

TWENTY-FIFTH DAY

Tuesday, March 4, 2008

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2008, convened at 10:12 a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Jonathan Ching, Office of the Honorable Shan S. Tsutsui, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Twenty-Fourth Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 23 to 94) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 23, transmitting H.B. No. 94, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 94, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 24, transmitting H.B. No. 2003, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2003, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," passed First Reading by title and was deferred.

Hse. Com. No. 25, transmitting H.B. No. 2040, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2040, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," passed First Reading by title and was deferred.

Hse. Com. No. 26, transmitting H.B. No. 2045, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2045, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," passed First Reading by title and was deferred.

Hse. Com. No. 27, transmitting H.B. No. 2062, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2062, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was deferred.

Hse. Com. No. 28, transmitting H.B. No. 2085, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2085, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed First Reading by title and was deferred.

Hse. Com. No. 29, transmitting H.B. No. 2145, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2145, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed First Reading by title and was deferred.

Hse. Com. No. 30, transmitting H.B. No. 2151, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2151, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 31, transmitting H.B. No. 2196, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2196, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed First Reading by title and was deferred.

Hse. Com. No. 32, transmitting H.B. No. 2198, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2198, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed First Reading by title and was deferred.

Hse. Com. No. 33, transmitting H.B. No. 2245, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2245, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 34, transmitting H.B. No. 2247, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2247, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed First Reading by title and was deferred.

Hse. Com. No. 35, transmitting H.B. No. 2395, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2395, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 36, transmitting H.B. No. 2415, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2415, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed First Reading by title and was deferred.

Hse. Com. No. 37, transmitting H.B. No. 2437, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2437, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed First Reading by title and was deferred.

Hse. Com. No. 38, transmitting H.B. No. 2460, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2460, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was deferred.

Hse. Com. No. 39, transmitting H.B. No. 2491, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2491, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was deferred.

Hse. Com. No. 40, transmitting H.B. No. 2511, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed First Reading by title and was deferred.

Hse. Com. No. 41, transmitting H.B. No. 2522, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2522, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 42, transmitting H.B. No. 2523, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 43, transmitting H.B. No. 2525, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2525, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 44, transmitting H.B. No. 2526, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2526, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN," passed First Reading by title and was deferred.

Hse. Com. No. 45, transmitting H.B. No. 2531, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed First Reading by title and was deferred.

Hse. Com. No. 46, transmitting H.B. No. 2547, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2547, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," passed First Reading by title and was deferred.

Hse. Com. No. 47, transmitting H.B. No. 2587, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2587, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," passed First Reading by title and was deferred.

Hse. Com. No. 48, transmitting H.B. No. 2614, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2614, entitled: "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY," passed First Reading by title and was deferred.

Hse. Com. No. 49, transmitting H.B. No. 2656, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2656, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 50, transmitting H.B. No. 2665, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2665, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed First Reading by title and was deferred.

Hse. Com. No. 51, transmitting H.B. No. 2671, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2671, entitled: "A BILL FOR AN ACT RELATING TO A KAKAAKO MAKAI PARKING STRUCTURE," passed First Reading by title and was deferred.

Hse. Com. No. 52, transmitting H.B. No. 2686, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2686, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed First Reading by title and was deferred.

Hse. Com. No. 53, transmitting H.B. No. 2687, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2687, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO AQUATIC RESOURCES,” passed First Reading by title and was deferred.

Hse. Com. No. 54, transmitting H.B. No. 2712, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2712, H.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU,” passed First Reading by title and was deferred.

Hse. Com. No. 55, transmitting H.B. No. 2761, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2761, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WOMEN’S HEALTH,” passed First Reading by title and was deferred.

Hse. Com. No. 56, transmitting H.B. No. 2811, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2811, entitled: “A BILL FOR AN ACT RELATING TO ENERGY,” passed First Reading by title and was deferred.

Hse. Com. No. 57, transmitting H.B. No. 2856, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2856, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed First Reading by title and was deferred.

Hse. Com. No. 58, transmitting H.B. No. 2873, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2873, entitled: “A BILL FOR AN ACT RELATING TO STATE PARKS,” passed First Reading by title and was deferred.

Hse. Com. No. 59, transmitting H.B. No. 2965, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2965, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY,” passed First Reading by title and was deferred.

Hse. Com. No. 60, transmitting H.B. No. 2977, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2977, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,” passed First Reading by title and was deferred.

Hse. Com. No. 61, transmitting H.B. No. 2998, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2998, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION,” passed First Reading by title and was deferred.

Hse. Com. No. 62, transmitting H.B. No. 3060, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3060, H.D. 2, entitled: “A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,” passed First Reading by title and was deferred.

Hse. Com. No. 63, transmitting H.B. No. 3072, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3072, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION,” passed First Reading by title and was deferred.

Hse. Com. No. 64, transmitting H.B. No. 3080, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3080, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES,” passed First Reading by title and was deferred.

Hse. Com. No. 65, transmitting H.B. No. 3126, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3126, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT,” passed First Reading by title and was deferred.

Hse. Com. No. 66, transmitting H.B. No. 3173, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3173, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GROUNDED VESSELS,” passed First Reading by title and was deferred.

Hse. Com. No. 67, transmitting H.B. No. 3176, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3176, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK,” passed First Reading by title and was deferred.

Hse. Com. No. 68, transmitting H.B. No. 3179, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3179, entitled: “A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER,” passed First Reading by title and was deferred.

Hse. Com. No. 69, transmitting H.B. No. 2736, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2736, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS,” passed First Reading by title and was deferred.

Hse. Com. No. 70, transmitting H.B. No. 2770, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2770, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 71, transmitting H.B. No. 2881, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2881, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed First Reading by title and was deferred.

Hse. Com. No. 72, transmitting H.B. No. 2894, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2894, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed First Reading by title and was deferred.

Hse. Com. No. 73, transmitting H.B. No. 2909, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO THE FIFTIETH ANNIVERSARY OF STATEHOOD COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 74, transmitting H.B. No. 2953, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2953, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was deferred.

Hse. Com. No. 75, transmitting H.B. No. 2962, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2962, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed First Reading by title and was deferred.

Hse. Com. No. 76, transmitting H.B. No. 2966, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2966, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 77, transmitting H.B. No. 3037, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 78, transmitting H.B. No. 3038, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed First Reading by title and was deferred.

Hse. Com. No. 79, transmitting H.B. No. 3140, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3140, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 80, transmitting H.B. No. 3150, H.D. 2, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3150, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," passed First Reading by title and was deferred.

Hse. Com. No. 81, transmitting H.B. No. 3161, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3161, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed First Reading by title and was deferred.

Hse. Com. No. 82, transmitting H.B. No. 3178, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3178, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 83, transmitting H.B. No. 3196, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3196, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed First Reading by title and was deferred.

Hse. Com. No. 84, transmitting H.B. No. 3197, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3197, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 85, transmitting H.B. No. 3262, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," passed First Reading by title and was deferred.

Hse. Com. No. 86, transmitting H.B. No. 3272, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3272, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 87, transmitting H.B. No. 3309, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 88, transmitting H.B. No. 3360, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3360, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed First Reading by title and was deferred.

Hse. Com. No. 89, transmitting H.B. No. 3377, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3377, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 90, transmitting H.B. No. 3383, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3383, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," passed First Reading by title and was deferred.

Hse. Com. No. 91, transmitting H.B. No. 3386, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3386, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," passed First Reading by title and was deferred.

Hse. Com. No. 92, transmitting H.B. No. 3407, H.D. 1, which passed Third Reading in the House of Representatives on February 29, 2008, was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 3407, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed First Reading by title and was deferred.

Hse. Com. No. 93, informing the Senate that the House has discharged all conferees to the following bill:

H.B. No. 987, H.D. 1 (S.D. 2),

was placed on file.

Hse. Com. No. 94, informing the Senate that the House reconsidered its action taken on February 29, 2008, in

disagreeing to the amendments proposed by the Senate to H.B. No. 987, H.D. 1 (S.D. 2), was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 92 and 93) were read by the Clerk and were deferred:

Senate Concurrent Resolution

S.C.R. No. 92 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE RECOGNITION OF CERTAIN RIGHTS OF PARENTS OF CHILDREN WHO HAVE BEEN REFERRED FOR SPECIAL EDUCATION SERVICES."

Offered by: Senator Chun Oakland.

S.C.R. No. 93 "SENATE CONCURRENT RESOLUTION URGING THE STATE BUILDING CODE COUNCIL TO EXPEDITIOUSLY ADOPT PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES."

Offered by: Senators Inouye, Baker, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hooser, Kokubun, Menor, Nishihara, Sakamoto, Tokuda.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 52 and 53) were read by the Clerk and were deferred:

Senate Resolution

S.R. No. 52 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE RECOGNITION OF CERTAIN RIGHTS OF PARENTS OF CHILDREN WHO HAVE BEEN REFERRED FOR SPECIAL EDUCATION SERVICES."

Offered by: Senator Chun Oakland.

S.R. No. 53 "SENATE RESOLUTION URGING THE STATE BUILDING CODE COUNCIL TO EXPEDITIOUSLY ADOPT PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES."

Offered by: Senators Inouye, Baker, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hooser, Kokubun, Menor, Nishihara, Sakamoto, Tokuda.

ORDER OF THE DAY

THIRD READING

S.B. No. 2344, S.D. 1:

On motion by Senator Espero, seconded by Senator Nishihara and carried, S.B. No. 2344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3006, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2474, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2785, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2425, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2345, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Espero and carried, S.B. No. 2345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2436, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2400, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2157, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Ige and carried, S.B. No. 2157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2572 (S.B. No. 2449, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2572 was adopted and S.B. No. 2449, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout,

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2573 (S.B. No. 2458, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2573 was adopted and S.B. No. 2458, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2574 (S.B. No. 2745, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2574 was adopted and S.B. No. 2745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFAMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2577 (S.B. No. 2639, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2577 was adopted and S.B. No. 2639, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2578 (S.B. No. 2146, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2578 was adopted and S.B. No. 2146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2582 (S.B. No. 3074, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2582 was adopted and S.B. No. 3074, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3082, S.D. 1:

On motion by Senator Menor, seconded by Senator English and carried, S.B. No. 3082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2588 (S.B. No. 2652, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2588 was adopted and S.B. No. 2652, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout,

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2589 (S.B. No. 3068, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2589 was adopted and S.B. No. 3068, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2591 (S.B. No. 3027, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2591 was adopted and S.B. No. 3027, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2592 (S.B. No. 3016, S.D. 1):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2592 was adopted and S.B. No. 3016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2593 (S.B. No. 3015, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2593 was adopted and S.B. No. 3015, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2597 (S.B. No. 2160, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2597 was adopted and S.B. No. 2160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2598 (S.B. No. 2838, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2598 was adopted and S.B. No. 2838, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2599 (S.B. No. 2991, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2599 was adopted and S.B. No. 2991, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," having been read

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2601 (S.B. No. 2660, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2601 was adopted and S.B. No. 2660, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2602 (S.B. No. 3119, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2602 was adopted and S.B. No. 3119, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2604 (S.B. No. 3023, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2604 was adopted and S.B. No. 3023, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2606 (S.B. No. 1487, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2606 was adopted and S.B. No. 1487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2607 (S.B. No. 2782, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2607 was adopted and S.B. No. 2782, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2609 (S.B. No. 2456, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2609 was adopted and S.B. No. 2456, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2610 (S.B. No. 3078, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2610 was adopted and S.B. No. 3078, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKSITE WELLNESS PROGRAMS,"

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2611 (S.B. No. 2487, S.D. 2):

On motion by Senator Hee, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 2611 was adopted and S.B. No. 2487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3018, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3019, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3019, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3020, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3020, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2529, S.D. 1:

On motion by Senator Hee, seconded by Senator Kokubun and carried, S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2499:

On motion by Senator Tokuda, seconded by Senator English and carried, S.B. No. 2499, entitled: "A BILL FOR AN ACT RELATING TO TARO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2847:

On motion by Senator Tokuda, seconded by Senator Menor and carried, S.B. No. 2847, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3166:

On motion by Senator Fukunaga, seconded by Senator Hee and carried, S.B. No. 3166, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2254:

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, S.B. No. 2254, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2441:

On motion by Senator English, seconded by Senator Inouye and carried, S.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3151, S.D. 1:

On motion by Senator Tokuda, seconded by Senator English and carried, S.B. No. 3151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2163, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, S.B. No. 2163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3105, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 3105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2784, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3092, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 3092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2668 (S.B. No. 3076):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2668 was adopted and S.B. No. 3076, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2671 (S.B. No. 3050, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2671 was adopted and S.B. No. 3050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2673 (H.B. No. 1755, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2673 was adopted and H.B. No. 1755, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2675 (S.B. No. 3228):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2675 was adopted and S.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2677 (S.B. No. 2447):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2677 was adopted and S.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2678 (S.B. No. 1488, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2678 was adopted and S.B. No. 1488, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2679 (S.B. No. 2803, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2679 was adopted and S.B. No. 2803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2681 (S.B. No. 2035, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2681 was adopted and S.B.

No. 2035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2682 (S.B. No. 2571, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2682 was adopted and S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2684 (S.B. No. 2414, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2684 was adopted and S.B. No. 2414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2685 (S.B. No. 3048, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2685 was adopted and S.B. No. 3048, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2687 (S.B. No. 3011, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2687 was adopted and S.B. No. 3011, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2689 (S.B. No. 2623):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2689 was adopted and S.B. No. 2623, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2692 (S.B. No. 2155, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2692 was adopted and S.B. No. 2155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2693 (S.B. No. 2218, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2693 was adopted and S.B. No. 2218, S.D. 1, entitled: "A BILL FOR AN ACT

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2696 (S.B. No. 2677):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2696 was adopted and S.B. No. 2677, entitled: “A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3025, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3025, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3031, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3031, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2849, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Menor and carried, S.B. No. 2849, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2962, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2962, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2886, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2886, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2009, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2009, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GAMBLING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3002, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3002, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2882, S.D. 1:

On motion by Senator Ige, seconded by Senator Fukunaga and carried, S.B. No. 2882, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2212, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2212, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIME,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 45, S.D. 1:

On motion by Senator Espero, seconded by Senator Nishihara and carried, S.B. No. 45, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2545:

On motion by Senator Ige, seconded by Senator Sakamoto and carried, S.B. No. 2545, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3072:

On motion by Senator Ige, seconded by Senator Menor and carried, S.B. No. 3072, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2722 (S.B. No. 3017, S.D. 1):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2722 was adopted and S.B. No. 3017, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2723 (S.B. No. 3034, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2723 was adopted and S.B. No. 3034, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL DEFENSE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2729 (S.B. No. 2094, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2729 was adopted and S.B. No. 2094, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2733 (S.B. No. 3051, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2733 was adopted and S.B. No. 3051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2734 (S.B. No. 2363, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2734 was adopted and S.B. No. 2363, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2736 (S.B. No. 2080, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2736 was adopted and S.B. No. 2080, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2737 (S.B. No. 3070, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2737 was adopted and S.B. No. 3070, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2738 (S.B. No. 2263, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2738 was adopted and S.B. No. 2263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2741 (S.B. No. 3071, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2741 was adopted and S.B. No. 3071, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2743 (S.B. No. 3060, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2743 was adopted and S.B. No. 3060, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY EVICTIONS BOARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2744 (S.B. No. 2624, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2744 was adopted and S.B. No. 2624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2747 (S.B. No. 2826, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2747 was adopted and S.B. No. 2826, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2750 (S.B. No. 2191, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2750 was adopted and S.B. No. 2191, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2751 (S.B. No. 2154, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2751 was adopted and S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2752 (S.B. No. 1368, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2752 was adopted and S.B. No. 1368, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2753 (S.B. No. 2879, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2753 was adopted and S.B. No. 2879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2754 (S.B. No. 3250, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2754 was adopted and S.B. No. 3250, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2755 (S.B. No. 2860, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2755 was adopted and S.B. No. 2860, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A TECHNOLOGY MASTER PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2756 (S.B. No. 2668, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2756 was adopted and S.B. No. 2668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2758 (S.B. No. 2546, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2758 was adopted and S.B. No. 2546, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2761 (S.B. No. 3258, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2761 was adopted and S.B. No. 3258, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2762 (S.B. No. 2214, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2762 was adopted and S.B. No. 2214, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2764 (S.B. No. 2397, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2764 was adopted and S.B. No. 2397, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2768 (S.B. No. 2082, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2768 was adopted and S.B. No. 2082, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2770 (S.B. No. 2083, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2770 was adopted and S.B. No. 2083, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF ADULT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2771 (S.B. No. 3185, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2771 was adopted and S.B. No. 3185, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2772 (S.B. No. 2840, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2772 was adopted and S.B. No. 2840, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2773 (S.B. No. 2026, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2773 was adopted and S.B. No. 2026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2774 (S.B. No. 2315, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2774 was adopted and S.B. No. 2315, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2776 (S.B. No. 2467, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2776 was adopted and S.B. No. 2467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO ASSIST AGRICULTURAL AND AQUACULTURAL INDUSTRIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2779 (S.B. No. 2455, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2779 was adopted and S.B. No. 2455, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2780 (S.B. No. 788, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2780 was adopted and S.B. No. 788, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2781 (S.B. No. 2156, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2781 was adopted and S.B. No. 2156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2783 (S.B. No. 2150, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2783 was adopted and S.B. No. 2150, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2784 (S.B. No. 3004, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2784 was adopted and S.B. No. 3004, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2785 (S.B. No. 3005, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2785 was adopted and S.B. No. 3005, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2788 (S.B. No. 3001, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2788 was adopted and S.B. No. 3001, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2790 (S.B. No. 2830, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2790 was adopted and S.B. No. 2830, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2791 (S.B. No. 2313, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2791 was adopted and S.B. No. 2313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2792 (S.B. No. 3010, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2792 was adopted and S.B. No. 3010, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2794 (S.B. No. 3026, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2794 was adopted and S.B. No. 3026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2796 (S.B. No. 3197, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2796 was adopted and S.B. No. 3197, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMMIGRATION CONSULTANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2797 (S.B. No. 3069, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2797 was adopted and S.B. No. 3069, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2798 (S.B. No. 2435, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2798 was adopted and S.B. No. 2435, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2804 (S.B. No. 2715, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2804 was adopted and S.B. No. 2715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2806 (S.B. No. 2004, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2806 was adopted and S.B. No. 2004, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2808 (S.B. No. 2433, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2808 was adopted and S.B. No. 2433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2809 (S.B. No. 2047, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2809 was adopted and S.B. No. 2047, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2810 (S.B. No. 2891, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2810 was adopted and S.B. No. 2891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2811 (S.B. No. 2983, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2811 was adopted and S.B. No. 2983, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2813 (S.B. No. 3225, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2813 was adopted and S.B. No. 3225, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2815 (S.B. No. 2817, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2815 was adopted and S.B. No. 2817, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2818 (S.B. No. 2198, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2818 was adopted and S.B. No. 2198, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2822 (S.B. No. 2986, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2822 was adopted and S.B. No. 2986, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2823 (S.B. No. 2867, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2823 was adopted and S.B. No. 2867, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2824 (S.B. No. 3077, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2824 was adopted and S.B. No. 3077, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2827 (S.B. No. 2104, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2827 was adopted and S.B. No. 2104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2829 (S.B. No. 2790, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2829 was adopted and S.B. No. 2790, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2830 (S.B. No. 2822, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2830 was adopted and S.B. No. 2822, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-SCHOOL HOUR PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2831 (S.B. No. 3255, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2831 was adopted and S.B. No. 3255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2833 (S.B. No. 2720, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2833 was adopted and S.B. No. 2720, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2836 (S.B. No. 3206, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2836 was adopted and S.B. No. 3206, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2837 (S.B. No. 3137, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2837 was adopted and S.B. No. 3137, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR AKULE FISH MONITORING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2838 (S.B. No. 3102, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2838 was adopted and S.B. No. 3102, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2839 (S.B. No. 2864, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2839 was adopted and S.B. No. 2864, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2843 (S.B. No. 2984, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2843 was adopted and S.B. No. 2984, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2844 (S.B. No. 2480, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2844 was adopted and S.B. No. 2480, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2845 (S.B. No. 2482, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2845 was adopted and S.B. No. 2482, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSTITUTE OF MARINE BIOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2846 (S.B. No. 2774, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2846 was adopted and S.B. No. 2774, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2847 (S.B. No. 2868, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2847 was adopted and S.B. No. 2868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2849 (S.B. No. 3168, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2849 was adopted and S.B. No. 3168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2850 (S.B. No. 2524, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2850 was adopted and S.B. No. 2524, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2852 (S.B. No. 591, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2852 was adopted and S.B.

