

THIRTY-FIRST DAY

Thursday, March 13, 2014

The Senate of the Twenty-Seventh Legislature of the State of Hawai'i, Regular Session of 2014, convened at 11:36 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Chun Oakland, English, Espero, and Ihara who were excused.

The President announced that she had read and approved the Journal of the Thirtieth Day.

At this time, Senator Dela Cruz introduced Mrs. Joy Kouchi, wife of Senator Ronald D. Kouchi, who was seated in the gallery.

Senator Green introduced participants of the fourteenth annual State Council on Developmental Disabilities Day at the Capitol, held in partnership with Hilopa'a Family to Family Health Information Center and Ho'opa'a (Hawaii Autism State Implementation Grant). This year's event, with the theme "Ability At Work," drew over 500 individuals with developmental disabilities, family members, personal assistants, service providers, and friends from O'ahu and the neighbor islands, including 76 participants from Hawai'i Island, Kaua'i, and Maui. The participants would be meeting with legislators to discuss issues and concerns, touring the Capitol building, and attending hearings and a ceremony during which the governor would present a proclamation declaring March 2014 as Developmental Disabilities Awareness Month. Senator Green recognized Waynette Cabral and Curtis Tyler of the State Council on Developmental Disabilities, as well as all of the developmental disabilities 'ohana, and thanked all of the participants for their presence and input with their state government.

The Chair shared that she had just learned to sign, "I can work," in American Sign Language, in keeping with the event's theme.

Senator Gabbard recognized his sister Barbara Gabbard of Goodwill Industries who was participating in the day's events.

Senator Galuteria introduced his son Sean who was also participating in the day's events.

Senator Kidani, on behalf of Senate President Kim, honored Alfredo Torco, and presented the following remarks:

"Thank you, Madam President. It's always a pleasure to welcome and recognize someone who lives to serve others and to build a better community. This morning, we say aloha to one such person: Alfredo 'Al' Torco.

"Al graduated from Farrington High School – go Govs! His career led him to serve as an officer with the Honolulu Police Department for 35 years, where he retired in 2001 as a lieutenant. That wasn't the end of his public service, though. He became a substitute teacher at his alma mater. It wasn't because he was looking for something to do; rather, it was because he wanted to help Farrington, the pride of Kalihi.

"Al confesses that he bleeds maroon and white. He's served as the school's archivist, collecting items and keepsakes about Farrington and its history that would rival that of neighboring Bishop Museum. He's been an active member of the Farrington Alumni & Community Association, the group that grants scholarships and contributes in other ways to improving the school and helping its students. For his leadership and hard work, Al was named by the association as Farrington's Alumnus of the Year in 2003.

"If the Farrington 'ohana weren't an impressive enough family, Al and his wife, Helen (Farrington class of 1960), have 9 sons and a daughter, 29 grandchildren with a 30th on its way, and 1 great-grandson.

"Al Torco just celebrated his seventy-fifth birthday, and the Senate joins in applauding this public-spirited citizen for his service to our community and to Farrington High School. We also extend our very best wishes to him and his family for many more years of good health, prosperity, and happiness. Go, Al; go, Governors!

"And joining Al this morning in the chamber is his daughter-in-law, Jonal Hew-Len, all the way from Washington State."

At 11:45 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 385 and 386) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 385, transmitting H.B. No. 1638, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 2014, was placed on file.

On motion by Senator Galuteria, seconded by Senator Slom and carried, H.B. No. 1638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary and Labor, then to the Committee on Ways and Means.

Hse. Com. No. 386, transmitting H.B. No. 1700, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 2014, was placed on file.

On motion by Senator Galuteria, seconded by Senator Slom and carried, H.B. No. 1700, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2852) recommending that H.B. No. 1503, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1503, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2853) recommending that H.B. No. 1579 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1579, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENT LIENS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2854) recommending that H.B. No. 2275 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2275, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE RESCUE FRAUD," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2855) recommending that H.B. No. 2513 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2513, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2856) recommending that H.B. No. 2509, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2509, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST COMMUNITIES WITH THE REMOVAL OF MOTOR VEHICLE TIRES," passed Second Reading and 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. 2857) recommending that S.C.R. No. 12 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A LEASE AND EASEMENT OF CERTAIN SUBMERGED LANDS AT MANELE BAY, LANA'I, TO LANA'I RESORTS, LLC," 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. 2858) recommending that S.C.R. No. 13 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 13, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-669 INOAOLE STREET, WAIMANALO, HAWAII," 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. 2859) recommending that S.C.R. No. 16 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING

