER 444, HAWAII REVISED STATUTES,” was deferred until Wednesday, April 3, 2013.

Senators Espero and Wakai, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1228) recommending that S.C.R. No. 47, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1228 and S.C.R. No. 47, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO RENAME A PORTION OF CORAL STREET TO "LEX BRODIE STREET"," was deferred until Wednesday, April 3, 2013.

Senators Espero and Wakai, for the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1229) recommending that S.R. No. 24, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1229 and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO RENAME A PORTION OF CORAL STREET TO "LEX BRODIE STREET"," was deferred until Wednesday, April 3, 2013.

Senators Green and Wakai, for the Committee on Health and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1230) recommending that S.C.R. No. 91, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1230 and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING SEPTEMBER 21, 2013, AS HYDROCEPHALUS AWARENESS DAY IN HAWAII," was deferred until Wednesday, April 3, 2013.

Senators Green and Wakai, for the Committee on Health and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1231) recommending that S.R. No. 57, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1231 and S.R. No. 57, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING SEPTEMBER 21, 2013, AS HYDROCEPHALUS AWARENESS DAY IN HAWAII," was deferred until Wednesday, April 3, 2013.

Senators Green and Wakai, for the Committee on Health and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1232) recommending that S.C.R. No. 62, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1232 and S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT CONTINUED FUNDING FOR THE CONGRESSIONALLY DIRECTED MEDICAL RESEARCH PROGRAM FOR NEUROFIBROMATOSIS," was deferred until Wednesday, April 3, 2013.

Senators Green and Wakai, for the Committee on Health and the Committee on Technology and the Arts, presented a joint report (Stand. Com. Rep. No. 1233) recommending that S.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1233 and S.R. No. 32, S.D. 1, entitled: "SENATE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT CONTINUED FUNDING FOR THE CONGRESSIONALLY DIRECTED MEDICAL

RESEARCH PROGRAM FOR NEUROFIBROMATOSIS," was deferred until Wednesday, April 3, 2013.

Senator Galuteria, for the Committee on Tourism and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1234) recommending that the Senate advise and consent to the nomination of MAUNA KEA HIGUERA TRASK to the Island Burial Council, Islands of Kaua'i and Ni'ihau, in accordance with Gov. Msg. No. 589.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1234 and Gov. Msg. No. 589 was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1235) recommending that H.B. No. 79, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1235 and H.B. No. 79, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1236) recommending that H.B. No. 651, H.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1236 and H.B. No. 651, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1237) recommending that H.B. No. 178, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1237 and H.B. No. 178, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION," was deferred until Wednesday, April 3, 2013.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1238) recommending that H.B. No. 369, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1238 and H.B. No. 369, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE SAFETY," was deferred until Thursday, April 4, 2013.

Senator Solomon, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1239) recommending that H.C.R. No. 46, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 46, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LANIKAI, KOOLAUPOKO, OAHU, FOR SEAWALL AND REVETMENT PURPOSES," was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 1240) recommending that H.C.R. No. 37 be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS LOCATED IN KAPAHULU, HONOLULU, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN EXISTING SEAWALL AND STEPS," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

AGREE/DISAGREE

MATTER DEFERRED FROM MONDAY, APRIL 1, 2013

S.B. No. 870, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 870, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS," was deferred until Wednesday, April 3, 2013.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1106 (Gov. Msg. Nos. 523 and 618):

Senator Dela Cruz moved that Stand. Com. Rep. No. 1106 be received and placed on file, seconded by Senator Slom and carried.

Senator Dela Cruz then moved that the Senate advise and consent to the nominations to the Enhanced 911 Board of the following:

RYAN FREITAS, term to expire June 30, 2016 (Gov. Msg. No. 523); and

DAVE KAJIHIRO, term to expire June 30, 2015 (Gov. Msg. No. 618),

seconded by Senator Slom.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1107 (Gov. Msg. No. 585):

Senator Galuteria moved that Stand. Com. Rep. No. 1107 be received and placed on file, seconded by Senator Keith-Agaran and carried.

Senator Galuteria then moved that the Senate advise and consent to the nomination of L. RICHARD FRIED, JR. to the Board of Directors of the Hawai'i Tourism Authority, term to expire June 30, 2014, seconded by Senator Keith-Agaran.

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

Ayes, 25. Noes, none.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM MONDAY, APRIL 1, 2013

Stand. Com. Rep. No. 1108 (S.C.R. No. 28, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO REPORT TO THE LEGISLATURE ON

THE PROGRESS IN IMPLEMENTING THE RECOMMENDATIONS OF THE RELIABILITY STANDARDS WORKING GROUP," was adopted.

Stand. Com. Rep. No. 1109 (S.R. No. 144, S.D. 1):

Senator Espero moved that Stand. Com. Rep. No. 1109 and S.R. No. 144, S.D. 1 be adopted, seconded by Senator Slom.

Senators Ihara and Slom requested their votes be cast "No" and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.R. No. 144, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES TO ENCOURAGE TAXIS TO USE HIGH EFFICIENCY VEHICLES, INCLUDING HYBRID ELECTRIC VEHICLES, AT HONOLULU INTERNATIONAL AIRPORT," was adopted with Senators Ihara and Slom voting "No."

Stand. Com. Rep. No. 1110 (S.C.R. No. 189, S.D. 1):

Senator Espero moved that Stand. Com. Rep. No. 1110 and S.C.R. No. 189, S.D. 1 be adopted, seconded by Senator Slom.

Senator Ihara requested his vote be cast "Aye with Reservations" and the Chair so ordered.

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

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 189, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES TO ENCOURAGE TAXIS TO USE HIGH EFFICIENCY VEHICLES, INCLUDING HYBRID ELECTRIC VEHICLES, AT HONOLULU INTERNATIONAL AIRPORT," was adopted with Senator Ihara voting "Aye with Reservations" and Senator Slom voting "No."

Stand. Com. Rep. No. 1111 (S.R. No. 53, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 53, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE HAWAII PSYCHOLOGICAL ASSOCIATION TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED PSYCHOLOGISTS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1112 (S.C.R. No. 87, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE HAWAII PSYCHOLOGICAL ASSOCIATION TO DEVELOP DRAFT LEGISLATION ESTABLISHING, IMPLEMENTING, AND MONITORING CONTINUING EDUCATION REQUIREMENTS FOR ALL LICENSED PSYCHOLOGISTS IN HAWAII," was adopted.

THIRD READING

Stand. Com. Rep. No. 1113 (H.B. No. 872):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1113 was adopted and H.B. No. 872, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT

OF HUMAN SERVICES FROM THE NURSING FACILITY SUSTAINABILITY PROGRAM SPECIAL FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1114 (H.B. No. 868):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1114 was adopted and H.B. No. 868, entitled: “A BILL FOR AN ACT RELATING TO ELIMINATING THE ASSET LIMIT ELIGIBILITY REQUIREMENT FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1115 (H.B. No. 879, H.D. 2, S.D. 1):

On motion by Senator Ige, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 1115 was adopted and H.B. No. 879, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senators Taniguchi and Galuteria introduced Rick Fried, who was recently confirmed to the Board of Directors of the Hawai'i Tourism Authority and was seated in the gallery.

STANDING COMMITTEE REPORT

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1241) recommending that H.B. No. 200, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 200, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 4, 2013.

At this time, Senator Shimabukuro rose to invite the members to a luncheon in Conference Room 224 in honor of the Searider Productions Digital Program students and teachers.

ADJOURNMENT

At 11:56 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, April 3, 2013.