No. 591, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2859 (S.B. No. 2818, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2859 was adopted and S.B. No. 2818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2860 (S.B. No. 3234, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2860 was adopted and S.B. No. 3234, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2861 (S.B. No. 3174, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2861 was adopted and S.B. No. 3174, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2862 (S.B. No. 2907, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2862 was adopted and S.B. No. 2907, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASTORAL AND AGRICULTURAL HOMESTEADING DIVISION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2864 (S.B. No. 2871, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2864 was adopted and S.B. No. 2871, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2865 (S.B. No. 3075, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2865 was adopted and S.B. No. 3075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2867 (S.B. No. 2055, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2867 was adopted and S.B. No. 2055, S.D. 2, entitled: "A BILL FOR AN ACT

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2868 (S.B. No. 2054, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2868 was adopted and S.B. No. 2054, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2869 (S.B. No. 2730, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2869 was adopted and S.B. No. 2730, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2871 (S.B. No. 2170, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2871 was adopted and S.B. No. 2170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2874 (S.B. No. 2554, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2874 was adopted and S.B. No. 2554, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2875 (S.B. No. 2065, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2875 was adopted and S.B. No. 2065, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2880 (S.B. No. 2396, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2880 was adopted and S.B. No. 2396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2881 (S.B. No. 2977, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2881 was adopted and S.B. No. 2977, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT,"

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2882 (S.B. No. 2831, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2882 was adopted and S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2884 (S.B. No. 3182, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2884 was adopted and S.B. No. 3182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXTENDED SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2885 (S.B. No. 2088, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2885 was adopted and S.B. No. 2088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2886 (S.B. No. 2816, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2886 was adopted and S.B. No. 2816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2887 (S.B. No. 2394):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2887 was adopted and S.B. No. 2394, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2888 (S.B. No. 2605, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2888 was adopted and S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2889 (S.B. No. 2850, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2889 was adopted and S.B. No. 2850, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

MATTERS DEFERRED FROM FRIDAY, FEBRUARY 29, 2008

S.B. No. 3202:

Senator Taniguchi moved that S.B. No. 3202, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom then offered the following amendment (Floor Amendment No. 1) to S.B. No. 3202:

SECTION 1. Senate Bill No. 3202, section 1, is amended as follows:

1. By amending lines 10 and 11 on page 1 to read:

"individuals who have served as learned members of the bar, should be reconsidered. The wealth of knowledge"

2. By amending lines 1 and 2 on page 2 to read:

"Hawaii to extend the mandatory retirement age for all newly appointed state court justices and judges from seventy to eighty years of age."

SECTION 2. Senate Bill No. 3202 is amended by amending lines 1 to 3 on page 5 to read as follows:

"Justices and judges shall be retired upon attaining the age of seventy years[-], except that justices and judges first confirmed by the senate or appointed by the chief justice to their positions after November 4, 2008 shall be retired upon attaining the age of eighty years. They shall be included in any retirement law of the state."

SECTION 3. Senate Bill No. 3202 is amended by amending section 3 to read as follows:

"SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the mandatory retirement age for all newly appointed state court justices and judges be extended from seventy to eighty years of age?"

Senator Slom moved that Floor Amendment No. 1 be adopted, seconded by Senator Trimble.

Senator Slom rose to speak in support of the motion and stated:

"Madam President, you know two years ago this Body passed a bill that dealt with the retirement ages of judges. It went before the community. It was on the ballot in 2006; and the change was heartily defeated by a vote of more than 2:1. People in every district within the state, across the state, voted against that constitutional amendment.

"Since that period of time there's still been continuing discussion. And there's still been an issue as to how do we approach the idea of mandatory age—which has been ruled constitutional—with the idea of some people's concerns about discrimination. And there have been proposals for studies. There have been proposals to just let sleeping dogs lie and let the law of Hawai'i continue as it has, unabated.

"This year there were two bills that were introduced—one in the House that would have increased the age of retirement for judges from the current age 70 to 72; and our bill in the Senate, which would increase it to age 80. It's kind of disconcerting when the opponents of the existing law say that it's discriminatory, and that has not been held by any court. But then they go on to say well let's change the 70 to 72, or 70 to 80, and you try to find a magical number for that age.

“In order to take this bill back to the people again, after they’ve already voted on it, really doesn’t make too much sense if we’re doing the same thing with the existing judges. One of the issues that surfaced two years ago was (and even the opponents of the constitutional change said) if we just make it prospective, as we do for most laws, we make it for future appointments of judges and change the age or take away the age entirely, then in fact it makes a great deal of sense.

“And so my understanding is that a compromise in fact was reached this past week. The Chairman of the Senate Judiciary Committee appeared on a popular radio program and to the question specifically of what could be done about this, he graciously suggested a compromise—that in fact, that’s what we do. We change the age to 80, but we make it prospective for all new coming judges from November of this year. The opponents of the proposed change in 2006 also agreed to a change and said, well, if is prospective, we’ll do it. And so in this spirit of bipartisanship and in this spirit of resolving an issue which many people thought had been resolved already, I offer this amendment—which simply says and adds words to the effect—that the change to the age 80 from the age 70 in our current law would take effect in November of 2008, and would affect only those judges appointed after that period of time.

“So, I urge my colleagues to support this Floor Amendment and to pass this bill in the spirit not only of coming together, but I think resolving an issue that the public has already voted on once. There have been a number of questions raised about the magic, again, of the age, but at least at this point it would provide an extra ten years, and it seems that both sides seem to be content with it. So, Madam President, I offer this as an amendment, and I solicit strong support from our Senate colleagues. Thank you very much.”

Senator Taniguchi rose to speak in opposition as follows

“Madam President, I rise to speak against the proposed amendments to S.B. No. 3202.

“I have recommended the current draft because I feel it provides the best compromise between the unlimited age requirement which was rejected by electorate two years ago, and the obvious age discriminatory provision in our current law.

“Two years ago I was surprised that the previous proposal for a constitutional amendment was defeated. To this day I believe that the current attorney general’s active participation to defeat the constitutional amendment was a factor in the vote. While I do not believe his actions were illegal, choreographing radio campaigns, organizing sign waving, and stating his opposition in editorials were not appropriate for our attorney general, whose duty is to legally represent the Governor, the Legislature, the Judiciary, and ultimately all the citizens of this state.

“This is the only mandatory retirement law for state employees. Is there justification for mandatory retirements because, for some reason, a judge suddenly seems unfit to serve? I would think not. One primary example is the current mandatory retirement of Judge Burns. Judge Burns would have continued to serve well and contribute to the Judiciary if not for his mandatory retirement.

“Currently we already have a check and balance system in place. It is called terms. District court judges have terms of six years while all other judges and justices have terms of ten years. At the end of a term, if a judge decides to continue, there are several steps to reappointment. First, a judge or justice must be recommended by the Judicial Selection Commission. Then the Governor or Chief Justice has to select the nominee. And finally, we the Senate must consent to the nominee. We have seen this system work to deny individuals who have been

viewed as not the best candidate to sit on the bench. And we have seen this system work to select some of our finest jurists.

“I am against this particular amendment because I do not want this age requirement to affect any more future judges. Yes, I’m aware that our current Chief Justice will be 70 years old in 2010, and that this amendment will deny our current Governor the opportunity to appoint the Chief Justice. However, this is not an issue for me. Although I have known Ronald Moon for many years, I have primarily interacted with him when I was Chairman of the Ways and Means Committee. When Judge Moon was elevated to Chief Justice, I was still a Representative in the State House. At that time, I remember wondering why a Democratic administration would nominate a Republican as Chief Justice. However, I have found this concern to be unfounded, because he has done a good job and will be able to serve well past his 70th birthday.

“Finally, colleagues, I ask you, in the past two years, has the Governor made good decisions on who to nominate to the bench? I believe she has already nominated almost one-third of the current judges. This is a significant number, and she will have a long-term impact on the judiciary. I do not believe that one more judge would change that impact. I ask you to vote against this amendment. Thank you.”

Senator Slom rose in rebuttal and said:

“Madam President, I rise in brief rebuttal.

“I must say that I am stunned; I’m shocked; I’m surprised. This doesn’t seem to be the same Judiciary Chairman that I heard on the radio with my own ears. I thought in fact that we were all moving together to have a solution, and yet I hear some of the same arguments brought up that were brought two years ago. They were unfounded then and unfortunately they’re still unfounded now.

“We talk about discrimination, and there is no discrimination in the law. The law is perfectly legal. The law has been adopted years ago. It was, I think, recognized by everyone. And the important point here again, that we have to reiterate, is that judges going in knew the mandatory age, they knew the age of retirement, and they accepted that. That was part of the job. It’s like any other job description or job requirement.

“In addition to that, we have had continuing testimony from the Judiciary, from the bar that supported the existing law saying that in effect, what you do if you don’t exercise that age 70 option, you deny younger newer attorneys the opportunity for advancement. And in fact what you do is preserve the old boy’s club.

“No one is casting any aspersions on anyone’s individual abilities, and we know that Judge Burns and others have been fine community leaders. To answer the Judiciary Chairman’s question—‘Has the Governor made good choices for the Judiciary over the last two years?’—the answer is a resounding ‘Yes,’ from Chief Judge of the Court of Appeals, Judge Recktenwald, to circuit court judges to district court judges, I think we’re seeing a new vibrancy in the judiciary. And this Body of course had an opportunity to examine them all. There were some that we rejected, but most were accepted. And I think that if we look at their job performance over the last two years, we can say that there was a change—a positive change.

“As far as the attorney general being involved in advocacy or explanation, I think that’s part of the attorney general’s role. I think that we would be very disappointed if the attorney general or the governor or a senator did not in fact make his or her own positions known, and I don’t see anything wrong with that. Just as the Judiciary Chairman said, there’s nothing certainly illegal about it.

“As to the Chief Justice being the last person that would be affected by this law, it was interesting that the Judiciary Chairman brought up the fact that it was a Democrat administration that appointed a Republican. And now it is a Republican administration that is saying we need to keep the law even though it affects a Republican chief judge. All of us wish that justice truly is blind, and we don’t look at Republican judges or Democrat judges. We look at judges on their individual merit.

“This amendment to this bill would not change that, and in fact would not diminish in any way the abilities for existing judges to continue to serve the community. I think that what we really have here though is a situation of looking at this and keeping politics out of it. Because if we don’t have discrimination—and that’s what mandatory laws have been held to be, non-discriminatory—then one has a difficult time finding the reasoning for changing this law at this time under these circumstances.

“So I would urge the Judiciary Chairman to reconsider and my colleagues to reconsider to pass this really innocuous floor amendment, so that that we can pass this bill and move on to other matters.

“Thank you, Madam President. May I have a Roll Call vote, too, please, Madam President?”

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

The Senate reconvened at 10:38 a.m.

The motion to adopt Floor Amendment No. 1 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 6. Ayes with Reservations, 1 (Bunda). Noes, 19 (Baker, Chun Oakland, English, Espero, Fukunaga, Gabbard, Hanabusa, Hee, Hooser, Ihara, Inouye, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tokuda, Tsutsui).

Senators Baker, Chun Oakland, Inouye, Bunda, Menor and Ige requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion to pass S.B. No. 3202 on Third Reading was then put by the Chair and carried, S.B. No. 3202, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Ayes with Reservations, 6 (Baker, Bunda, Chun Oakland, Ige, Inouye, Menor). Noes, 6 (Gabbard, Hemmings, Ihara, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 2624 (S.B. No. 520, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2624 be adopted and S.B. No. 520, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator English then offered the following amendment (Floor Amendment No. 2) to S.B. No. 520, S.D. 1:

SECTION 1. Senate Bill No. 520, S.D. 1, is amended by amending section 201-17, Hawaii Revised Statutes, subsection (d)(1) to read as follows:

“(1) Peace missions to other nations and international organizations; provided that the peace mission is not in violation of federal law;”

SECTION 2. Senate Bill No. 520, S.D. 1, is amended by amending section 2 to delete the specific amount appropriated and to read as follows:

“SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2008-2009 to be used by the peace mission committee for the purposes of this Act.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.”

Senator English moved that Floor Amendment No. 2 be adopted, seconded by Senator Baker.

Senator English rose to clarify the measure as follows:

“Madam President, this amendment takes care of two things. One is it brings it in conformity with federal law. This provision was drafted in consultation with the attorney general, who said the bill now meets federal law and constitutional challenge; and also to remove the half-a-million dollars that was inadvertently left in the bill so that it goes across with a blank appropriation.”

The motion to adopt Floor Amendment No. 2 was put by the Chair and carried.

Senator English then moved that Stand. Com. Rep. No. 2624 be received and placed on file, seconded by Senator Baker and carried.

By unanimous consent, S.B. No. 520, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS,” was placed on the calendar for Third Reading on Thursday, March 6, 2008.

RECOMMITTAL OF A SENATE BILL

MATTER DEFERRED FROM FRIDAY, FEBRUARY 29, 2008

S.B. No. 2059:

On motion by Senator Ige, seconded by Senator Whalen and carried, S.B. No. 2059, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” was recommitted to the Committee on Judiciary and Labor.

RECOMMITTALS OF SENATE BILLS

Stand. Com. Rep. No. 2584 (S.B. No. 2472, S.D. 2):

On motion by Senator Ige, seconded by Senator Whalen and carried, Stand. Com. Rep. No. 2584 and S.B. No. 2472, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” were recommitted to the Committee on Ways and Means.

S.B. No. 2971, S.D. 1:

On motion by Senator Ige, seconded by Senator Whalen and carried, S.B. No. 2971, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION,” was recommitted to the Committee on Judiciary and Labor.

Stand. Com. Rep. No. 2727 (S.B. No. 1248, S.D. 2):

On motion by Senator Ige, seconded by Senator Whalen and carried, Stand. Com. Rep. No. 2727 and S.B. No. 1248, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRICAL LICENSING,” were recommitted to the Committee on Commerce, Consumer Protection and Affordable Housing.

Stand. Com. Rep. No. 2800 (S.B. No. 2641, S.D. 2):

On motion by Senator Ige, seconded by Senator Whalen and carried, Stand. Com. Rep. No. 2800 and S.B. No. 2641, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were recommitted to the Committee on Water and Land.

THIRD READING

At this time, the President made the following announcement:

"Members, the Chair has an announcement.

"Some of these measures are being taken out of order. They are to be taken out of order upon the request of their respective Committee chairs or members to insure that the Senate vehicle may be the vehicle that controls the measure in the future."

Stand. Com. Rep. No. 2760 (S.B. No. 3227, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2760 be adopted and S.B. No. 3227, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsumi.

Senator Kim rose to speak in opposition of the measure and said:

"Madam President, I rise to speak in opposition to the S.B. No. 3227, S.D. 2.

"Madam President, there's no doubt that the modernization of our state harbors must be a priority, and I support this. What I don't support is DOT delegating the authority for implementing this complex, statewide harbor modernization plan to an agency that, in its 27-year history has been involved in more failed development projects than successful projects.

"Madam President, the former director of DOT told me in a meeting that harbors are not capable of handling this modernization plan. How is that possible? It's like saying that the airports are not capable of handling the airport's renovation plan and that it should be delegated to the Hawai'i Tourism Authority to manage. So I ask you, why didn't Mr. Fukunaga, when he was head of Harbors and Director of Transportation, fix this in Harbors? Instead, he band-aided the problem by signing it to the ATDC executive director and put the wheels in motion to delegate the entire project to ATDC—the Aloha Tower Development Corporation.