PORTION OF STATE SUBMERGED LANDS AT HEEIA, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2860) recommending that S.C.R. No. 17 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT LAIE, KOOLAULO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING REVETMENT AND STEPS, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2861) recommending that S.C.R. No. 18 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT NIU, HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND STEPS, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2862) recommending that S.C.R. No. 19 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KAHALUU, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING LANDSCAPING AREA, CONCRETE WALL, AND FOOTING, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2863) recommending that S.C.R. No. 20 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT MOKULEIA, WAIALUA, OAHU, FOR THE

MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND CONCRETE FOOTING, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2864) recommending that S.C.R. No. 21 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KUALOA, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND STEPS, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2865) recommending that S.C.R. No. 22 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 22, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT HALEAHA, KOOLAULO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2866) recommending that S.C.R. No. 23 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF TWO (2) TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTION OF STATE SUBMERGED LANDS AT MOKULEIA, WAIALUA, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND ROCK PILE, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," 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. 2867) recommending that S.C.R. No. 24 be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND

REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Ways and Means.

Senator Taniguchi, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2868) recommending that H.B. No. 1652, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1652, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2869) recommending that H.B. No. 1881, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Taniguchi, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2870) recommending that H.B. No. 1996, H.D. 1 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1996, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAUI FOOD INNOVATION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2871) recommending that H.B. No. 2142 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Galuteria, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2142, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2872) recommending that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

RICHARD MINATOYA, in accordance with Gov. Msg. No. 548;

DOMINADOR COLOMA, in accordance with Gov. Msg. No. 549; and

RAYMOND JARDINE, JR., in accordance with Gov. Msg. No. 550.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2872 and Gov. Msg. Nos. 548, 549 and 550 was deferred until Friday, March 14, 2014.

Senator Espero, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2873) recommending that the Senate

advise and consent to the nomination of JOYCE MATSUMORI-HOSHIJO to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 551.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2873 and Gov. Msg. No. 551 was deferred until Friday, March 14, 2014.

ORDER OF THE DAY

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of Senate concurrent resolutions offered on Thursday, February 27, 2014; Friday, February 28, 2014; Tuesday, March 4, 2014; Thursday, March 6, 2014; and Friday, March 7, 2014:

S.C.R. No.:	Referred to:
S.C.R. No. 53	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means
S.C.R. No. 54	Committee on Energy and Environment, then to the Committee on Ways and Means
S.C.R. No. 55	Jointly to the Committee on Water and Land and the Committee on Transportation and International Affairs
S.C.R. No. 56	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 57	Jointly to the Committee on Technology and the Arts and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means
S.C.R. No. 58	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection
S.C.R. No. 59	Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 60	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 61	Jointly to the Committee on Higher Education and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 62	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor
S.C.R. No. 63	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor

S.C.R. No. 64	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 65	Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Public Safety, Intergovernmental and Military Affairs
S.C.R. No. 66	Jointly to the Committee on Human Services and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 67	Committee on Higher Education
S.C.R. No. 68	Jointly to the Committee on Transportation and International Affairs and the Committee on Education, then to the Committee on Ways and Means
S.C.R. No. 69	Jointly to the Committee on Energy and Environment and the Committee on Water and Land
S.C.R. No. 70	Jointly to the Committee on Hawaiian Affairs, the Committee on Transportation and International Affairs, and the Committee on Technology and the Arts
S.C.R. No. 71	Jointly to the Committee on Hawaiian Affairs, the Committee on Transportation and International Affairs, and the Committee on Technology and the Arts
S.C.R. No. 72	Jointly to the Committee on Agriculture, the Committee on Economic Development, Government Operations and Housing, and the Committee on Technology and the Arts
S.C.R. No. 73	Jointly to the Committee on Energy and Environment and the Committee on Health
S.C.R. No. 74	Jointly to the Committee on Energy and Environment and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 75	Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 76	Jointly to the Committee on Health and the Committee on Education
S.C.R. No. 77	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 78	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 79	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
S.C.R. No. 80	Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Judiciary and Labor