"I must admit though that if you read the annual reports from ATDC, you wouldn't have a clue that there were any problems. In the 2006 Annual Report—and this is the only report by the way that is available on their website when I last checked—ATDC described that their projects as desirable and as one that will complement and add to the economic vibrancy of the Aloha Tower project area.

"What projects? As of today there is none. When they briefed the Ways and Means Committee in January, they made no mention of any lawsuits pending. Interesting enough in the 1987—and I say 1987—review, an analyst of the ATDC by the Legislative Auditor, the Auditor notes that the agency had been less than candid in its budget presentations before the Legislature—not informing the Legislature of problems or current status of this project. This could have been written yesterday, not 21 years ago. And on page 19 of the audit, it states, '...six years after the Aloha Tower Development Corporation was established, the redevelopment project is at a standstill, with no formal agreement with any developer.'

"Today, 21 years later, after this audit, the ATDC's development project is at a standstill with no projects, plans, or agreement with any developer. On page 21 of the 1987 audit, it states '...the corporation does not have the authority or expertise to implement the project.' And on page 27, still quoting from the 1987 audit, it says '...the administrative

structure devised to implement the redevelopment project is unworkable. The structure of the ATDC was designed to accommodate the interests of various parties with responsibilities for the site. Consequently, the ATDC board includes directors of DBEDT, DLNR, and DOT, as well as the Mayor of the City and County of Honolulu and three public members. Because each departmental board member has a different statutory interest to protect, the board has not been able to subsume individual interest and achieve consensus on various aspects of the project.'

"Colleagues, the makeup of the board has not changed in 21 years. It is the same designation as today.

"And finally, the 1987 audit recommends that chapter 206J, HRS, establishing the Aloha Tower Development Corporation be repealed. In 1987 the recommendation was to repeal the ATDC. So let's fast forward today where the same issues, the same lawsuits over the same property.

"Let me recap. In 1988 the developer, Honolulu Waterfront LP sued Aloha Tower Development Corp. for a breach of a development agreement executed in 1986. And this lawsuit was apparently settled. But in 2002 the Aloha Tower LP sued the Aloha Tower Development Corp. for a breach of development agreement concerning the Aloha Tower Marketplace Parking, which is still pending today. In 2007 the Hughes Development LP sued Aloha Tower Development Corp. for a breach of a development agreement executed in 2004; and this case is set for hearing this May.

"I did however find one development agreement that didn't end up in litigation. It was in October 2001 at a presentation for the New World Divers represented to the ATDC board. Five years later in 2006 they entered into an agreement with the New World Divers. However, this past December 2007 the development agreement with New World Divers was terminated by the board.

"So, Madam President, in its 27-year history ATDC has entered into 4 development agreements—3 of which culminated in lawsuits and 1 was terminated. Not only has ATDC not accomplished its legislative mandate, but ATDC does not have any current new development projects, and pretty much exists to defend itself against the pending litigation.

"So consider this harbor modernization plan, it gives ATDC jurisdiction over the Honolulu Harbor. They will be responsible for the development of infrastructure, expansion of facilities and tenant relocations, including but not limited to the development of the new Kapalama Container Terminal.

"Kahului Harbor. They'll be responsible for the development of infrastructure; expansion of facilities; tenant relocations; acquisitions of lands, including but not limited to West Harbor barge ferry slip; West Harbor dredging and breakwater; West Harbor cruise terminal; Pier 1 fuel line replacement upgrades; East Harbor breakwater; and Pier 2B strengthening; and similar projects for Hana Harbor; Hilo Harbor; Kawaihae Harbor; Kalaheo Harbor; Nawiliwili Harbor.

"Why would we want to entrust ATDC—who's mired with lawsuits—to manage and shepherd this very important, very complex and much-needed harbor modernization plan which include all of the neighbor island harbors when ATDC has not fulfilled their intended purpose and has not successfully developed Piers 5 and 6?

"Finally, this bill states that ATDC can also assist the Harbors Division by providing financial support from its limited commercial development. How, I ask, will ATDC assist Harbors with funds when ATDC already has to pay Harbors for lost revenue? This lost revenue is from land that ATDC has not developed. I believe that ATDC currently owes Harbors more

than \$7 million, and this is not even accounting for any litigation cost that is pending.

“So, I urge you to really think about this before you put our harbors in the hands of ATDC. The administration should have an alternative entity, Madam President, to handle the modernization of our precious harbors. Thank you.”

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

“Madam President, I rise to speak in favor of S.B. No. 3227.

“The good Senator from Moanalua brought up some very salient points; and her points were well made, well researched, and certainly well documented. I would be the first to admit that in prior years, dating back in 1987 as the audit said, there were some serious problems with ATDC. But I would suggest to the Majority Party that let’s not lose sight that the ultimate goal here is to improve our harbors. I believe both the Minority and Majority Caucuses were given presentations on what is being done in the individual harbors—both here on Oahu and on the neighbor islands—and it’s long overdue.

“I would suggest that we all vote in favor of this bill, and let it proceed through the process. And if we have to fine tune the management of it, so be it. The bill does allow for funding for new staff to help address some of these needs. It also allows for the Harbors staff to assist the ATDC, and if there is another audit being conducted that may give us some updated information from what obviously is the debacle of 1987, which the good Senator articulated so well.

“So I would suggest that we have to proceed with this harbor revitalization program. The ATDC may not be the best or only organization to do it, but we can address that issue. But it would not make sense at this point to scuttle the whole plan to revitalize the harbors, especially on the neighbor islands, where it’s so desperately needed.

“So I’d urge my colleagues to vote in favor. Thank you, Madam Chair.”

Senator English rose to speak in support of the measure and stated:

“Madam President, I rise in support.

“President, members, this particular measure puts forward an idea that we need to improve our harbors and puts forward a plan to do it. So we’ve not had this opportunity since perhaps shortly after statehood when infrastructure of this nature went in and there’s been great neglect over the years.

“Kahului Harbor, as you know, is beyond capacity. Honolulu Harbor is scheduled to reach capacity in the next two to three years. Hana Harbor is condemned. Kawaihae Harbor is cracked from the earthquake. We have major problems with the movement of goods in the state.

“The secondary issue is a movement of people, which has reentered our public debate with the reintroduction of cruise ships and the Superferry. But you know we forget that before the airports and before that mode of transportation, we had interisland steamships that went to harbors, and we moved people as well as goods.

“So I ask your support of this measure. It’s not a done product, and there’s still a lot of work to be done on it I’m sure. But we have to move the measure forward because this item is simply too large for us to hold up in this manner. There are many good points. There’s an investigative committee that’s been put together to look into Aloha Tower Development Corporation, and it may indeed not be the best agency. But the vehicle needs to move forward and I ask for your support on that. Thank you.”

Senator Kim rose in rebuttal as follows:

“Madam President, rebuttal.

“I certainly appreciate the comments that have been made by previous speakers, and I agree that this is a very important project and we need to move forward on our harbors. But we then need to be careful that we don’t put it into the hands of an entity that’s not going to end up six years from now not doing what we need to do; and that we may be ending up in more lawsuits.

“But I do think that we need to send the message to the administration to say, ‘Give us other alternatives; give us other entities that can do this.’ And there should be other ways; there cannot just be one entity that can do this. And so I hope that in some manner we will send that message because it seems as though they’re just going to ram this down our throats. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2760 was adopted and S.B. No. 3227, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HARBORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 11 (Hee, Hooser, Ige, Ihara, Menor, Nishihara, Sakamoto, Slom, Taniguchi, Trimble, Tsutsui). Noes, 1 (Kim).

Stand. Com. Rep. No. 2841 (S.B. No. 2733, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2841 be adopted and S.B. No. 2733, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition and said:

“Madam President, I rise in opposition to this measure.

“Much has been said about the ceded lands settlement. I participated in the five-hour public hearing here at the state auditorium. If anything, I think more questions were raised than answers provided. There is a real division in what people think in terms of the ceded lands or accessible lands. I don’t think there is any question that the State has an obligation, under the Statehood Act, the Admission Act, to provide for certain lands.

“I think, however, the problem comes in when we talk about who is the obligation or responsibility to and for. Some people would think that it is a very narrow group of people, notably the Office of Hawaiian Affairs. Other people would suggest that it is expanded and includes all different and disparate groups of native Hawaiians. And still others argue that, as in the original language, it says native Hawaiians and the general public, and that many feel that the general public in fact has not been a part of these discussions.

“I see that as the bill has gone on and been amended and the difference in the House version that we really, at this point, are not even talking about a settlement, or if we are we’re talking about a partial settlement. We’re also still arguing about the fiscal responsibility of the state and the fiscal capability of this state to bind future legislators and also future taxpayers. I think that there are many, too many, unanswered questions. I think that from the outset the negotiations, which were quiet and behind closed doors, did not seek to broaden and bring in many of the other participants.

“I think that we could have mitigated a number of the problems and issues, but that was not done. I know that there are still meetings that are going on right now, and I think that this bill is premature. And I’ll be voting ‘no’. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2841 was adopted and S.B. No. 2733, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS SETTLEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2464:

Senator Fukunaga moved that S.B. No. 2464, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Slom rose to speak with reservations as follows:

"Madam President, I rise to speak with reservations in support of this measure. Reservations and support because of all the wonderful keiki that came to our Legislature to testify in favor of the monk seal being our state mammal.

"Now you may think that when we're talking about bans on different bills, we're talking about Aloha Tower Development and its ability to take care of the harbors, and we talk about taxes and everything else, the discussion on the monk seal should be very quickly dispatched. However, my staff and I have done some research, and we have some troubling questions which I think we should bring before this Body today.

"First of all, some of us remember the very difficult and political campaign that was waged in behalf of the humuhumunukunua'ā many years ago, resulting in the state fish only being given temporary status at that time. And since that time, we've named just about everything—state rock, state this, state that, state flower, and the state mammal. We have a state marine mammal—that mammal is the humpback whale, which we're all very proud of and happy about. And now there's been a campaign to elevate the monk seal, the Hawaiian monk seal, to the status of state mammal. And everybody has visited Chester over in Kailua and watched his molting and everything else. But they haven't watched the real background on mammals.

"And the problem that I see is that we want to bestow upon the monk seal the title of our state mammal when in fact the monk seal is not a mammal—it is a marine mammal; it is a pinniped. And if we do our research and we look that over very carefully, we find out that the monk seal then would be incurring on the rights of the humpback whale that we have right now.

"And in all of this discussion, Madam President, there's somebody that's been left out of the discussion. And we talk about discrimination, and we talk about laws of omission. And there's one character that has gotten no respect and no discussion. Madam President, I hold up to you the truly indigenous land mammal of Hawai'i—the Hawai'i hoary bat. Who speaks for the hoary bat, Madam President? (Laughter) If no one speaks for the hoary bat, then I feel that it is my responsibility to come forward and talk about this.

"And so I think that we should be very careful when we try to have two state mammals, and we don't differentiate between the land mammal and a marine mammal, which is what the monk seal is. I'm very happy with the next bill that will designate a monk seal day during the year, on a Saturday. But I ask again, who could not love, who could not care for, who could not be concerned about the Hawaiian hoary bat—particularly since we're going to take up bills in a little while about eating cats and dogs and horses and pigs and things like that.

"So I will support this bill, Madam President, but I would ask my colleagues to look deep into their minds and their research and not overlook our hoary bat. Thank you."

The motion was put by the Chair and carried, S.B. No. 2464, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Ayes with Reservations, 1 (Slom). Noes, none.

S.B. No. 2465:

On motion by Senator Fukunaga, seconded by Senator Espero and carried, S.B. No. 2465, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MONK SEAL DAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2731 (S.B. No. 2333, S.D. 2):

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2731 was adopted and S.B. No. 2333, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2769 (S.B. No. 2913, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2769 be adopted and S.B. No. 2913, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak against the measure and said:

"Madam President, I rise to speak against S.B. No. 2913.

"Colleagues, this bill seeks to provide an exemption for the payment of state general excise tax for aviation fuel. Now, if we want to exempt the payment of general excise taxes for aviation fuel that is used in inter-/intra-state commerce, that's fine. But what this bill does is it uses, I would guess, fuzzy logic to try and convince you that this is trying to provide a level playing field. And the proponents of this bill assert that merchandise that was once in a foreign trade zone should be exempted, whether it is used on an international flight, an interstate flight, or an intrastate flight. And I want you to examine whether in fact this is true or it's fuzzy logic.

"If we go back before the Hawai'i Fueling Facilities Corporation was a foreign trade zone—and we only have to go back to 1997—you would find at that time that flights, qualifying flights that were international, did not pay customs duty. They used bonded fuel because it was considered outside the commerce of the United States. And as such, the State of Hawai'i had no taxing jurisdiction. If you looked at flights from Hawai'i or Alaska to the U.S. mainland, you would find that—while these flights did pay customs duty, did not use bonded fuel—that these airlines were allowed to apply for a drawback or a refund of the customs duty so paid. And again, were not subject to the payment of state taxes because the fuel was not consumed in the State of Hawai'i.

"If you go back to 1997 before HFFC was a foreign trade zone, you would find that Aloha and Hawaiian and other commercial airlines that flew intrastate—within the State of Hawai'i—did pay general excise tax on the fuel because it was consumed within the State of Hawai'i. Once Hawai'i Fueling Facilities became a foreign trade zone—and they became a foreign trade zone to allow the chain of custody of when foreign crude oil arrived on our shores til when it was loaded on an

airplane to be continuously within one foreign trade zone or another—it was done with the hope of making the process simpler and avoiding the possibility of customs fines and errors or inadvertent errors when it was loaded onto an airplane.

“So whether the fuel came from a foreign trade zone, or not, has no bearing in terms of whether it should be subject to State of Hawai‘i taxes or not—it all depends on whether it’s consumed within the State of Hawai‘i or not. And the reason why I bring this up is because if we insist on passing this bill, what is going to be its consequence going forward?”

“There are many products that are stored within a foreign trade zone. For example, if you look at their annual report, you will find that automobiles or motorcycles are stored within the foreign trade zone. Well, some of these automobiles and motorcycles are exported, outside the United States, and are therefore not subject to State of Hawai‘i general excise tax.

“If we pass this bill, are people going to say we want a level playing field so that motorcycles and automobiles that come out of a foreign trade zone in domestic status are not subjected to general excise taxes if they’re sold in Hawai‘i? I think not. So if we’re not going to treat motorcycles and automobiles, then we should not treat aviation fuel coming from a foreign trade zone if it is used in domestic grounds??? by excluding it from the taxing jurisdiction of the State of Hawai‘i.

“It’s not about a level playing field. It’s about trying to convince somebody that somehow the foreign trade zone program is a loophole where firms use it to avoid the payment of state taxes. That’s not why the program was created, and I don’t want future lawmakers to think of that when they consider the foreign trade zone.

“So, colleagues, if you want to exempt aviation fuel that is consumed locally from state taxes, let’s do so. But let’s not talk about it in terms of the foreign trade zone law. Thank you.”

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

“Madam President, I rise in support of this measure.

“I’ve found the remarks of the previous speaker most interesting but not really on point. The point is that the sale of fuel from a foreign trade zone for use by airlines traveling out of the state are in fact exempt from the GE and use taxes. And so this measure will, in effect, attempt to level the playing field to insure that we have a healthy interisland airline system.

“But more importantly, the application of Hawai‘i general excise and use taxes to interisland flights violates the Federal Aviation Act, which includes interisland flights in the definition of interstate air transport. That’s really why we are additionally passing this measure. It is to provide conformance with the FAA rules, law, and regulations as well as to insure that we provide for our interisland carriers, that are really the transportation lifeline in our state. They need the ability to stay healthy at a time when we know that skyrocketing fuel costs have been both volatile and escalating, surpassing now what the airlines pay for labor. So it’s important to the economic lifeblood of Hawai‘i that we move this measure forward. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2769 was adopted and S.B. No. 2913, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 2789 (S.B. No. 2646, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2789 be adopted and S.B. No. 2646, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2789 was adopted and S.B. No. 2646, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Ayes with Reservations, 3 (Bunda, Gabbard, Ihara). Noes, none.

Stand. Com. Rep. No. 2801 (S.B. No. 2498, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2801 be adopted and S.B. No. 2498, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Trimble rose to speak with reservations and stated:

“Madam President, I rise with reservations concerning this measure.

“This measure refers to the harvest season and in general brings to mind of, in other cultures and other societies, when, say, thanksgiving is recognition of the end of the harvest season. In China, it’s the autumn festival.

“But what I find curious is in the bill it talks about various locations, one of which Hawai‘i is in the northern hemisphere; the other three or four are in the southern hemisphere. And it is my understanding that the harvest season occurs approximately six months apart in the southern hemisphere as in the northern hemisphere. So I’m concerned when we refer to the Makahiki or harvest, after the harvest season, as being coming at a particular time of year when we’re talking about peoples on both sides of the equator. Thank you.”

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

“Madam President, I rise in support.

“You know, we only can pass legislation concerning Hawai‘i. So rest assured that we’re only dealing with Hawai‘i, not with any of the other jurisdictions in the region. The good Senator, I’ll be very pleased to give him a Hawaiian history lesson after this so that he can understand the importance of Makahiki in Polynesia, which spreads across many time zones, and most of the Pacific. And frankly, we don’t recognize many of the political divisions that are there. It’s simply that we are one people and one culture.

“So just for the members to understand that what’s happening in the independent jurisdictions in Polynesia, the territorial jurisdictions, etc., they’re all adopting November 20th as the recognition of the harvest. We also have to understand that because this is based on the rising of the Pleiades, it’s not a fixed date in time. So these jurisdictions have all said let’s pick November 20th as the day to recognize it so that we have a date, but knowing that it’s a moving time around that period. And for most of the South Pacific, they celebrate both the rising and the setting of the Pleiades. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2801 was adopted and S.B. No. 2498, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A MAKAHIKI DAY COMMEMORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Ayes with Reservations, 1 (Trimble). Noes, none.

Stand. Com. Rep. No. 2834 (S.B. No. 2196, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2834 be adopted and S.B. No. 2196, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition and said:

“Madam President, I rise briefly in opposition to this bill.