S.C.R. No. 81	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Economic Development, Government Operations and Housing, then to the Committee on Ways and Means	S.C.R. No. 98	Committee on Higher Education, then to the Committee on Ways and Means
S.C.R. No. 82	Committee on Public Safety, Intergovernmental and Military Affairs	S.C.R. No. 99	Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Human Services, then to the Committee on Ways and Means
S.C.R. No. 83	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Economic Development, Government Operations and Housing	S.C.R. No. 100	Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 84	Committee on Public Safety, Intergovernmental and Military Affairs	S.C.R. No. 101	Committee on Technology and the Arts
S.C.R. No. 85	Jointly to the Committee on Higher Education and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means	S.C.R. No. 102	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
S.C.R. No. 86	Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.C.R. No. 103	Committee on Agriculture
S.C.R. No. 87	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs	S.C.R. No. 104	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Energy and Environment
S.C.R. No. 88	Committee on Technology and the Arts	S.C.R. No. 105	Jointly to the Committee on Energy and Environment and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 89	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor	S.C.R. No. 106	Committee on Technology and the Arts
S.C.R. No. 90	Committee on Public Safety, Intergovernmental and Military Affairs	S.C.R. No. 107	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts, then to the Committee on Ways and Means
S.C.R. No. 91	Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Judiciary and Labor	S.C.R. No. 108	Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Human Services, then to the Committee on Ways and Means
S.C.R. No. 92	Committee on Economic Development, Government Operations and Housing	S.C.R. No. 109	Jointly to the Committee on Hawaiian Affairs and the Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 93	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means	S.C.R. No. 110	Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.C.R. No. 94	Committee on Technology and the Arts, then to the Committee on Judiciary and Labor	S.C.R. No. 111	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 95	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts	S.C.R. No. 112	Committee on Water and Land
S.C.R. No. 96	Jointly to the Committee on Transportation and International Affairs and the Committee on Energy and Environment, then to the Committee on Ways and Means	S.C.R. No. 113	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 97	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.C.R. No. 114	Jointly to the Committee on Higher Education, the Committee on Hawaiian Affairs, and the Committee on Health
		S.C.R. No. 115	Committee on Economic Development, Government Operations and Housing, then to the Committee on Ways and Means
		S.C.R. No. 116	Jointly to the Committee on Higher Education and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.C.R. No. 117	Jointly to the Committee on Technology and the Arts and the Committee on Judiciary and Labor		then to the Committee on Judiciary and Labor
S.C.R. No. 118	Committee on Hawaiian Affairs, then to the Committee on Ways and Means	S.C.R. No. 135	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 119	Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	S.C.R. No. 136	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 120	Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means	S.C.R. No. 137	Jointly to the Committee on Water and Land and the Committee on Agriculture, then to the Committee on Ways and Means
S.C.R. No. 121	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.C.R. No. 138	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs
S.C.R. No. 122	Committee on Transportation and International Affairs, then to the Committee on Ways and Means	S.C.R. No. 139	Jointly to the Committee on Water and Land and the Committee on Economic Development, Government Operations and Housing
S.C.R. No. 123	Committee on Health, then to the Committee on Ways and Means	S.C.R. No. 140	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.C.R. No. 124	Jointly to the Committee on Human Services, the Committee on Higher Education, and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.C.R. No. 141	Jointly to the Committee on Water and Land and the Committee on Agriculture, then to the Committee on Ways and Means
S.C.R. No. 125	Jointly to the Committee on Water and Land, the Committee on Hawaiian Affairs, and the Committee on Technology and the Arts, then to the Committee on Ways and Means	S.C.R. No. 142	Jointly to the Committee on Economic Development, Government Operations and Housing, the Committee on Transportation and International Affairs, and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Hawaiian Affairs
S.C.R. No. 126	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Ways and Means	S.C.R. No. 143	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Energy and Environment
S.C.R. No. 127	Committee on Water and Land, then to the Committee on Ways and Means	S.C.R. No. 144	Jointly to the Committee on Water and Land and the Committee on Higher Education, then to the Committee on Ways and Means
S.C.R. No. 128	Committee on Higher Education, then to the Committee on Ways and Means	S.C.R. No. 145	Jointly to the Committee on Water and Land and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.C.R. No. 129	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means	S.C.R. No. 146	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 130	Jointly to the Committee on Higher Education and the Committee on Agriculture, then to the Committee on Ways and Means	S.C.R. No. 147	Jointly to the Committee on Water and Land, the Committee on Energy and Environment, and the Committee on Tourism
S.C.R. No. 131	Jointly to the Committee on Higher Education and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means	S.C.R. No. 148	Committee on Water and Land, then to the Committee on Ways and Means
S.C.R. No. 132	Committee on Judiciary and Labor	S.C.R. No. 149	Jointly to the Committee on Public Safety, Intergovernmental and Military
S.C.R. No. 133	Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Labor, then to the Committee on Ways and Means		
S.C.R. No. 134	Committee on Public Safety, Intergovernmental and Military Affairs,		

Affairs and the Committee on Commerce and Consumer Protection

S.R. No. 37

Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Judiciary and Labor

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate resolutions offered on Thursday, February 27, 2014; Friday, February 28, 2014; Tuesday, March 4, 2014; Thursday, March 6, 2014; and Friday, March 7, 2014:

S.R. No.: Referred to:

S.R. No. 23 Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

S.R. No. 38

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Economic Development, Government Operations and Housing, then to the Committee on Ways and Means

S.R. No. 39

Committee on Public Safety, Intergovernmental and Military Affairs

S.R. No. 40

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Economic Development, Government Operations and Housing

S.R. No. 24 Committee on Energy and Environment, then to the Committee on Ways and Means

S.R. No. 41

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs

S.R. No. 25 Jointly to the Committee on Water and Land and the Committee on Transportation and International Affairs

S.R. No. 42

Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary and Labor

S.R. No. 26 Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection

S.R. No. 43

Committee on Public Safety, Intergovernmental and Military Affairs

S.R. No. 27 Jointly to the Committee on Energy and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.R. No. 44

Committee on Economic Development, Government Operations and Housing

S.R. No. 28 Committee on Water and Land, then to the Committee on Ways and Means

S.R. No. 45

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

S.R. No. 29 Jointly to the Committee on Higher Education and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means

S.R. No. 46

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Technology and the Arts

S.R. No. 30 Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor

S.R. No. 47

Jointly to the Committee on Transportation and International Affairs and the Committee on Energy and Environment, then to the Committee on Ways and Means

S.R. No. 31 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.R. No. 48

Jointly to the Committee on Health and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

S.R. No. 32 Committee on Higher Education

S.R. No. 49

Committee on Higher Education, then to the Committee on Ways and Means

S.R. No. 33 Jointly to the Committee on Transportation and International Affairs and the Committee on Education, then to the Committee on Ways and Means

S.R. No. 50

Committee on Technology and the Arts

S.R. No. 34 Jointly to the Committee on Energy and Environment and the Committee on Water and Land

S.R. No. 51

Jointly to the Committee on Agriculture, the Committee on Economic Development, Government Operations and Housing, and the Committee on Technology and the Arts

S.R. No. 35 Jointly to the Committee on Hawaiian Affairs, the Committee on Transportation and International Affairs, and the Committee on Technology and the Arts

S.R. No. 52

Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Energy and Environment

S.R. No. 36 Jointly to the Committee on Hawaiian Affairs, the Committee on Transportation and International Affairs, and the Committee on Technology and the Arts

S.R. No. 53

Jointly to the Committee on Public Safety, Intergovernmental and Military

	Affairs and the Committee on Technology and the Arts, then to the Committee on Ways and Means	S.R. No. 70	Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.R. No. 54	Jointly to the Committee on Economic Development, Government Operations and Housing and the Committee on Human Services, then to the Committee on Ways and Means	S.R. No. 71	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 55	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Agriculture	S.R. No. 72	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 56	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Economic Development, Government Operations and Housing	S.R. No. 73	Jointly to the Committee on Water and Land and the Committee on Agriculture, then to the Committee on Ways and Means
S.R. No. 57	Committee on Technology and the Arts, then to the Committee on Judiciary and Labor	S.R. No. 74	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs
S.R. No. 58	Jointly to the Committee on Hawaiian Affairs and the Committee on Water and Land, then to the Committee on Ways and Means	S.R. No. 75	Jointly to the Committee on Water and Land and the Committee on Economic Development, Government Operations and Housing
S.R. No. 59	Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 76	Jointly to the Committee on Water and Land and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means
S.R. No. 60	Jointly to the Committee on Higher Education, the Committee on Hawaiian Affairs, and the Committee on Health	S.R. No. 77	Jointly to the Committee on Water and Land and the Committee on Agriculture, then to the Committee on Ways and Means
S.R. No. 61	Committee on Economic Development, Government Operations and Housing, then to the Committee on Ways and Means	S.R. No. 78	Jointly to the Committee on Economic Development, Government Operations and Housing, the Committee on Transportation and International Affairs, and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Hawaiian Affairs
S.R. No. 62	Jointly to the Committee on Technology and the Arts and the Committee on Judiciary and Labor	S.R. No. 79	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Energy and Environment
S.R. No. 63	Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means	S.R. No. 80	Jointly to the Committee on Water and Land and the Committee on Higher Education, then to the Committee on Ways and Means
S.R. No. 64	Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 81	Jointly to the Committee on Water and Land and the Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.R. No. 65	Committee on Health, then to the Committee on Ways and Means	S.R. No. 82	Committee on Water and Land, then to the Committee on Ways and Means
S.R. No. 66	Jointly to the Committee on Human Services, the Committee on Higher Education, and the Committee on Judiciary and Labor, then to the Committee on Ways and Means	S.R. No. 83	Jointly to the Committee on Water and Land, the Committee on Energy and Environment, and the Committee on Tourism
S.R. No. 67	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means	S.R. No. 84	Committee on Water and Land, then to the Committee on Ways and Means
S.R. No. 68	Jointly to the Committee on Higher Education and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means		
S.R. No. 69	Committee on Judiciary and Labor		