“The original bill called for a great deal of existing re-regulation or expanded regulation of our commercial activities plus new regulation. The latest draft has taken away the old regulation expansion and just added new commercial boat regulation in private marinas. But I think the intent is clear. It’s more regulation. And it was opposed by the very agencies that are responsible for enforcing this. I note that the only testimony came from four individuals and no agencies or no organizations. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2834 was adopted and S.B. No. 2196, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2854 (S.B. No. 3115, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2854 be adopted and S.B. No. 3115, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition as follows:

“Madam President, I rise in opposition to this bill.

“I support the concept of the bill, support the idea of encouraging electronic filing of our tax returns, both for an efficiency and cost-saving method. Unfortunately, this bill creates a new special fund—the Integrated Tax Services and Management Special Fund. And the latest draft also includes the streamlining tax proposal, at least software and enforcement. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2854 was adopted and S.B. No. 3115, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC TAX ADMINISTRATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

THIRD READING

MATTERS DEFERRED FROM FRIDAY, FEBRUARY 29, 2008

Stand. Com. Rep. No. 2612 (S.B. No. 2159):

Senator Kokubun moved that Stand. Com. Rep. No. 2612 be adopted and S.B. No. 2159, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Trimble rose to oppose the measure and said:

“Madam President, I rise briefly in opposition to this measure.

“Colleagues, we have a process. The process is that we have used for the last few years, I believe without exclusion, is that the Legislative Auditor does a study, and we wait until after we receive that study before we decide whether to remove the sunset restriction.

“Here we’d be removing the sunset restriction before the Legislative Auditor has turned the study in to us. I think that it

goes contrary to the procedures that this Body set up that they wished, or said they wished to follow. Thank you.”

Senator Kokubun rose to speak in support of the measure and stated:

“Madam President, I rise in support of this measure.

“If you’ll note that in the testimony we did receive indication from the Auditor’s office that she is in support of this measure although has not submitted her final report yet. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2612 was adopted and S.B. No. 2159, entitled: “A BILL FOR AN ACT RELATING TO PROFESSIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2614 (S.B. No. 2770, S.D. 1):

Senator Kokubun moved that Stand. Com. Rep. No. 2614 be adopted and S.B. No. 2770, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ige.

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

“Madam President, I rise in opposition to this bill.

“The bill is about motor vehicle and insurance and managed care options. And the proponents of the bill said that the reason that they are supporting this bill is because they have difficulty in getting managed care options on the neighbor islands. The Insurance Commissioner testified in opposition to the bill, that if the bill passes, insurers would have no incentive to establish or maintain managed care systems. So the bill actually goes against what the supporters say they want. We have a system right now that seems to be working. This bill would make it even more difficult and provide disincentives rather than incentives for managed care. Thank you.”

Senator Kokubun rose to speak in support of the measure and stated:

“Madam President, I rise in support of this measure.

“The previous speaker did identify the issues that came before this Committee. However, there was also testimony indicating that this would not necessarily do away with managed care programs and in fact that that option would still be available.

“We are aware though that we need more direct testimony, particularly from the private company that is providing that managed care service on the neighbor islands, particularly Maui County. And so we defected the date on this bill so we could move it forward. But I think it’s important that we get specific testimony from that private company with respect to further action on this bill. But I think at this time, it would behoove us to move the bill forward so we can have those questions answered. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2614 was adopted and S.B. No. 2770, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Bunda, Hemmings, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 2618 (S.B. No. 3200, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2618 be adopted and S.B. No. 3200, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to this measure.

“Colleagues, in law we’ve already given permission for a great number of state agencies to retain their own attorneys. And we did it on a case-by-case basis. If I understand what this bill really will do is that it will increase the cost of doing government through the cost of litigation when there are alternatives to litigation. And it will permit any board or commission, that at any moment in time happens to be in disagreement with some other department or board, to retain an attorney.

“I think that, from our perspective, it is important that the Administration talk to us with one voice. And this would go contrary to that. For that reason, and for the reason of cost, I oppose this measure. Thank you.”

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

“Madam President, I have comments in support of this bill that I’d like to have inserted into the Journal.”

The Chair having so ordered, Senator Taniguchi’s remarks read as follows:

“Current law requires the attorney general to provide counsel and representation to state departments and other branches of state government.

“This bill attempts to address situations where two departments or agencies develop a legal dispute involving adverse interests, and both have to look to the attorney general for advice and representation. In these situations, the attorney general may want to decline representing one or both departments or agencies, and the department or agency does not have a say in this decision.

“What this bill does is establishes the responsibilities of the attorney general toward a department or agency for which the attorney general declines to provide representation because of a conflict of interest with another department or agency.

“This bill requires that, if the attorney general determines and discloses a conflict that requires the attorney general to decline representation, and unless the department or agency waives the conflict, the attorney general must employ or retain an attorney for the department, subject to the department’s or agency’s approval. The attorney general is probably in a better position to recommend private counsel for representation.

“Public officials, department heads, and other state employees, who are called upon to exercise discretion and critical decisions on a daily basis, must be assured that sound advice and representation is available to them when needed.

“For these reasons, I ask my colleagues to support this bill. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2618 was adopted and S.B. No. 3200, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Baker).

Stand. Com. Rep. No. 2620 (S.B. No. 2081, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2620 be adopted and S.B. No. 2081, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

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

“Madam President, I rise in opposition to this bill.

“You know, some bills we discuss and the possibility of unconstitutionality arises or part of the bill. The nice thing about this bill is the entire bill is unconstitutional, and it’s very clear and very concise. All one has to do is read our State Constitution. This bill seeks to limit and strip the powers of pardon of the chief executive; which is very clearly defined in our state constitution—does not require any additional acts by the Governor; does not require the Governor to come before the Legislature; does not require the Governor to give 30 days notice; does not require the Governor to look at different classes of pardons.

“It is clearly unconstitutional. It is clearly an attack on the separation of powers and should be defeated. Thank you.”

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

“Madam President, I’d like to rise in support of the measure.

“I respectfully disagree with the comments of our previous speaker. This measure is just about transparency in our executive branch. It’s good public policy and it’s an opportunity for individuals to give their input. The Governor should not be afraid of public input. The Governor should not be afraid of criticism. We’ve got three stakeholders here—individuals who may be asking for pardons; victims themselves; and the Governor. And we are not putting any limitations on her decision or stripping her of any authority. Under our State Constitution, she may grant pardons. Under this measure, she continues to grant pardons. We just ask her for a 30-day notice. Thank you, Madam President.”

Senator Baker rose with reservations and said:

“Madam President, please note my reservations on this measure. I have concerns that it politicizes the pardon process.”

The Chair so ordered.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2620 was adopted and S.B. No. 2081, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Ayes with Reservations, 7 (Baker, Chun Oakland, Ige, Ihara, Inouye, Menor, Nishihara). Noes, 4 (Hemmings, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 2630 (S.B. No. 2837, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2630 be adopted and S.B. No. 2837, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to this measure.

“Colleagues, what this measure does simply is it expands the development accounts so that what savings in that account may be used for is an automobile. And it states in the bill that an automobile is an essential asset. I question that. I don’t think

that we should expand the uses to which this account may be used for. And for that reason I urge you to join me in voting 'no.'"

Senator Hemmings rose to speak in opposition and stated:

"Madam President, I rise to speak against this legislation also.

"I would like to point out to my colleagues in the most constructive way what a contradiction this bill presents regarding the automobiles the previous speaker spoke about. We authorized several years ago the collection of a tax increase on the poor—the excise tax. And everybody will be paying more taxes for the rail system. We want everyone allegedly to get out of their cars and start riding the rail. And now we're passing a bill where we're going to provide economic incentives for people to buy cars. The two don't add up. I would urge my colleagues to vote 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2630 was adopted and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 2631 (S.B. No. 2958, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2631 be adopted and S.B. No. 2958, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak with reservations saying:

"Madam President, I rise with strong reservations about this bill.

"You know when this tax was first passed—the 66 cents per month per mobile phone—I raised objections and voted against the bill. For two years when that tax was in effect, we later found out that much more money was collected than was actually expended. Now we're told we can reduce this, and in fact the supporters of this bill have said that it is a refund or reimbursement to the public. It's no reimbursement at all. We're not getting anything back. It's just that instead of 66 cents per month, we're still going to be taxed, but it will be 43 cents a month, and again for undescribed and unspecified future expenditures.

"My bill that I had introduced before—S.B. No 2475, which would have abolished this additional cost, would have helped everybody's standard of living—was not even heard. So we didn't get to discuss the merits and demerits and the financial obligations of the mobile companies. I think the mobile companies are doing quite well. I think that anybody that looks at their mobile bill, however, each month finds increasing fees and costs. And so this bill I will support it only because it's reducing it. But the real direction should be to abolish this tax. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2631 was adopted and S.B. No. 2958, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Ayes with Reservations, 1 (Slom). Noes, none.

Stand. Com. Rep. No. 2632 (S.B. No. 2189, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2632 was adopted and S.B. No. 2189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 2637 (S.B. No. 2535, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2637 be adopted and S.B. No. 2535, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

"Madam President, I rise in opposition to this measure.

"Colleagues, this is kind of curious. This measure seeks to put a surcharge on crime. And this surcharge would be deposited in a special fund. But the surcharge would only apply if the person that committed the crime can afford to pay it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2637 was adopted and S.B. No. 2535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Slom, Trimble, Whalen).

THIRD READING

S.B. No. 2258, S.D. 1:

Senator Taniguchi moved that S.B. No. 2258, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition as follows:

"Madam President, I rise in opposition to S.B. No. 2258.

"Colleagues, the use of proxies is a standard practice on boards and commissions. Elimination of the use of proxies would make it more difficult for them to meet, have a quorum, and have good discussion. And so because it would make government less efficient, I oppose this measure."

Senator Kim rose to speak in favor of the measure and said:

"Madam President, I rise to speak in favor.

"As a note, the matter of proxies is not a normal procedure of boards and commissions. This is the only one that uses proxies. Thank you."

The motion was put by the Chair and carried, S.B. No. 2258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

S.B. No. 2204, S.D. 1:

Senator Taniguchi moved that S.B. No. 2204, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

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

“Madam President, I rise to speak in support of S.B. No. 2204, S.D. 1.

“This bill consolidates amendments contained in various bills that dealt with campaign spending. Major amendments include: the Campaign Commission’s clean up language on e-filing; who is a person; and what constitutes a loan. According to the Commission, when a person purchases items and then submits a receipt for reimbursement, it is considered a loan and must be reported as such with documentation. This is for items over \$100. I do not believe that this is the intent of the law, and that is why this clarification is needed.

“Your Committee also increased the amount required to report names and addresses to individuals from \$100 to \$250. This amount has not changed for years, and due to inflation we believe the amount should be increased.

“We also changed the requirement that a candidate may use campaign funds for ‘ordinary and necessary expenses’ to ‘ordinary and customary expenses.’ I felt that this is needed because one testifier indicated the term ‘ordinary and necessary’ as defined in the Internal Revenue Code means anything that is not extravagant. The Campaign Spending Commission, however, has interpreted the term to mean only expenses that are absolutely necessary. I believe that the main thrust of the campaign spending law is to provide transparency. So long as information about a candidate, including the revenue and expenses, is known, the public can decide whether to support or oppose the candidate.

“Finally, this bill addresses the issues related to the *Tavares* case by clarifying that a corporation using its own treasury has no limit as to its contributions or expenditures to the corporation’s non-candidate committee. I want to note that campaign contribution limits still apply to non-candidate committees. And I need to make it clear that this bill does not allow a corporation to make unlimited contributions to a candidate.

“For these reasons, I ask members to support this bill. Thank you.”

Senator Trimble rose to speak in opposition to the measure and stated:

“Madam President, I rise in opposition to S.B. No. 2204.

“Colleagues, only a couple of years ago at least one among us was complaining that it seemed like it only rained in Manoa. Today it seems like there are people here that want it to rain all over the state of Hawai‘i and it is perhaps only Republicans that want the sunshine to come through.

“And I only want to speak about two specific references. One is that it would remove the cap on the amount of money that a corporation could move to a corporate pact. We should treat the law with respect. There are some people in the community that think that we didn’t make a mistake when we put the limit on—that it was intended to affect somebody upstairs when she chose to run for reelection.

“Now whether this is true or not really doesn’t seem to matter. But she was reelected. And I don’t think that we want the people to think that we’re incompetent and that our motivation was somehow a simple oversight. I think that members of this Body truly wanted to limit corporate contributions that would work its way into campaign contributions. Now this Body decided that it didn’t need to apply the same restrictions to labor. It’s okay that you don’t want it to be applied equally. If you want it to be applied equally, you could put the same restriction on organized labor, and I think your Republican colleagues would support you in your efforts for bipartisan campaign finance reform. But to call

this bill campaign finance reform when it’s a giant step backwards is, as the Senator in front of me would say, disingenuous. Others would prefer that we ban that word in our discussion of bills.

“But the second thing is that it’s increasing the veil of secrecy from \$100 to \$250 for the disclosure of individual or personal contributions. It is interesting to note that the limit of \$200 applies in federal elections. So why are we trying to raise a veil of secrecy above that which is required in the federal elections?

“In the name of good honest campaigns, I support that you reject this measure and only vote in favor of one that is truly a campaign finance reform. Thank you, Madam President.”

Senator Ihara rose to speak in opposition as follows:

“Madam President, I rise in opposition to S.B. No. 2204.

“Madam President, with all due respect to the Judiciary Chair, yourself, and colleagues, I must stand in opposition to this bill. While I agree with many parts of the bill, there is one section that is so objectionable to me that I am compelled to vote against the entire bill, unfortunately.

“This is section 6 of the bill that allows corporations to transfer an unlimited amount of its funds from its treasury to the corporation’s own political action committee. Instead, I believe corporations should be prohibited from making any contributions.

“Section 6 of S.B. No. 2204 in effect allows corporations to make unlimited donations to candidates, subject to the same limits imposed on individuals. I understand the intent of this provision is to resolve a lawsuit now before the Intermediate Court of Appeals and overturn the Campaign Spending Commission’s ruling that limits corporate campaign contributions to a total of \$1,000 per election. From the Judiciary Committee’s perspective, this bill seeks to clarify that the Legislature did not intend to limit corporate donations when in 2005 it enacted Act 203.

“The dispute before the Appeals Court is whether or not the current statute limits the total amount of campaign contributions corporations can make in any election period. Instead of waiting for the case to be decided by the Appeals Court, this bill directly addresses the policy issue of whether or not corporations should be afforded the same rights to participate in elections as individual people.

“I believe not, and here are my reasons. I believe corporations already have too much political power as compared to people in the general public. Corporate officers, directors, and managers can now each donate at the same level as people outside the corporation. Allowing corporations an additional source of funds for campaign contributions—their own corporate checkbook—would give them an unfair advantage in influencing elections. In competitions for elective office, I believe citizens should have a level playing field.

“Currently, each corporation can use only \$1,000 of its funds to spread among the various candidates. If this limit is removed, each corporation could donate to the pool of candidates a maximum of \$260,000 per election period, which is far more than most people have available for this same purpose. When corporations have common interests at stake in an election, they could easily overwhelm and dilute the impact citizens could ever wish to have on elections.

“The public believes there is already too much special interest money in campaigns. And this undermines public trust and public policymaking. While there is concern that corporate offices and directors may contribute to campaigns with their corporation’s interests in mind, it is clear that corporations are

legally bound to act only to advance the goals of their own corporation. This makes corporations a special interest by definition—not a negative thing, but it’s an interest that is specialized, which is for the purpose of the corporation. By allowing corporations to make campaign donations, it only increases the influence of special interests in elections.

“One hundred years ago, the federal government prohibited corporations from making contributions directly to candidates as well as political action committees. And in 18 separate years, one by one 22 states have established bans—complete bans—on corporate contributions. If this bill passes, Hawai‘i would be the first to reverse this trend by increasing, rather than decreasing, the level of corporate participation in elections.

“In our representative form of democracy, the only accountability mechanism available to citizens is elections, which many people believe is a poor one at that. I believe we should enhance the public’s belief that elections do provide an effective accountability tool. And we should reduce special interest money, rather than increase it.

“I understand that my support for a prohibition of corporate contributions could result in less campaign funds for Senators as well as myself. And this issue illustrates what I believe is a situation where the Legislature has a conflict of interest. And in order to avoid such conflicts, I propose an establishment of an independent citizens council to recommend legislation on matters that directly affect us—such as legislative ethics and lobbyists regulation.

“This year, if voters approve a constitutional convention, which I support, perhaps it will address these matters, including this issue of corporate campaign contributions. Thank you, Madam President.”

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

“Madam President, I, too, rise in opposition to this bill.

“It certainly is a truism that politics makes strange bedfellows. And it’s also interesting about the selectivity that sometimes we apply to issues like ethics and also campaign spending reform.

“The two previous speakers I think made excellent points. The Senator, good Senator from Kaimuki—I don’t know how you can argue against his rationality and reason. I’m not anti-corporations, as everyone knows, but there is a place for corporations, an artificial entity, in our society. And the good Senator from Waikiki brought up the fact that if we really wanted a level playing field, that we would make sure that what’s good for goose is good for the gander, too, in terms of organized labor—labor unions. We don’t do that, so we’re very selective there as well.

“But if anybody doesn’t think that this is an important issue and a litmus test with the public, they’re wrong. The Senate now stands alone with this bill and this poor legislation. There is no confusion about what the original intent was, in terms of campaign spending reform, and what the public thought that they got. Now the public is getting short-changed if we advance this bill. We have to stick by what we say we believe in and in what we say is right. And I think that too often when we brush off conflicts of interest or conflicts of interest that apply to other people, we disregard what the good Senator from Kaimuki just said—that oftentimes if we are involved, and particularly if we are involved financially, maybe we should have somebody else take a look at the situation.

“I, too, like the good Senator, very strongly support a constitutional convention, not only to take a look at these issues but also as he mentioned the public is left unarmed out there.