S.R. No. 85 Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Commerce and Consumer Protection

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The President made the following committee assignments of House concurrent resolutions received on Friday, February 28, 2014; and Friday, March 7, 2014:

H.C.R. No.: Referred to:
 H.C.R. No. 33, H.D. 1 Committee on Public Safety, Intergovernmental and Military Affairs
 H.C.R. No. 35 Committee on Public Safety, Intergovernmental and Military Affairs, then to the Committee on Commerce and Consumer Protection
 H.C.R. No. 36 Committee on Public Safety, Intergovernmental and Military Affairs

RE-REFERRAL OF HOUSE BILLS

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

H.B. No.: Re-referred to:
 H.B. No. 493, H.D. 1 Committee on Judiciary and Labor, then to the Committee on Ways and Means
 H.B. No. 1971, H.D. 2 Committee on Education, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
 H.B. No. 1993 Committee on Judiciary and Labor, then to the Committee on Ways and Means
 H.B. No. 2246, H.D. 1 Jointly to the Committee on Public Safety, Intergovernmental and Military Affairs and the Committee on Health, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
 H.B. No. 2409 Committee on Judiciary and Labor, then to the Committee on Ways and Means

At this time, Senator Baker rose to thank those who participated in her office's food sale to benefit the Hawaii Foodbank and acknowledged the hard work of her staff, noting that their efforts raised about \$1,000 for the Maui Food Bank.

Senator Solomon rose to speak on a point of personal privilege as follows:

"Madam President, I'd like to ask you a question; if you would yield, I would appreciate it."

The Chair responded that she would yield to the question.

Senator Solomon continued:

"Thank you, Madam President. Today, Madam President, the majority of the women here in the Senate had sent you a memorandum regarding the nomination of Mike Wilson for the Hawai'i Supreme Court and the Hawaii State Bar Association's testimony. Have you, in fact, received the memorandum?"

The Chair responded that she received the memorandum.

Senator Solomon continued:

"And may I ask our course of action in regards to this memorandum?"

The Chair responded:

"I believe the memorandum is addressed to our Judiciary chair, and I will be following up with the Judiciary chair. In fact, we've had a short conversation on that, as to how we proceed from here."

Senator Solomon thanked the Chair for her response.

At 11:58 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

Senator Hee rose to respond to the previous speaker as follows:

"Thank you, Madam President. I have received a copy of the letter dated March 13 to me, requesting that the Judiciary Committee should ask the nominee to allow the Senate – I'll just read it straight out, 'in a manner that respects the nominee's right to maintain personnel records as confidential from the general public, to review relevant information from judiciary records, including his personnel file, any ethics, performance, conduct, or other matters, including lawyer comments and other materials gathered under Rule 19, Judicial Performance Reviews.'

"I looked at Rule 19, and really, the substantive part of 19 is, and I'll just quote it: 'Except as otherwise provided herein, the chief justice shall have the sole discretion and authority to determine how the above information can be used to fulfill the purposes of the program. The chief justice shall provide such information and data concerning the performance of a judge to the Judicial Selection Commission as the Commission may request in writing,' and that 'the chief justice shall in a manner consistent with the requirements of paragraph (a) of this section relating to respondent confidentiality, furnish the judge evaluated a summary of the judge's performance as determined by the evaluation process established by this rule.'

"I'm sure that all of you who are familiar with the process will understand that the JSC will not release anything, as is required by the JSC. Any information we have received has been received by the individual himself. This is not a new phenomenon; in fact, every judge that I've led the confirmation of has provided us, the JSC, as well as the Bar Association questionnaires. I am happy to ask the chief justice to provide this information. What he does with the ask is really something that I'm not sure he would do, absent of a conversation with the nominee, at the minimum.

"That, however, being said, there will be – and I'm doing this only because we're up against the thirtieth day – with the concurrence of the Senate President, the Judiciary Committee will meet at 11:00 a.m. on Saturday. I've checked with enough members of the committee to provide for a quorum, so we will meet at 11:00 a.m. in room 016. Now, I'm not sure if we're going to discuss this issue as articulated in the letter because I have some reservations whether the chief justice will, in fact, release this information in accordance with Rule 19, which the Women's Caucus has cited.

"I also believe, because the thirtieth day, depending on – counting is tricky in this building, as lawsuits have demonstrated between former Senate President Hanabusa and former Governor Cayetano, the most recent example of which – what constitutes the thirtieth day. As I've said all along, the committee will submit a committee report on Friday, which is

tomorrow. By my committee's count, the thirtieth day is Tuesday, but that doesn't mean the thirtieth day is Tuesday; that means by my committee's count. That gives the president the discretion to move forward on Monday, which, by my committee's count, is the twenty-ninth day.

"If something should occur on Saturday, I want to give notice, and the Senate President is aware of this. If something should occur on Saturday, it is likely that the Judiciary Committee may have to exercise its discretion and submit either an addendum or a new committee report, but I want to be sure that everybody understands that the Judiciary Committee, by unanimous vote, took action last week. And just to be sure that the Senate does not shirk its constitutional duty, and by its authority, we will be submitting a committee report on Friday. Depending on what happens Saturday, things may change, but that gives us, at least, the opportunity to stay within our constitutional mandate. If anyone has any questions, I am available. Thank you very much."

The Chair stated:

"Thank you. Senator, you would like to request that the nominee be asked if he would be willing to provide that information."

Senator Hee responded:

"That's correct. I will do as has been requested of the Judiciary Committee in a letter as articulated."

The Chair continued:

"And one more point: at the public hearing, outside of the nominee and perhaps the bar, that you may have questions, and it should be new testimony so that you don't have to rehash the old testimony."

Senator Hee responded:

"That's a terrific suggestion on two fronts. One is, as most people who have testified before the Judiciary Committee understand, this is not the time to rehash what has already been said. But let me also say this, because you make an excellent point, Madam President: Saturday at 11:00 a.m. This gives everybody the opportunity – everybody, including Greg Markham, the president of the bar – to come forward with names and to come forward with people. Absent of that, it would be very difficult to change, in my opinion, the will of the committee at this time based on innuendo, allegations, insinuations, and rumor. So, Mr. Markham has another opportunity on Saturday at 11:00 a.m. in room 016 to bring forward these, and make visible to the committee, these people who have brought forth these allegations. Thank you, Madam President."

The Chair clarified:

"You're welcome. And also, to make clear that members who were not able to ask questions and have questions would also be entertained that opportunity."

Senator Hee responded:

"That's correct. I'm sure we can fit all the members who want to also be present. Just as a point of information, do I need to waive any rule to hold a hearing at 11:00 a.m. on Saturday? Because if so, we should do it."

At 12:07 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 p.m.

Senator Hee, Chair of the Committee on Judiciary and Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 to hold a public hearing on Gov. Msg. No. 580.

Senator Hee noted:

"I've already described the reason for requesting the waiver."

The Chair granted the waiver.

Senator Hee announced that the Committee on Judiciary and Labor would hold a public hearing and possible decision making meeting on Gov. Msg. No. 580 on Saturday, March 15, 2014, at 11:00 a.m. in Conference Room 016.

Senator Solomon rose to speak on a point of personal privilege as follows:

"I would like to thank the Judiciary chairman for his expediency in terms of responding to this memorandum. However, Madam President, I'd like to remind the Judiciary chairman that I voted free and clear with the understanding that if there was going to be any kind of evidence that would be produced to the contrary, that we, in fact, would take the matter up again. This is the reason why, Madam Chairman, that I voted free and clear on it.