They have the election process, where lots of times we have candidates unopposed. But we have no statewide initiative, no statewide referendum, no statewide recall, no term limits in the Legislature. And so these are things that I think have to be looked at. But the immediate problem is right now with this Senate bill.

“I think all of you have received as much e-mail, faxes, phone calls, and personal visits as I have on this issue. I don’t that there can be any doubt that even though this is an attempted comprehensive bill—and there are several good parts of it—it merely nibbles around the outside of what the real issue is. And the real issue is keeping that limitation on corporate contributions. Thank you.”

Senators Menor, Bunda, Nishihara, Fukunaga, Chun Oakland, Ige, Baker and Espero requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2204, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Ayes with Reservations, 8 (Baker, Bunda, Chun Oakland, Espero, Fukunaga, Ige, Menor, Nishihara). Noes, 7 (Gabbard, Hee, Hemmings, Ihara, Inouye, Slom, Trimble).

S.B. No. 2887, S.D. 1:

On motion by Senator Espero, seconded by Senator Tokuda and carried, S.B. No. 2887, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3146, S.D. 1:

Senator Taniguchi moved that S.B. No. 3146, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition and said:

“Madam President, I rise in opposition to S.B. No. 3146.

“Colleagues, we are a multi-ethnic blend or salad bowl, if you will, of people from all over the world. I agree that one should not eat one’s own pet. I do not find, if we look around our society or around the world, there is agreement as to what is protein and what is a pet.

“To pass this bill, at best, would show our cultural insensitivity. One of the essential defining characteristics of a culture is the food they consume and they way it is prepared. By this measure, at best we’re culturally insensitive; at worst we’re blatantly discriminatory to other cultures and other people. I urge you to consider that before you vote for this bill. Thank you.”

The motion was put by the Chair and carried, S.B. No. 3146, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIMES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Trimble, Whalen).

S.B. No. 2301, S.D. 1:

Senator Taniguchi moved that S.B. No. 2301, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hemmings rose to speak in favor of the measure and stated:

“Madam President, I rise to speak in favor of this bill.

“This bill may have a double entendre of Orwellian proportions. And I think it’s highly laudable that this Senate wants to enhance the sentencing for someone who would commit a crime against a pregnant woman. But yet we’re one of the only states in the nation that allows a near-term baby to be killed in the womb and nothing to be done. Hopefully, that will be considered some day also.”

The motion was put by the Chair and carried, S.B. No. 2301, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2575 (S.B. No. 2215, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2575 be adopted and S.B. No. 2215, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition as follows:

“Madam President, I rise in opposition to the bill.

“I think this is one of those bills that have been blown out of proportion. And it’s an attempted feel-good bill to label meat. Meat is already labeled, number one. Number two, we have a federal law that is supposed to be in effect September 30th of this year, rendering the state law inoperable. Number three, there have been other states that have attempted similar laws, and they have all been, to my knowledge, struck down by the courts because they violate the commerce clause. Thank you.”

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

“Madam President, I rise in support of this measure.

“The purpose of this measure is to establish a country of origin labeling requirement for beef, pork, poultry and lamb sold here in Hawai‘i. It requires grocers to list the country of origin for all meat products sold and allow consumers to know just where their food is coming from. By better informing consumers about where their food comes from, it’s also our hope that we’ll be able to better support our local livestock industry, which many of you know is in dire need of consumers and support.

“With recent concerns over tainted food additives and products from such places as China, it should come as no surprise that a July 2007 survey done by Consumer Reports showed that 92 per cent of those surveyed strongly agreed that imported food should be labeled with their country of origin.

“While my colleague from Hawai‘i Kai is correct that other states have tried country of origin labeling in their state, he is incorrect in that there is a state, in fact, that has been very successful in implementing their own country of origin labeling standards—and that is Florida. Currently the attorney general is reviewing Florida’s statutes to find a way that we can not only look at meat products for country of origin labeling but also for that of honey as well.

“The federal government has failed to implement its COOL program since its inception in 2002, and it has been delayed twice over the past six years. And at current, it is scheduled to be enacted for September 30, 2008. Currently as well, there are rumblings that this date may be further pushed back, especially given the change of administration towards the end of this year.

Given the fact that the federal government has stated that they will go ahead and implement this program by September 30, 2008, we’ve gone ahead and delayed the effective to December 31, 2008 to monitor the federal government’s progress. But should they fail to do so, as they have since 2002, this will basically be a measure to better protect and give our consumers a choice. Thank you very much.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2575 was adopted and S.B. No. 2215, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MEAT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 2576 (S.B. No. 3083, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2576 be adopted and S.B. No. 3083, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose to speak in opposition and said:

“Madam President, I rise to speak against S.B. No. 3083.

“It seems that Hawai‘i Health Care Systems has been on perpetual life support with emergency appropriations necessary to underwrite the operation of the facilities statewide every year. And it is usually a large sum of money, as this is. There are reasons for this, and until we address those reasons, we’ll continue to have to throw good money after bad. Not only are the health and welfare of some people imperiled on the neighbor islands, where they’d have to catch air ambulance service to Oahu to get good medical care, the cost implications are tremendous in human health and also in pocketbook issues.

“In their own testimony, Hawai‘i Health Care Systems pointed out some reasons for the problems. One of them—the implication of mainly government employee union’s workforce, local knowledge suggests—and an external audit firm review confirms that generally the low productivity and no incentives structure have significant limitations to major costs to the system.

“So it’s been clearly identified by the Health Care Systems board that they do have some problems, and those problems are not being addressed. And what we are doing in lieu of that is to throw money at the system. And it just does not make sense. I might add parenthetically to this that there is an opportunity to have a more competitive marketplace for medical care, on the neighbor islands especially, with private hospitals. But that convenience we have here on Oahu is being denied the people on the neighbor islands, most especially Maui, because the certificate of need process protects this hospital’s monopoly—Maui Memorial.

“So if we’re really interested in the health and the cost of medical care, especially on the neighbor islands, we really should take an honest look at this Hawai‘i Health Care Systems and address their problems as they so articulately pointed out in their own testimony.

“I’ll be voting ‘no’ because I don’t think the money will serve the long term interest of the people of Hawai‘i. Thank you, Madam President.”

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

“Madam President, I rise in support of this measure.

“It’s unfortunate that the Minority Leader continues to perpetuate the notion that you can’t get good care on the neighbor islands. Clearly there are some services on the neighbor islands that residents would like to have but, based on

our low population, probably are not going to be afforded that opportunity, and we would still need to participate in some level of service from Oahu. We, through a previous measure that we passed—the trauma systems fund—we’re providing some additional resources that will assist the neighbor islands standing up some of those services so they won’t have to burden Oahu’s hospitals. But in the meantime it’s important that the hospitals that those of us on the neighbor islands rely on have sufficient resources.

“Why are they coming in for emergency appropriations? In part because this administration has never provided them with the ability to get the resources needed on the front end, and therefore we have to come in on the back end. I know that all of our hospitals, even our wonderful private hospitals here in Honolulu, get resources from the public sector. As a matter of fact an earlier measure that we passed will provide disproportionate share match for federal money coming in to those private hospitals. And I just got an e-mail that the measure that we passed last year is finally going to be distributed to those hospitals for their uninsured cost, which is largely what we’re finding for the HHSC hospitals as well.

“For these reasons and others, I believe we need to move this measure forward and make sure that our hospitals on the neighbor islands can continue to operate. Thank you, Madam President.”

Senator Hemmings rose in rebuttal as follows:

“Madam President, I rise in rebuttal.

“With all due respect to the previous speaker, who I think cares about the citizens of Maui and their health and welfare as I do, two points should be made. Number one is that I’m sure that Maui Memorial does provide good service in certain areas, but in others it does not. I’ve heard a tremendous amount of anecdotal and testimony from people of Maui who are genuinely concerned about their health and welfare and frequently come to Oahu for service—not because it’s not available on Maui, but because they would really rather get it on Oahu. Secondly, regarding the Governor not providing resources, I don’t see any evidence of that other than the political machinations.

“Hawai‘i Health Care Systems did provide testimony. And it clearly pointed out, though, what I’d previously spoke about, about their problems, especially the low productivity and high cost of government labor employee unions on Maui. It didn’t mention any of the misgivings the previous speaker talked about, about the executive branch of government. I might as well add that Maui Memorial has been a problematic hospital along with some other state hospitals for a much longer time than this governor can deal with, at the executive branch level of the state of Hawai‘i.

“I share the concerns of the previous speaker with the health and welfare of the people of Maui. And I’m hoping that we can find some common ground in the future to see what can really be done to address the essence of these problems, rather than just doing this emergency funding every year. Thank you, Madam President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2576 was adopted and S.B. No. 3083, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2579 (S.B. No. 2219, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2579 was adopted and S.B. No. 2219, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2580 (S.B. No. 2673, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2580 be adopted and S.B. No. 2673, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition and said:

“Madam President, I stand in opposition to S.B. No. 2673.

“I feel that the use of cigarette tax money for CIP for their construction of the Cancer Center is inappropriate. I believe that it will lead to the building of another facility for which money is not available for maintenance. And lastly, I think it is inappropriate to put the center in the middle of a maritime facility, which is also in a tsunami zone. For those reasons I oppose this measure. Thank you.”

Senator Baker rose to speak in support of the measure and stated:

“Madam President, I rise in support of this measure just to advise the good Senator from Waikiki that what he is objecting to is already in the statute, and this allows them to use some of their money for operations as well. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2580 was adopted and S.B. No. 2673, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2581 (S.B. No. 2839, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2581 be adopted and S.B. No. 2839, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows

“Madam President, I rise in opposition to this bill.

“I’m all for, you know, economic education and funding education and all that because lord knows we seem to be very economically illiterate in our state. However, this bill, which now creates a task force to report to the Legislature, also makes some very specific recommendations that the task force is supposed to adopt. And that is to enact statewide standards for financial and economic education; to eliminate asset limits as a bar to eligibility for public benefit programs; universal matched savings accounts and money in savings for newborns. In other words, it’s laying out a blueprint—a big brother blueprint—for people, rather than having a task force say, ‘Let’s come together and find out what we really need to make our state and our taxpayers and our families economically viable.’ It’s already made those decisions for it. So I’m voting against it. Thank you.”

Senator Gabbard rose to speak in favor of the measure and said:

“Madam President, I rise in support of S.B. No. 2839, S.D. 2.

“Last June Senators Chun Oakland and Hooser and colleagues from the House and I attended an NCSL conference

which focused on asset building, and it was a rewarding learning experience. They focused on the challenges that we face in this area, and it also stimulated many ideas for a solution. We all know that thousands of our neighbors are living from paycheck to paycheck and are very close to being homeless on the beach. And one of the biggest reasons we find ourselves in this predicament is because we are asset poor. So Hawai'i has one of the highest levels of asset poverty in the nation, with 25 percent of our families having insufficient net worth to live, even at the federal poverty level, for more than three months without other support.

"This measure will allow us to put together a task force with the goal of helping people better manage their finances to build and sustain their assets. So colleagues, I ask you to please support this bill. Mahalo."

Senator Trimble rose to speak in opposition to the measure and stated:

"Madam President, I rise in opposition to this measure.

"Colleagues, think about it—a new bank account for every new person that's born in Hawai'i. Where is the money going to come from that goes into this bank account? It's going to come from the citizens of Hawai'i. So somehow, you know, if you take money out of one pocket and stick it in another, you're going to wind up not with more money but with less—because government is involved.

"Thomas Jefferson said over 200 years ago that the government that gives you everything you want is also the government that takes everything you have. The intentions are good. But merely having good intentions does not result necessarily in good law. Thank you."

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

"Madam President, I speak in support of this measure.

"This is one of four measures that we have introduced with regard to asset building. Hawai'i needs comprehensive public policy to help people build assets, and to allow families to be able to thrive in Hawai'i and be able to encourage their children to make very good decisions, economic decisions. So I urge my colleagues to support this measure. Thank you."

Senator Slom rose to speak in rebuttal and said:

"Madam President, just a very brief rebuttal.

"If we really are concerned about asset building in the State of Hawai'i; if we're really concerned about families having more money and more discretion and more choices—cut taxes and cut government spending. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2581 was adopted and S.B. No. 2839, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 2583 (S.B. No. 2877, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2583 be adopted and S.B. No. 2877, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Ihara rose to speak in support with reservations as follows:

"Madam President, I rise in support of S.B. No. 2877 with reservations.

"My only reservations on this laudable bill involves section 2D, that grants to the Interstate Compact on Educational Opportunity for Military Children an exemption to the state sunshine law. I have asked and found no reason for this—no reason or basis to single out this task force for an exemption to our state's open meetings law. No public policy rationale has been provided, nor are we aware of anyone having requested this. I hope the sunshine law exemption in this bill would either be removed or an adequate policy rationale is provided. Thank you, Madam President."

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

"Madam President, I rise in support of the measure.

"I believe in this particular task force, and some others, to defend the sunshine issue as brought up on this one. The Council of State Governments is attempting to convene, at least ten states or more to agree to the compact. We, in this measure, have said let's have a task force to address the issues and the concerns prior to such agreement. I believe that as the military issues in the world are important and people want to support the military, many other states will agree to be part of this ten or more state compact. And I believe Hawai'i, with the background we have in cooperating with the military, should be part of it. But, we would need to convene the task force and come back with reasonable recommendations and concerns. And in order to do that prior to next Session, I believe time is of the essence in the sense of the-sooner-the-better to convene or to have meetings, and if we have people coming from other states or the Department of Defense, there will be times when we need to take action prior to waiting for such normally good procedures as notice and meeting requirements. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2583 was adopted and S.B. No. 2877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Ayes with Reservations, 1 (Ihara). Noes, none.

Stand. Com. Rep. No. 2585 (S.B. No. 3030, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2585 be adopted and S.B. No. 3030, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

"Madam President, I rise in opposition to this bill.

"This bill presents a classic description of what's wrong with our governance and our economy. We have no problem; we have nobody complaining of a problem; but we have the idea of having more government involvement, more government intervention, more government regulation. Then the answer to that is, if we have more government regulation, then we need more staff, more offices, more resources. And if we need more staff, more offices and more resources, then we need more money to pay for it. So we'll have more fees, more taxes in order to cover it. I oppose it. Thank you."

Senator Kokubun rose to speak in support and said:

"Madam President, I stand in support of the measure.

"It's ironic for me because this is an administration bill that came forward. What has happened, as you all know, is that mixed martial arts contests have become more and more popular. They seem to be occurring at a much more prolific rate here in the state. And that's really the reason why I think they need the additional resources. I don't think it was done by

DCCA just to buttress up their special fund. They really are under the gun with respect to trying to effectively manage and be sure that they're doing a good job in terms of managing these new types of sports that are coming to Hawai'i. So that's the reason why. And I ask everyone to support it. Thank you."

Senator Slom rose in rebuttal and stated:

"Yes, just a very brief rebuttal. I certainly concur with the good Senator from the Big Island. Popularity of this sport—but popularity does not connote any relationship with problems. And there have been no problems, no issues, no public demanding us to take action. It's just again the idea 'Gee there's something out there. Hmmm, we can get involved; we can have more people; and we can have more offices, and we can have more fees and more taxes.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2585 was adopted and S.B. No. 3030, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ige).

S.B. No. 2644, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Tokuda and carried, S.B. No. 2644, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ige).

Stand. Com. Rep. No. 2590 (S.B. No. 2711, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2590 be adopted and S.B. No. 2711, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble rose in opposition as follows:

"Madam President, I stand in opposition to S.B. No. 2711.

"Colleagues, this has to do with the balance that's in the fund for beverage containers, a tax on beverage containers. And there was some discussion in Committee as to whether the money, the balance, was surplus or not. And you can kind of look at it in terms of water in a bathtub. The water coming into the bathtub is the tax being collected. At the bottom of the bathtub hopefully there's a drain that the water goes out to in terms of reimbursement, in terms of payment to those vendors that are collecting, the redemption centers where they're collecting the stuff to be recycled, shipping it out of the state to be recycled.

"The problem, quite frankly from my perspective, is the slowness and the restrictions in which the Department of Health applies to its system of reimbursement. They only provide for one-half of the reimbursement when the merchandise is put on a Matson or Horizon line ship to leave the State of Hawai'i, and the other half has to wait for it being received and certification of received in the place where it's going to be recycled. And the reasons for these restrictions is supposedly there have been cases on the mainland where people falsified, presented false documents that it was shipped out of state when in fact it was not.

"The problem is not that there is surplus in the fund. The problem is that some of us view the money, the float that is in there, as surplus. If we want the program to work more efficiently, we would be encouraging the Department of Health

to audit and to speed the payment to redemption centers—not assume that it is surplus and put it to another use. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2590 was adopted and S.B. No. 2711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED SOLID WASTE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 2 (Slom, Trimble). Excused, 5 (Fukunaga, Sakamoto, Taniguchi, Tokuda, Tsutsui).

At 12:11 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:00 p.m.

Stand. Com. Rep. No. 2749 (S.B. No. 2423, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2749 be adopted and S.B. No. 2423, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Bunda rose to speak in favor of the measure and said:

"Madam President, I stand in support of the measure.

"Madam President, after Governor Lingle's recent State of the State address, I was asked by the media if I thought the State had enough money to purchase Turtle Bay. At that time, my immediate answer was, 'I don't think it will fly.' My answer was specific as to the use of limited state funds, and obviously there were no details on the proposal at the time.

"This bill provides us with some reasonable options. I commend Senator Hee for finding a way to get this measure on the table for serious discussion. The intent of this measure is strongly supported by a majority of the North Shore community. Most of us are searching for a balance between development and preserving open space on the island of Oahu. We question important issues related to increased residential density, adequate infrastructure, and the sheer volume of tourists that visit the North Shore. The reality is that people truly believe tourists travel to the North Shore not to see buildings, but to experience the island's beautiful landscape and pristine beaches. That is what draws people to Hawai'i as a whole.

"So that we are on the same page, you need to know that Turtle Bay already has the necessary approvals to increase the number of hotel rooms to 3,500. And as I've indicated, infrastructure will become a major issue, especially problems with traffic, sewage, and water. This bill gives us the ability not only to discuss our financing options, but to negotiate with the owners, as we all try to find the middle ground that benefits everybody.