"I just want to make mention – although I appreciate the chairman's remarks about names, so on and so forth – but I feel that those involved, if they feel that there's going to be any kind of reprisal, then perhaps there could be another way for these persons to come forward to be able to testify to the contrary.

"So, these are my concerns. I didn't create this situation, Madam President. It is what it is. It is what it is. You know, females do feel intimidated; they do feel that they are not treated as equals. If we were, Madam President, we'd have equal pay for equal work! That's the bottom line of this argument. So, women have not been treated fairly in this society. It's unfortunate, but it is what it is. And this is why I want to thank my fellow senators who are part of the Women's Caucus for standing up and having the courage. It's not easy. The easy thing for us is just to turn the other cheek or make like it's not happening, but it's out there. I mean, we just addressed a piece of legislation, Madam President, that would allow people to come forward until the age of 55 if they've been sexually harassed or abused or whatever it may be. Because normally, a woman is abused, but first, she's sexually harassed. So, these are very serious thoughts that the Women's Caucus is sharing with our fellow colleagues here on the floor. This is not something that we should take lightly.

"Now, as I said earlier, the higher courts are the courts where women have been able to get justice and been able to discuss our issues – whether we're talking about abortion, whether we're talking about many issues that are pono and have to do with women's rights. So, this is how I'm viewing this memorandum, Madam President. So, with that, thank you very much."

The Chair responded:

"Let me just remind the committee that there is an option of an executive session, I'm sure, where there could be some confidential testimony taken. I know that's been done in the past."

At 12:13 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 p.m.

Senator Hee rose and stated:

"Thank you, Madam President, for the recess. This has to do with the nomination of Michael Wilson, but does not have to do with the Women's Caucus letter. I've been trying to focus on the letter and the request, and I appreciate the counsel of the president.

“Before I came down, which is the reason I was late, I received an inquiry from a woman, but I did not meet her – I want to make that clear. And we’re trying to reach her again. This does not have to do with his conduct as a judge – I want to make that clear. So, I wanted to be sure that everybody understood that providing the public hearing is yet another opportunity for everyone to come forward. This person who left a message did not indicate it had anything to do with sexual harassment, if people are wondering. But until I get more information and actually have the privilege of speaking to this person, who, evidently, is the first person who is willing to come to my office and identify herself, I won’t have any more information.

“I share this because the last thing I want is for anyone to think that anything is going on that hasn’t been shared with every member of the Senate. I’ve tried to handle this as best I can and give it the greatest latitude. And like I said with Mr. Markham, until we see faces, names, places, times, and people willing – and I know this is a very difficult thing to do – to come forward and identify yourself. I’ve been through this with Judge Glenn Kim. If some of you may remember, two women came forward, they came public, and he was confirmed, 14 to 11. So, I realize the gravity of how important it is and the kinds of chances people take by coming forward.

“Nonetheless, this committee doesn’t engage in trolling, and it certainly will not lead a witch hunt, in fairness to the nominee. We will give every opportunity, as required by the Constitution, and the nominee himself, in this case, to come forward yet an additional time, and I hope the Hawaii State Bar Association gets busy and provides us more than what they have up until this point. Thank you.”

Senator Kouchi rose to speak on a point of personal privilege as follows:

“The possibility of having an executive session has been raised and while I can appreciate the sensitivity and difficulty for individuals to speak about personal matters in open hearings, I would caution that we need to look carefully at Chapter 92. The intent behind the law is to foster open hearings and any exception to holding an open hearing is narrowly construed. If the Senate Judiciary Committee chair refuses a request to close the hearing for an executive session, the chair becomes the target for failing to comply with the request, despite the fact that he is following the law. In this particular case, for the women who feel threatened and are intimidated to come forward and testify, there may be certain exceptions in the law that could provide them some protection. Thank you.”

The Chair noted that she would follow up with the attorneys.

At 12:18 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 p.m.

The Chair stated:

“Just for the members’ information, we do have Rule 21 that says, ‘Meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill.’ So, I believe that there is that latitude and that is left up to the committee chair at this point in time.”

Senator Nishihara rose to announce that the Senate and House Committees on Agriculture would be hosting a presentation entitled, “GMO Crops and Food: Fact and Fiction,” by Dr. Peter Davies of Cornell University the following day at 10:00 a.m. in Conference Room 224, and invited the members and their staff to participate.

ADJOURNMENT

At 12:24 p.m., on motion by Senator Galuteria, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, March 14, 2014.