"I urge all of you to support this measure. Thank you, Madam President."

Senator Hee rose to speak in favor of the measure as follows:

"Madam President, I rise to speak in support of this measure.

"Early on in the Session the Governor indicated in her state of the state that she had every intention of trying to accomplish what many believe cannot be accomplished—and that is to preserve the open spaces at Kahuku Point and at Kawela Bay. While I have some reservations about whether or not the state should get involved in running a hotel, this bill represents the widest of all horizons to give the Governor the opportunity to try to accomplish what she indicated in her state of the state and

what to this very moment many believe she will not be able to succeed at the end of the day.

"I hope, though, that what doesn't get lost is that as a state, and as we grow exponentially, on Oahu we understand only too familiar of the growth slated for the Leeward coast, and the plains of Kapolei. As time moves on generationally, the North Shore will be perhaps the only remaining area where people can go and enjoy the natural environment that Oahu has to offer. This bill allows that to occur. I hope that the members, at least at this point, will support the measure. And as it moves forward, it may well be that the measure will be crafted more narrowly.

"I urge our colleagues to vote 'yes.' Thank you, Madam President."

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

"Madam President, I rise in opposition to the bill.

"While there are a number of issues that are involved with development in general and specific areas—the Leeward community and North Shore in particular, and I think the Legislature has tried to address them—the basis of this bill really is the government takeover of land and private development. And we're going to see several more bills coming up this afternoon that propose to have the government do that. And I do not doubt that people on the North Shore support this. Just like in East Honolulu, my constituents support the idea of government buying or taking over more of Ka Iwi land—we already saved the Ka Iwi coast land. Now it's time to save more of Ka Iwi as development is threatened under preservation lands.

"I view these as separate issues—the zoning, the development, what we do with the infrastructure, what kinds of needs we have. I view that as separate from the idea of having government—and particularly this government, this state government—trying to solve problems and play to different communities by saying we will buy it. It's not going to be the Governor buying it. It's not going to be the Legislature buying it. It's going to be the taxpayers buying it. And the question then becomes, if we total up the bill for all of the bills that we have today, the measures that we have today, having the State buy up land—do we do that in place of educational priorities, in place of law enforcement priorities, in place of health care priorities, in place of transportation priorities? In other words, if we had unlimited financial resources, that may be one thing to consider. But we don't.

"The other thing to consider and why, to me, this is a very serious issue, the fact that the announcement was made on Opening Day and caught everyone by surprise—including the owners of Turtle Bay—indicates to me that there was not really a serious, fair-minded, level attempt to really negotiate a settlement including the owners of this private development.

"We've heard a lot about the ability to have 3,500 additional hotel rooms, and yet we never hear about the possibility that it's not either-or. It's either zero or it's 3,500. There is room for discussion. We also hear about the financial problems of the owners of the Turtle Bay Resort. Some of us remember back in the days when this was still sugar land and when the first proposal was made for Turtle Bay. It was supported by the unions because of jobs, and economic development, and options and alternatives. I think we have lost a lot of our perspective. And I certainly support and encourage further community discussion in letting the communities decide what is done in their name, and in terms of developers who have made certain promises, to hold their feet to the fire, and also to make changes, particularly after 20 or more years. But I don't think,

again, that the solution is we're going to buy this, we're going to buy this, we're going to buy this, we're going to buy it.

"In addition to that, as was said, the good Senator from Kahaluu in his proposal fleshed out and gave us something to look at; whereas the chief executive basically gave us an idea, an objective, a goal. And I think that's good. I listened in on some of the hearings that were held, or the hearing that was held.

"The problem I have that this bill includes is of course eminent domain and condemnation. And also to have the State involved in any way—in any way—in resort management or resort operation I think is a major mistake. We're talking about taxable lands right now. We're talking about tax revenue which goes to support education and other functions of government. And I think we should be extremely careful before we jump on the bandwagon of all of these potential buyouts.

"This Legislative Session so far in my humble opinion has been characterized by two functions. One is to ban as many things as we can. And the second is to buy as many things as we can. I don't think that either policy is a prudent policy, and we have to look at things individually. And as I look at it individually, I cannot at this time support the Turtle Bay project. I know that there will be more discussion. There's discussion tonight, and I think that's good. I think we should wait until we have some kind of consensus, if in fact we can reach a consensus. And if we have the resources, and we tell other people, 'Wait a minute; we can't do what you want us to do because we're going to buy Turtle Bay and Galbraith and Haiku and Coco Palms and all of the other areas as well.' So from this standpoint, at this point, I'll register my 'no' vote. Thank you, Madam President."

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

"Madam President, I rise to offer remarks in support of this measure, but with strong reservations.

"First of all, let me just state at the outset that I appreciate the comments of the previous speakers, including and especially my colleague from the Wahiawa district, that I share many of the sentiments and concerns that he has expressed. However, I do have strong reservations for a number of reasons.

"While I believe the bill is well-intentioned, and that its purpose is to keep undeveloped and pristine areas of the North Shore an open space, I fear that the passage of this bill would come with a huge price tag that the state cannot afford. The bill doesn't specify what the ultimate cost will be to the state and what will be done with the property if the state acquires it. This measure would authorize the administration to purchase or condemn the entire Turtle Bay property, including improved or unimproved land. However the cost to the state will be quite substantial because even the unimproved land is extremely valuable. It has been described as the only oceanfront resort-zoned property on Oahu. As you know, the current owner of the acreage in question—Kuilima Resort Company—has planned resort, residential, commercial, and recreational development in the area.

"Madam President, I have had the opportunity to review pleadings and memorandum in the pending lawsuit that was filed by the plaintiffs, Keep the North Shore Country and the Sierra Club, against the owners of the Turtle Bay property and other defendants in which the plaintiffs are seeking a court order to require the preparation of a supplemental EIS before the development is allowed to proceed. The documents filed with the court indicate that the expansion project, which began in the mid-1980s, has already obtained a myriad of government permits and approvals including a zoning change, state land use reclassification, issuance of a shoreline management area use

permit, and subdivision approvals. Moreover, extensive work has already been done to implement the massive planned resort community, including the completion of requisite environmental studies and the construction of various infrastructural and other improvements. To the extent that the owners have already made a significant investment in proceeding with this project, I believe that they will be in a strong position to demand substantial compensation for the sale of these lands by the state, based on the contention that they or subsequent owners have a vested right to undertake a lucrative and extensive development of these properties.

"I'd also like to bring to the attention of my colleagues an op-ed piece that appeared in one of our major daily newspapers this morning. It's entitled '*Plan to put resort in perilous position*' and it expressed strong concerns about the administration's proposals, including the fact that the executives of Turtle Bay believe that they've lost as much as \$500,000 this year alone in room revenue alone, in light of the Governor's announcement. And so the concern I have in light of these concerns is that we need to anticipate that the owners may also include as part of the asking price whatever damages they sustained as a consequence of the administration's proposal.

"Finally, another major concern that I have with this measure is that it would authorize the administration to purchase the resort and other developed portions of the property as well as the surrounding undeveloped land. However, if the administration does so, but is subsequently unable to sell the developed parcels to a third party, the state may be left with several unpleasant options, including having to provide for an indeterminate period substantial funds for the costly maintenance and upkeep of the resort and other developed portions to insure their marketability until they're sold. In my mind, this can be tantamount to pouring tax dollars into a money pit.

"For all of the reasons that I've proffered, I believe that a measure such as this should be examined very carefully before it's enacted into law. Therefore, although I will be voting in favor of this bill to keep the discussion moving forward, I'll be doing so with strong reservations. Thank you."

Senators Taniguchi, Tsutsui, Kim, Ige, Nishihara and Espero requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Trimble rose to speak with reservations and said:

"Madam President, I stand to express a very short reservation.

"We are the only state that operates a stadium. I would hate to see us being the only state that also operates a resort. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2749 was adopted and S.B. No. 2423, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 8 (Espero, Ige, Kim, Menor, Nishihara, Taniguchi, Trimble, Tsutsui). Noes, 2 (Inouye, Slom).

Stand. Com. Rep. No. 2817 (S.B. No. 2421, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2817 be adopted and S.B. No. 2421, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Bunda rose to speak in support of the measure and stated:

"Madam President, I rise to speak in support of the measure.

"Colleagues, the Galbraith Estate, all 2,100 acres of it, sits on some of the richest soils in the state. As some of you know, pineapple was farmed on these lands for years, and Del Monte was a responsible and contributing part for our community, providing jobs and contributing resources to the people of Central Oahu. This bill gives us all an opportunity to preserve one of the few remaining large land parcels in the state and insures that it stays in agriculture production forever.

"Recently, several investors were poised to purchase Galbraith but failed in its negotiations with the trustee. We have the opportunity today to act now and set the course on preserving this prime ag land. Other investors have made promises that used agriculture as a ruse to subdivide for building homes on this land. There also have been discussions of breaking up this large land tract into smaller parcels to be put on the market. Our community's worst fears would be realized if future buyers used this as an 'in' to gentlemen farming. We definitely do not want million dollar estates on prime agricultural lands in Central Oahu, simple as that.

"I know there are some concerns regarding our budget priorities, but let's keep the discussion alive and continue to discuss all the options. I believe now is the time to set the course of action and to act responsibly in concert with our state constitution, which clearly mandates the preservation of agricultural lands. Thank you, Madam President."

Senator Slom rose to speak in opposition as follows:

"Madam President, once again I am compelled to rise in opposition to this bill.

"Again, because it is part of a half-dozen package of buying properties, cost has got to be a concern. We are the Legislature. We are using other people's moneys. We've got to be concerned about that. We can't talk about asset building in one hand, and talk about the Legislature buying, condemning or assuming control of property, expensive lands, in another. We certainly can ask for community input. We can explore options and alternatives. We can facilitate—use this Body to facilitate discussions and ultimate distribution or sale or transfer or preservation of the lands. But to continue to go and say we're going to buy this and buy that, and just look at cost as an afterthought, is not being responsible as a lawmaker. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2817 was adopted and S.B. No. 2421, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2594 (S.B. No. 2933, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 2594 be adopted and S.B. No. 2933, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

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

"Madam President, I rise in opposition to this bill.

"Certainly we should be encouraging all kinds of energy alternatives and things that we can do. But this bill is an interference again of government into private land usage and ownership, notably covenants that run with the land, covenants that are used to protect land values, to protect neighborhoods, to protect individuals from visual blight.

"Now we've talked about dirty laundry in this Body before. This bill would actually encourage dirty laundry being on

display. It's one thing to say people should be able to use clotheslines as they can in other than covenanted communities. But it's another thing to say we the government are going to force a violation of those contracts and those agreements that people knew about when they moved into that particular community. They're not violating any federal or state laws. They are not violating anything else other than protecting the property of those people that voluntarily made that choice. We can still encourage people to use alternative energy and all kinds of things including clotheslines. But to force individuals on private developments to make changes in contractual arrangements I think is wrong. Thank you."

Senator Hooser rose to speak in support and said:

"Madam President, I rise in support of S.B. No. 2933.

"I'll keep my remarks very, very brief. This is otherwise known as the great right to dry act. And this bill simply says no person shall be prevented from using a clothesline on premises that they own. It's pretty clear, Madam President, this just preserves options for people on property they own. The visual blight is prevented through an amendment made in the community that allows homeowners' associations to screen the drying from view from neighboring streets.

"And I'd like to read just briefly from the administration's testimony in support of this bill. It says: 'allowing Hawai'i residents to use renewable energy and to voluntarily reduce the use of fossil fuels for clothes drying is consistent with Hawai'i's energy objectives...'

Senator Whalen interjected:

"Point of order. Point of order. Madam President, I believe earlier this year one of the Senators to my right was trying to read something into this record that was already in testimony, and he was told he was out of order. So I believe this is the same instance."

The Chair responded:

"I don't recall that."

Senator Whalen replied:

"No recollection?"

The Chair answered:

"I have no recollection of that, Senator Whalen."

Senator Whalen noted:

"It was the Senator from . . ."

The President interjected:

"I believe, Senator Whalen, that's a common practice, especially when we talk about confirmations, for example, that those kinds of testimony were in fact read."

Senator Whalen continued:

"I thought maybe perhaps since the Senator from the Windward side was told not to do that, I thought maybe there was another rule change or something, so."

The Chair responded:

"Not that I know of. Thank you. Please proceed."

Senator Hooser continued:

"Thank you, Madam President. I will keep the remarks brief and paraphrase.

"Allowing Hawai'i residents to use renewable energy and to voluntarily reduce their use of fossil fuels for clothes drying is

consistent with Hawai'i energy objectives and support of Hawai'i's renewable energy future. Each kilowatt hour delivered to a clothes dryer requires about 10,000 BTUs delivered to a power plant. Thus, an electronic clothes dryer uses 1,079 kilowatts per year, about 80 gallons of fuel. If only 20,000 clothes driers were used 50 percent less, that would save the state \$1.7 million, the consumers of the state, less in energy, money that they're now paying exporting for oil.

"And to close, I will use brief comments also that were in the record. This is from a famous person, Benjamin Franklin. Mr. Franklin said quite simply, 'We must all hang together, or most assuredly we will hang separately.' (Laughter.) Thank you, Madam President. I encourage my members to vote in support."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2594 was adopted and S.B. No. 2933, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 1 (Tsutsui). Noes, 2 (Slom, Whalen).

Stand. Com. Rep. No. 2595 (S.B. No. 2530, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 2595 was adopted and S.B. No. 2530, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2596 (S.B. No. 2542, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2596 was adopted and S.B. No. 2542, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2600 (S.B. No. 2663, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2600 be adopted and S.B. No. 2663, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

"Madam President, I rise to speak against this legislation.

"This legislation will, if passed, codify which was discussed last year in the nomination of two non-HSTA union members to the Hawai'i State Teachers Standards Board. There's a tremendous conflict of interest in this board being administered by only one special interest group that happens to be the teachers of the public school system. And that conflict could be similar to a board of director of a publicly-held company on the New York Stock Exchange shorting his own company. Because we often hear from the HSTA that 'we have a shortage of teachers, therefore give us more money'—and that's usually what this Legislature does. In fact this year we're giving appropriation to add to the collective bargaining increase of just the last bargaining time.

"So this really is a proposal fraught with peril because it's really giving one special interest group—in this case the

unions—tremendous dominance over who teaches in schools. And then when they turn around and say there's not enough teachers, they ask for more money. It doesn't make sense. We really need a broad-based perspective. We all have heard the stories down through the years of eminently qualified teachers from other jurisdictions having a difficult time getting by the Teachers Standards Board's process. There was one teacher that was a former legislator who taught at West Point and couldn't get certification by the Hawai'i State Teachers Standards Board.

"So if we're really interested in education, we should broaden the base of the Hawai'i State Teachers Standards Board—not narrowly focus it with this legislation to one or two special interest groups. So I'd urge my colleagues to really do what's good for education—and not what's good for a special interest group—by voting 'no' on this. Thank you, Madam President."

Senator Sakamoto rose to speak in support of the measure and stated:

"Madam President, I rise in support of the measure.

"In addition to nominees submitted to the governor from the exclusive representative for public school teachers, it includes the exclusive representative for public school administrators, includes any national professional organization with a local chapter in the state that represents teachers or school administrators, and the Hawai'i Association of Independent Schools for private school teachers. And we hope there is adequate representation and by no means are all of the members to be, would be selected normally from just the teachers. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2600 was adopted and S.B. No. 2663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Hemmings). Excused, 2 (Bunda, Whalen).

Stand. Com. Rep. No. 2603 (S.B. No. 2739, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2603 be adopted and S.B. No. 2739, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

"Madam President, I stand in opposition to this measure.

"I do not think that DLNR has the capacity to be in the road maintenance business. That's what this bill in effect does. Thank you."

Senator Baker rose to speak in support of the measure and stated:

"Madam President, I rise in support of this measure.

"Madam President, this is one of the roads in limbo bills that has plagued the county of Maui and the State. It is only a section of road that will be assumed for maintenance and control. It's a part of the road that goes through the Natural Area Reserve System on the south side of Maui from above Makena State Park. It is an area that's very sensitive and needs to be managed appropriately. The DLNR is putting regulations in place to do just that. But one of the areas that they need to have the ability to control is that portion of road going through the Natural Area Reserve, of Ahihi Kinau.

"I believe in discussions with DLNR, now that the scope has been narrowed so that the other state entity that is in the road business, DOT, will manage the more public parts of the road, it will be easy for DLNR to manage this segment. It will fit within their management plan for the Natural Area Reserve. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2603 was adopted and S.B. No. 2739, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2605 (S.B. No. 2555, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2605 be adopted and S.B. No. 2555, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

"Madam President, I rise in opposition to this bill.

"I think the intent is good in that we want to combine and consolidate a number of different departments and agencies into one new department. The problem is there are no real cost estimates as to what this will do. There are no estimates as to whether or not we will have efficiency or productivity savings. And the idea that we are just creating yet another department, even though it's got a nice name—Planning and Sustainability—does not mean that we're going to get either better planning or sustainability. And I think it leaves many more questions than those that are answered.

"Also, a number of the existing agencies are already working toward the idea of coming up with common standards or common rules for both planning and sustainability. And I think we should work on those rather than creating yet another new bureaucracy. Thank you."

Senator Kokubun rose to speak in favor of the measure and said:

"Madam President, I stand in support of the measure.

"I appreciate the comments of the previous speaker because I think he was exactly right. There are a number of different agencies and divisions looking at the long range planning for Hawai'i. I think that's such an essential function for state government. But as you know, we know, many of us know, originally when the Department of Business, Economic Development and Tourism was first established, it was called the Department of Planning and Economic Development. The emphasis was really on the planning. And I think that through the years, that has been deemphasized. And I think it's important that we again put that concept at the forefront of our governmental functions. I think it's so important that we not only have a vision of where we want to go, but that we have the ability through an administrative department to chart the course of how we're going to attain that vision.

"Madam President, I totally agree. I think we have a number of different agencies that are looking at this. However, they are functioning in many different departments. And for that reason I think this is a worthy bill to move forward. I agree that we do not have all the details yet on how it's to be put together. But as discussion moves forward, I think we can put those details and flesh it out.

"Now, I think we all realize it's not something that's going to happen overnight, even though the effective date would be whatever, upon approval. I think we all know that it's going to take a while to be able to put this and organize this, so that will

be part of the discussion moving forward. But I think it's still a very worthy concept of support, and I would ask my colleagues to join me in supporting it. Thank you."

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

"Madam President, I rise in support of this measure. I find it somewhat surprising that I am in disagreement with the Senator from Hawai'i Kai.

"Before we had a Department of Planning and Economic Development, we had two departments. We had a Department of Planning, and we had a Department of Commerce. There is a very strong rationale that can be made that an Office of Planning should contain all those agencies and groups that are involved in planning. In the administration of a couple decades ago, when there was a Department of Planning and Economic Development, we had a state plan; we had functional plans. And we used to be talking in terms of a preferred future, which is what sustainability is all about. I think this is an important measure because it focuses the attention on do we truly want to combine all those things into an Office of Planning. I think that the discussion is beneficial and it should continue. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2605 was adopted and S.B. No. 2555, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2608 (S.B. No. 3008, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2608 was adopted and S.B. No. 3008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 3245, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Ige and carried, S.B. No. 3245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

Senator Hee moved that S.B. No. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition as follows:

"Madam President, I rise in opposition to this bill.

"This bill is an anomaly. First of all, I don't recall any testimony in support of this bill. I don't know why we have this bill. If we're talking about public parks, public recreation areas, we're talking about the need to maintain them.

"This doesn't fit the public park because we have private uses. We have lessees in this park, that we started it as an experimental program. And my information is that more than half of the lessees are in default of their lease, which requires them to provide service time within the park. I think it's a bad precedent.

"If we're talking about maintaining our park system, improving our park system, taking care of our endangered

resources, and so forth, then we should keep that separate from private residential use. Thank you."

The motion was put by the Chair and carried, S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

S.B. No. 2835, S.D. 1:

On motion by Senator Hee, seconded by Senator Kokubun and carried, S.B. No. 2835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2836, S.D. 1:

On motion by Senator Hee, seconded by Senator Kokubun and carried, S.B. No. 2836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2434:

On motion by Senator Fukunaga, seconded by Senator Nishihara and carried, S.B. No. 2434, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

S.B. No. 2569:

On motion by Senator Fukunaga, seconded by Senator Nishihara and carried, S.B. No. 2569, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2174:

Senator Taniguchi moved that S.B. No. 2174, having been read throughout, pass Third Reading, seconded by Senator Hee.

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

"Madam President, I rise in opposition to S.B. No. 2174.

"Madam President, S.B. No. 2174 is a landmark bill—the most significant piece of legislation affecting how our government operates, whether in the sunshine or in the dark. And this bill, sadly, represents a partial eclipse of the sun. HRS 92 is our state's open meetings law, and this bill would convert Hawai'i into a quorum state. This means that members of a board can do virtually anything regarding the business of their boards so long as there is no quorum. This is because without a quorum present, the board is not constituted under open meeting laws. In quorum states, a collection of members only becomes a board when a quorum is present, and only then would the sunshine law apply.

"Hawai'i is currently a strict sunshine law state. And this bill would change that. In strict sunshine states, open meeting

laws typically apply to boards and their individual members even when there is no quorum. In these states, oftentimes numerous exceptions are made to sunshine laws to accommodate the necessary operations of boards. But this requires thoughtful discussion and trust amongst public boards and open government groups in order to craft exceptions. However, there has been a climate of frustration and distrust among stakeholders, and all exceptions in past legislative sessions have failed, which has allowed the frustrations to build even greater.

“I believe it is far better to keep our strict sunshine law and make workable exceptions, rather than eliminating the need for exceptions by having the sunshine law apply only for board quorum. This is because safeguards can be provided with exceptions.

“If the sunshine law is negated for most activities of less than a quorum, there would be no safeguards. I believe public distrust of boards will increase. For example, this bill would allow 7 members of a 15-member board to meet in private and discuss fully any board business that it wants. That’s what this bill does. At this private meeting, any votes taken would obviously not count because they would not be a board, and members would not be allowed under this bill to make commitments to vote in a certain way on any issue—but who would know? The public is excluded from such private meetings. No one would know what was discussed at a meeting and no one would know even if the meeting took place at all.

“Madam President, I find allowing this situation to happen is unacceptable. If S.B. No. 2174 is adopted, there would be no need for S.B. No. 2201 or S.B. No. 2295, which are coming up later on today’s agenda. If this bill becomes law, there will be reason to question whether Hawai‘i is indeed a sunshine state. Thank you, Madam President.”

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

The motion was put by the Chair and carried, S.B. No. 2174, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Ayes with Reservations, 2 (Chun Oakland, Kim). Noes, 3 (Ige, Ihara, Inouye). Excused, 1 (Bunda).

S.B. No. 2557, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Fukunaga and carried, S.B. No. 2557, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BURIAL SITES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Whalen). Excused, 1 (Bunda).

S.B. No. 2556, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Espero and carried, S.B. No. 2556, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

S.B. No. 2201, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 2201, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS,” having been read

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

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

S.B. No. 146, S.D. 1:

On motion by Senator Baker, seconded by Senator Tsutsui and carried, S.B. No. 146, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE FUNDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2997, S.D. 1:

Senator Hee moved that S.B. No. 2997, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

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

The motion was put by the Chair and carried, S.B. No. 2997, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LAND USE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 3 (Ihara, Taniguchi, Tsutsui). Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2669 (S.B. No. 2373, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2669 be adopted and S.B. No. 2373, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Gabbard rose to speak in favor of the measure and said:

“Madam President, I rise in strong support of S.B. No. 2373, S.D. 1.

“Colleagues, just the other day as you know the DEA officers busted ice dealers which happened to be in my district in Royal Kunia, and they seized 50 pounds of ice, which would have had a street value of over \$1 million. This is, as you can probably can guess, one of the largest ice busts in the history of Hawai‘i. And so it’s obvious that there’s a huge market for this drug in our state, and with busts like this it won’t be too long before the dealers look to increase their efforts in making ice here locally.

“This bill is timely because it will help law enforcement by closing a loophole in existing laws so that we can better track those criminals who are going from store to store buying pseudoephedrine and then making ice to poison our communities. It would simply require retailers to keep an electronic log of their pseudoephedrine sales on an Excel worksheet and send that to the Department of Public Safety Narcotics Enforcement Division.

“The amendments to the current version of the bill are also acceptable to the Hawai‘i Food Industry Association, whose membership will be implementing the law. And I would also like to say mahalo to the Chair of CPH for adding those amendments, which actually strengthen the bill. So, colleagues, I would ask you to please support the bill. Mahalo.”

Senator Slom rose to speak in opposition as follows:

“Madam Chairman, I rise in opposition to this bill.

“While we all saw the news about the 50 pounds of ice, I would remind everybody that 50 pounds of ice does not equate to the medicinal use of pseudoephedrine. And what we’re doing is further criminalizing individuals or making it difficult

for them to get over-the-counter medical remedies. We also are putting a burden on small businesses. And we have a disconnect between our drug enforcement, our war on drugs which I think was lost years ago. But what we're doing instead is targeting individuals and families and making it more costly for them. Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2669 was adopted and S.B. No. 2373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 1 (Ihara). Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2670 (S.B. No. 3087, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2670 was adopted and S.B. No. 3087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2672 (S.B. No. 2262, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2672 be adopted and S.B. No. 2262, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition and said:

"Madam President, I rise in opposition to this bill.

"Basically, this is a bill to remove the sunset date from the VEBA trust for the unions. What we've seen since the beginning of the EUTF is that the EUTF has been operating fiscally soundly and has also been very efficient. But what this does is we carve out exceptions to the EUTF. It raises the cost for all public employees. Thank you."

Senator Kokubun rose to speak in opposition as follows:

"Madam President, I rise in opposition to the measure.

"For me, one of the main concerns about the VEBA trust had to do with the retirees. And although there was some testimony that indicated the retirees were now more in favor of the VEBA trust, my links to some of those retirees indicate that in fact they are still very much in opposition. So I think what's being proposed here is an extension of the pilot program. We should have enough information to really make the decision now and what kind of effect it has on the EUTF and whether or not this makes any more sense going forward. So for that reason, Madam President, I'm voting 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2672 was adopted and S.B. No. 2262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Kokubun, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2674 (S.B. No. 2627, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2674 be adopted and S.B. No. 2627, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

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

"Madam President, again I rise in opposition to the concept of S.B. No. 2627.

"Colleagues, why not gold and silver or aluminum or lead? Why are we picking on copper? The basis for this bill seems to be if you require scrap dealers to pay by check, if you make it difficult enough to have a transaction, that suddenly the theft of copper will stop. I suggest that theft of copper will not stop because of this measure. It just means it'll find another way of getting out of the state. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2674 was adopted and S.B. No. 2627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COPPER PURCHASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2676 (S.B. No. 2779):

Senator Baker moved that Stand. Com. Rep. No. 2676 be adopted and S.B. No. 2779, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

"Madam President, I rise in opposition to this bill.

"What this bill does again is to limit the executive's power in times of emergency. I think instead of making people safer, what this does is raise questions of safety during an emergency and involves payment and labor negotiations far beyond the scope of the various departments other than the executive. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2676 was adopted and S.B. No. 2779, entitled: "A BILL FOR AN ACT RELATING TO LABOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2680 (S.B. No. 2680):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2680 was adopted and S.B. No. 2680, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2683 (S.B. No. 3172):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2683 was adopted and S.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2686 (S.B. No. 2501, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2686 be adopted and S.B. No. 2501, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

“Madam President, I rise in opposition to this bill.

“The history of this bill is a checkered one. We raised the daily tax on rental vehicles from \$2 to \$3. Then we put the provision in that that would sunset at the summer of this year. And now we want to do two things—remove the sunset date, and also remove the \$3, leaving open the possibility of a different figure.

“And in Committee and in discussion, I guess the general consensus is that we want a higher figure. Whether it’s \$4 or \$5 or \$6 a day, it still is an added tax. It hurts not only our visitor industry but also the more than 30 percent of local residents that, from time to time, have to have a rental vehicle. So I think it’s a bad measure. It also again shows bad faith when we say we’re going to sunset something and we don’t do it.”

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2686 was adopted and S.B. No. 2501, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Ayes with Reservations, 1 (Inouye). Noes, 5 (Hemmings, Menor, Slom, Trimble, Whalen). Excused, 2 (Bunda, Taniguchi).

Stand. Com. Rep. No. 2688 (S.B. No. 2956, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2688 be adopted and S.B. No. 2956, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in favor of the measure with reservations and stated:

“Madam President, I rise in support with strong reservations with this bill.

“Well, we’ve all but destroyed so many of our local industries, particularly our agricultural industries, and milk is hanging on by a thread. And all this bill does, it’s not going to save the industry; it’s not going to rejuvenate the industry; it’s not going to create additional local producers of milk. What it’s going to do is force the price higher for local consumers. And I think it’s going to be a real good trick to insure that the price is ‘commensurate with the quality of milk.’ I don’t know what that means. I don’t know how that’s going to be enforced. But I do know it’s not going to save our dairy industry. We’ve overregulated it, overtaxed it—labor costs, land costs—everything else that has made it impossible for local dairy farmers to compete. I would love to see our local dairy industry continue. This bill will not do that. Thank you.”

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

Madam President, I rise in strong support of this measure.

“This is an administration bill that seeks to provide support for at this point our last two remaining milk sheds here in Hawai‘i. At the time this bill was actually drafted, it referenced one dairy here on Oahu that has since closed. It’s a very bad time for the milk industry in Hawai‘i. If you think back to the 1980s, we were actually 100 percent self-sufficient in milk production. At current, we meet less than 30 per cent of own needs. And the really sad part is that the last two remaining dairies aren’t being paid at the high price which should be for fluid milk, which is what they’re actually doing and where the milk is going to here in Hawai‘i.

“And while the previous speaker had mentioned that this will possibly just result in an increase in costs to the consumer, what it actually does is insure that the price paid to these milk sheds are 30-35 percent higher than what they’re currently being paid. And in my opinion, I think what would definitely increase the price of milk in Hawai‘i is when we no longer have any local competition, and that mainland milk coming into Hawai‘i are allowed to set any price that they want. I also disagree that this won’t do anything to bring in additional milk producers here in the state or further help the two remaining milk sheds that we have here.

“One thing that we did add to this bill is that a strategic plan be drafted to look at short- and long-term measures that are necessary not only to sustain and further allow for the growth of the last two milk sheds that we have here, but what do we need to encourage other milk producers to perhaps restart their business here in Hawai‘i or to enter the marketplace so that the Big Island isn’t the only place where you can actually get fresh milk that isn’t carted overseas in an un-refrigerated container, ultra pasteurized, and then once it’s devoid of all of its nutrients, allowed for our children in our schools and for all of us to consume as well.

“This strategic plan is truly necessary because any revitalization of any industry in agriculture and any other business requires foresight, requires thinking and planning and working with the stakeholders involved. And that’s something that’s been absent so far.

“We’ve been very good at pointing out the industries that are dying off—whether it’s a milk shed or a chicken farm that’s closing—but we haven’t been proactive enough to look at how are we actually going to insure that further businesses do not go out of business, and what it’s going to take to really be serious about agriculture. That’s why, Madam President and colleagues, I urge your very strong support for this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2688 was adopted and S.B. No. 2956, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MILK,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2690 (S.B. No. 2039, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2690 be adopted and S.B. No. 2039, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to this measure.

“Colleagues, this measure provides a one-time windfall for some of our eldest retirees that retired I believe at the age of 55 when the system allowed someone to retire at the age of 55 if they had 20 years worth of experience. There’s no indication that that particular group is in any more financial need than any other government employee. Most of our government employees are concerned about the under-funding of their retirement system. That this measure made a one-time contribution to that, I’m sure that all retirees would be grateful to this Body. Since it carves out this one special interest group at the expense of everybody else, I think it is a bad law, and therefore I oppose it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2690 was adopted and S.B. No. 2039, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” having been read throughout,

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

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2691 (S.B. No. 2583, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2691 was adopted and S.B. No. 2583, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2694 (S.B. No. 2493):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2694 was adopted and S.B. No. 2493, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2695 (S.B. No. 2562, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2695 was adopted and S.B. No. 2562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Whalen). Excused, 2 (Bunda, Hee).

S.B. No. 2804, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Ige and carried, S.B. No. 2804, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Hemmings, Slom, Trimble). Excused, 2 (Bunda, Hee).

S.B. No. 2293, S.D. 1:

Senator Kokubun moved that S.B. No. 2293, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Inouye.

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

The motion was put by the Chair and carried, S.B. No. 2293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 1 (Kim). Noes, none. Excused, 2 (Bunda, Hee).

S.B. No. 2295, S.D. 1:

Senator Taniguchi moved that S.B. No. 2295, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Ihara rose to speak in favor of the measure with reservations as follows:

"Madam President, I rise in support of this bill with reservations.

"Madam President, this bill would provide for two exceptions to the state open meetings law. I guess today is sunshine day. One would be to allow less than a quorum of board members to participate fully in other groups' meetings; and two, to allow written polling of board member positions on board business.

"I believe the two sunshine law exceptions can be further refined by limiting their application and adding safeguards. But I wanted to note my reservations in order to request amendments to do this and narrow the exceptions to the sunshine law.

"For example, there is a requirement in the bill that board members' participation in other group meetings be reported back to the board. I believe this report-back provision should be required for participation in other board meetings and legislative hearings. In the bill it doesn't have that requirement.

"Also the polling, I know there was testimony to explain that polling of members through e-mail and faxes is important and needed because the boards oftentimes could not determine the positions on legislative issues—because of the notice requirement, they're not able to meet before a hearing and they would like to participate in legislative and other hearings—and so a polling of board members would be helpful and needed. I believe that the requirement in this bill—the exception in this bill—could be narrowed to allow to limit that polling just for those particular cases.

"So I believe that with further work on this exception to the sunshine law, it can be made acceptable, and I just wanted to note my reservations. Thank you."

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

The motion was put by the Chair and carried, S.B. No. 2295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 2 (Ihara, Inouye). Noes, none. Excused, 1 (Bunda).

S.B. No. 3203, S.D. 1:

Senator Taniguchi moved that S.B. No. 3203, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition to the measure and stated:

"Madam President, I rise in opposition to S.B. No. 3203.

"Colleagues, this bill tries to come up with a new concept—the concept of being a miser with respect not to money but to pets, animal hoarding. The definition that it came up with of animal hoarding is strange. If you look at what is against the law before the bill goes into effect, and what will be against the law after the bill goes into effect, for all intents and purposes it is the same. The bill is unnecessary. It does not add clarity. It does not accomplish anything. Thank you."

Senator Slom rose to speak in opposition and stated:

"Madam President, I, too, rise in opposition to this bill.

"You know, we've had bills today about the cruelty to animals and eating animals and all of that. And that's all well and good that we want to pass legislation, but here we're creating a new criminal class, and we're calling it animal hoarding.

“The original bill defined hoarding as ‘a large number of animals,’ whatever that meant. Then the amendment, which is just as bad or maybe worse, says ‘more than a typical number of animals,’ whatever that means. We can’t be passing poor legislation like this. We’ve got to be precise and specific. I mean, otherwise next year we’ll come back here and we’ll have a bill on child hoarding—what’s too many children. Thank you, Madam President.”

The motion was put by the Chair and carried, S.B. No. 3203, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMAL HOARDING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

S.B. No. 2898, S.D. 1:

Senator Taniguchi moved that S.B. No. 2898, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition as follows:

“Madam President, I rise against this very bad bill.

“You know, here we are. We’re back again. We had this bill last year. I guess we haven’t learned. The supporters of this bill believe that they’re going to right a wrong that doesn’t exist. They believe that they are smarter than the founders of our country. And they believe, I guess, that large states and large metropolitan areas are much better and more equipped to decide elections than smaller areas, smaller states like Hawai‘i. We would be selling out our rights as a state. The founders were very imaginative, creative, and very wise in terms of putting together the Electoral College. Occasionally, there may appear to be blips to that. It’s not relegated to one political party or one political election. But the damage that would be done by giving up our sovereign rights under the current electoral process would far outdo any perceived benefits. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2898, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

S.B. No. 3103, S.D. 1:

Senator Menor moved that S.B. No. 3103, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senators Tokuda, Hooser, Tsutsui, Ihara and Menor requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 3103, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 5 (Hooser, Ihara, Menor, Tokuda, Tsutsui). Noes, none. Excused, 1 (Bunda).

S.B. No. 2526, S.D. 1:

Senator Menor moved that S.B. No. 2526, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to S.B. No. 2526.

“Colleagues, this bill seeks to pick out one particular type of vessel for special treatment. That type of vessel is a cruise boat. It tries to single out one particular type of fuel, as if that fuel is unique, and that is bunker fuel. It seeks to select one particular harbor for special treatment. These are not good reasons to create or craft legislation.

“If the bill addressed all ships and all harbors and all fuels, and was truly concerned about what came out of the smokestack, I could support it. But it doesn’t do it. It picks out one fuel, on one type of ship, at one harbor. It’s bad legislation. Thank you.”

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

“Madam President, I rise in support of this bill.

“Madam President, members, this is a pilot project designed to determine just how bad and how the bunker fuels from cruise ships are affecting these communities. And it’s the specific communities of Niumalu and Nawiliwili Harbor. The proposal is set up to give the cruise ships one year and the Health Department to put into place a baseline study to measure the emissions. And then they’ll ask the cruise ships to switch fuels. The reason the cruise ships are singled out is because there is no source of emissions whatsoever in this harbor, and I don’t believe in any harbor, that even comes close to the degree of emissions generated by cruise ships.

“This question was asked of the cruise ship industry, asked of the Health Department, asked of the Department of Transportation, and everybody agreed that cruise ships are essentially mini power-generating plants. The emissions requirements, the fuel requirements for an electricity-generating plant that Hawaiian Electric or Maui Electric or Kaua‘i Electric would use—those requirements are far greater than those allowed by cruise ships. Cruise ships are allowed to burn fuels five times as dirty as those required of electrical generating plants, and they are essentially sitting in the harbor. That’s what they’re doing; they’re mini plants; they’re feeding thousands, certainly hundreds if not thousands of hotel rooms, escalators, restaurants, air conditioners. So essentially they are a power plant. These cruise ships, when they are in California, are required to burn a cleaner fuel. It’s only when they leave California they switch to the dirty fuel because Hawai‘i does not have similar regulations in place.

“This particular pilot project in Nawiliwili, a residential community sits directly downwind of the trades. And day after day, when the cruise ships come in, that community is blanketed in black, sooty smoke as well as Kaua‘i High School. While I have much testimony, I won’t take the time to read it from residents in that area as well as students and teachers and the vice principal of Kaua‘i High School attesting to this.

“This is a pilot project. It’s been well-vetted. It’s been discussed. Two of the three cruise ship companies have voluntarily agreed to do this. It’s only Norwegian Cruise Line which has not volunteered. It’s a good bill. It’s meant to protect the community and set a standard, possibly statewide. But it is a pilot project, and I encourage the members to vote in support. Thank you.”

Senator Trimble rose in rebuttal and said:

“Madam President, I rise in brief rebuttal.

“The federal government, in setting standards for automobile emission, does not have those standards based upon the size of the engine. Again, this is legislation that was crafted because one group complained louder than any other group. No consideration was taken of the distance between the vessel and residents. If you go around the state and look at other harbors, you will find in other harbors the distance between the vessel and residences vary a lot. And the one you’re talking about is not one that has the residents closest to the vessel. Again we’re selecting one fuel as if that fuel were the only ones that contained contaminants. We should be looking at all fuels, from all vessels, in all harbors, and treat them all the same. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2526, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

S.B. No. 2040, S.D. 1:

Senator Ige moved that S.B. No. 2040, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

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

The motion was put by the Chair and carried, S.B. No. 2040, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 1 (Ihara). Noes, none. Excused, 1 (Bunda).

S.B. No. 2594, S.D. 1:

Senator Taniguchi moved that S.B. No. 2594, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

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

“Madam President, I rise in opposition to this bill.

“In its original form the bill sought to strip employees of the right of secret ballot in a voting. Part of that was taken away in the S.D. 1 version. But the point is that the intent was very clear. It is an undemocratic idea to disenfranchise employees. As even the HGEA testified, the current system has been working well so we really don’t even need this bill. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2594, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LABOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Bunda).

S.B. No. 3204, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Hee and carried, S.B. No. 3204, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2748, S.D. 1:

On motion by Senator Nishihara, seconded by Senator Kim and carried, S.B. No. 2748, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Bunda).

S.B. No. 2615, S.D. 1:

On motion by Senator Baker, seconded by Senator Tsutsui and carried, S.B. No. 2615, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2724 (S.B. No. 3138, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2724 was adopted and S.B. No. 3138, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE WAIANAE COAST,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2725 (S.B. No. 2459, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 2725 be adopted and S.B. No. 2459, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2725 was adopted and S.B. No. 2459, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO REMOTE DISPENSING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 1 (Menor). Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2726 (S.B. No. 2584, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 2726 be adopted and S.B. No. 2584, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Trimble rose to speak with reservations on the measure and stated:

“Madam President, I’d like to rise with reservations on S.B. No. 2584.

“There seems to be concerns by the Attorney General’s office that what this bill seeks to do is perhaps not possible. Over the last three or four years there’s been a great deal of time talking about honey, how to protect it, it’s an important crop. But at least in the end, before we carry a bill forward, we should make sure that we can in fact do what we seek to do. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2726 was adopted and S.B. No. 2584, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HONEY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 1 (Trimble). Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2728 (S.B. No. 1789, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 2728 be adopted and S.B. No. 1789, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

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

“Madam President, I rise in support with reservations on this bill.

“I think a number of issues have been raised about past and present practices and also access to public television. I think also First Amendment issues have been raised, and I think there’s enough concern that we should look carefully at this bill to see if it’s going to pass ultimately. Thank you.”

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2728 was adopted and S.B. No. 1789, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 3 (Ige, Ihara, Slom). Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2730 (S.B. No. 2630, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 2730 be adopted and S.B. No. 2630, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to S.B. No. 2630.

“Colleagues, I agree with you. This is another ‘punish the evil oil industry.’ And we will punish them by increasing the reporting requirements. Everything is too expensive. Oil is too expensive, gasoline is too expensive, so let’s make them fill out more papers, put in more numbers. It doesn’t solve any of the problems. It’s not going to make gasoline cheaper. It’s not going to do anything other than increase the cost. And because it is not effective, I urge you to consider voting against it. Thank you.”

Senator Menor rose to speak in favor of the measure and said

“Madam President, I wanted to offer some brief remarks in strong support of this measure.

“Madam President, the passage of this bill will strengthen our petroleum industry reporting law and insure a greater transparency in gasoline pricing. It’s going to accomplish this objective by requiring the Public Utilities Commission to make public more specific and detailed information regarding the wholesale prices that the oil companies and gasoline distributors are charging their customers as well as their actual crude oil costs, so that consumers can determine for themselves how gas prices are set and if anyone in the industry is making unfair profits.

“Making this information public will give the people of Hawai’i a clearer and more accurate view of the factors that contribute to the soaring pump prices in this state. I’d also like to note that given the fact that we have an oligopolistic market that lacks the market competition that exists on the mainland, there really is a compelling need for this sort of bill in which the public will be given the information to hold the petroleum companies more accountable for their pricing practices.

“For all of these reasons, I respectfully ask my colleagues to vote in favor of this pro-consumer measure today. And I’d also like to express my hope that our colleagues in the House will likewise give this measure their favorable consideration. While the House Majority Leader has stated that he believes improvements to the law are needed, a companion bill has not been introduced or heard in the House. I believe it is time for our colleagues in the House to move beyond rhetoric and take concrete action in this critical consumer issue. In this regard I would respectfully ask my colleagues in both chambers of the Legislature to support this particular measure. Thank you.”

Senator Trimble rose in rebuttal and said:

“Madam President, I rise in brief rebuttal.

“Unlike the previous speaker, I think we should compliment the people in the House for their wise actions.

“If abnormal profits are being made by the oil industry in Hawai’i, let’s tax it. But just requiring them to fill out additional pieces of paper with more numbers is not going to lower the price of gasoline. It’s not effective. So if you want to accomplish something, let’s do something that accomplishes it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2730 was adopted and S.B. No. 2630, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2732 (S.B. No. 409, S.D. 2):

On motion by Senator Ige, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 2732 was adopted and S.B. No. 409, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2735 (S.B. No. 2245, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2735 was adopted and S.B. No. 2245, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2739 (S.B. No. 2896, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2739 was adopted and S.B. No. 2896, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONTRACTORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2740 (S.B. No. 3080, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2740 was adopted and S.B. No. 3080, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS,” having been

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

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

Stand. Com. Rep. No. 2742 (S.B. No. 2064, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2742 be adopted and S.B. No. 2064, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition.

“Every year we try and exempt a different group from jury duty service. And if you look back at the law that we amended three or four sessions ago, we decided that elected officials did not have to serve on jury duty when the Legislature was in Session, as if the only elected officials were members of the State House or the State Senate.

“If we want to exempt groups, why don’t we ask the Legislative Auditor to do a study, come up with it, incorporate their recommendations, and change the law once, and leave it alone for at least 10 to 15 years, instead of coming back every year with another group that we wish to exclude. Psychologists are no more deserving for exclusion than many other groups that will suddenly appear on our door and ask to be excluded too.

“This is a responsibility of citizenship. We should not be treating the law with so much disrespect. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2742 was adopted and S.B. No. 2064, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO JURY SERVICE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2745 (S.B. No. 3221, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2745 be adopted and S.B. No. 3221, S.D. 2, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

“Madam President, again I rise in opposition, opposition to the state purchasing more property. Although I may have to declare a conflict of interest because I understand that if the state buys the Coco Palms property, they’re going to turn it into an old folks’ home and I might be able to apply for that in my waning years. So right now I’ll say ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2745 was adopted and S.B. No. 3221, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE COCO PALMS RESORT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2746 (S.B. No. 2833, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2746 was adopted and S.B. No. 2833, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SUSTAINABILITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2748 (S.B. No. 2727, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2748 was adopted and S.B. No. 2727, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HA’IKU VALLEY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2757 (S.B. No. 2164, S.D. 3):

Senator Baker moved that Stand. Com. Rep. No. 2757 be adopted and S.B. No. 2164, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition and said:

“Madam President, I rise reluctantly to oppose this bill.

“I think there are many good features in the bill as it relates to charter schools and many improvements needed. But it does include a charter school facilities special fund. And as you know, I oppose all special funds. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2757 was adopted and S.B. No. 2164, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2759 (S.B. No. 2710, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2759 be adopted and S.B. No. 2710, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

“Madam President, I rise in opposition to S.B. No. 2710.

“The bill seeks to allow retirees to be reemployed. The point of retirement is retirement. Allowing the reemployment of retirees adversely affects the morale of people in the civil service system. I believe that over time people above them will go away, and they will have opportunity for advancement and promotion. I don’t think that you can truly find any state employee that is irreplaceable. And if we want to encourage more productivity, you will vote against measures like this. Thank you.”

Senator Espero rose in support of the measure and said:

“Madam President, I’d like to rise in support of this measure.

“Our population in Hawai‘i is getting much older. Our baby boomers are getting older, and soon the number of senior citizens in this state will possibly double. We’ll be facing a crisis in health care and a crisis in labor. This is one possibility of dealing with the labor shortage in the future, and I urge my colleagues to support it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2759 was adopted and S.B. No. 2710, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE REEMPLOYMENT OF RETIREES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2763 (S.B. No. 2246, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2763 was adopted and S.B. No. 2246, S.D. 2, entitled: “A BILL FOR AN ACT

RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2765 (S.B. No. 2151, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2765 was adopted and S.B. No. 2151, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2766 (S.B. No. 2273, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2766 be adopted and S.B. No. 2273, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition and stated:

“Madam President, I rise in opposition to S.B. No. 2273.

“The problem with tax credits is for them to continue to be effective over time is that they continue to have to be increased. This bill seeks to increase the tax credit for digital media on Oahu to 15 percent and on the neighbor islands to 20 percent. If there is any industry, any activity in which Hawai‘i should not have to subsidize its operation because it is not location-specific but can occur anyplace, it should be digital media. So when we look about the things to subsidize, you have to remember that when you are giving away stuff, it comes at the expense of other people and other activities. Thank you.”

Senator Fukunaga rose in support as follows:

“Madam President, I rise to speak in support of this measure.

“I just want to respond to some of the comments made by the prior speaker. It is a workforce development type of measure intended to build upon Act 88, which the Legislature passed in 2006.

“I would also like to read into the record a letter from the Department of Taxation indicating that the bill will be revenue-neutral, based on the fact that the additional 5 percent credit will only be applied to the approved wage portion of production costs rather than to total production costs.

“The impact of the additional tax credit will be offset by the decline in production costs, such as a reduction in higher paid out-of-state labor costs, per diem, travel costs, etc., as a result of the higher portion of local-hired employees in the film industry.

“For these reasons I urge my colleagues to vote in support of this measure. Thank you.”

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2766 was adopted and S.B. No. 2273, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DIGITAL MEDIA,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 1 (Kim). Noes, 1 (Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2767 (S.B. No. 2153, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2767 be adopted and S.B. No. 2153, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition of the measure as follows:

“Madam President, I rise in opposition to this bill because this is a cruel hoax on the taxpayers of Hawai‘i.

“We are entitled under the constitution a tax refund for being overtaxed for two consecutive years. We were due a refund last year. We had a sliding scale which applied to very few people. A lot of people were denied that, and we’re going to try to do the same thing this year. Here we have the federal government, on a bipartisan basis, sending out refund checks or stimulus checks to taxpayers beginning in the month of May. And all we do is continue to tax and to use that money and to spend.

“If we are really being honest and we want to asset build and we want to help people, then we give them their own money back and let them make their own choices. This bill does not do it. It’s a cruel hoax. Thank you, Madam President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2767 was adopted and S.B. No. 2153, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2775 (S.B. No. 2783, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2775 was adopted and S.B. No. 2783, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LOSS MITIGATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2777 (S.B. No. 3073, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2777 was adopted and S.B. No. 3073, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2778 (S.B. No. 2764, S.D. 3):

Senator Baker moved that Stand. Com. Rep. No. 2778 be adopted and S.B. No. 2764, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in opposition as follows:

“Madam President, I rise to speak against S.B. No. 2764.

“First of all, Madam President, I’d like to insert into the Journal my remarks on this bill when I voted against ethanol several years ago. And I’d like to add to them, for the consumption at this Session, some points that should be salient to our commitment to ethanol.

“Ethanol, as we all know, is not what it has made up to be for the benefit of the environment or energy in the State of Hawai‘i. These are trying times when it comes to energy and pollution and what we’re doing to the world, and we’re finding out real quickly that some of our assumptions of the past don’t necessarily apply and work. Ethanol is one of those assumptions.

“Ethanol is a crop that, if we grow sugar to create it, that is very labor-intensive and water-intensive, hurting the environment and the costs there. It is energy-neutral. I pointed out two years ago in voting ‘no’ against the bill that Harper’s Magazine pointed out that you use as much energy to produce ethanol as it produces in your car. Most egregious is ethanol extends the life of fossil fuels. If you have 10 percent ethanol, you’re basically subsidizing the length of dependency on the real problem, which is fossil fuels.

“Ethanol is fuel-inefficient. I drive a hybrid car. The minute we put ethanol in it, the mileage went down about 2-3 miles per gallon. So what that means is you’re burning more oil because you’re being politically correct in saying you’re using 10 percent ethanol.

“And the most egregious part of all of this is—and we had to correct it with legislation—the small engine repairmen of the State of Hawai‘i loved ethanol because it broke many small engines. You all know that people with, especially, outboard motors all had to have their engines fixed or actually throw their engines away. So bad it was that we had to come in and amend the legislation to allow small boat harbors to have non-ethanol gasoline.

“And the last reason that should alarm everybody is we’re all complaining about the price of fuel in the State of Hawai‘i, and the biggest engine of that increase in fuel is, of course, taxes. And this ethanol mandate increased the fuel considerably. So it just doesn’t make sense environmentally or economically. It might be good for a potential sugar company, but we really should be doing what’s best for the people of Hawai‘i and the environment. And this bill’s not doing that. So I’d urge my colleagues to vote ‘no.’”

The Chair having so ordered, Senator Hemmings’ remarks from the 2004 Session read as follows:

“Mr. President, I rise to speak against S.B. No. 3170.

“Mr. President, this bill is so we can feel good for the environmentalists, but in fact it would be harmful for the environment for a number of reasons.

“Number one is that it will sustain the growth of a crop that has a tremendous impact on the environment most especially in the ever increasing shortage of water. As we all know, sugar is an incredibly thirsty crop.

“Secondly, the costs are against the environment also. The cost and the impact on the environment of harvesting and collecting this product for energy does not make sense, so much so that the normally astute observations of what many consider a rather liberal magazine, Harper’s Magazine, says the ratio amount of energy generated by one gallon of ethanol to the amount of energy required to produce it is 1.09, which means it costs us about as much energy to produce ethanol as the ethanol we get. So, the bottom line is that we’re at no net gain energy wise and environmentally.

“Thirdly, it does something much more egregious to the environment. It extends the life of fossil fuels. If we were taking this energy and this work and the incentive is to really get behind future technologies, such as hydrogen and renewable energies like geothermal in the Hawaiian Islands, we’d be going a long way to making ourselves energy independent from fossil fuels.

“What this bill really does is by adding an expensive ethanol addition to gasoline it extends the life and our dependency on fossil fuels and the geopolitical problems that are related to oil. So, for many reasons, and most especially environmentally, this bill should not pass. I urge my colleagues to consider the environment, consider the cost implications, and vote ‘no.’”

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2778 was adopted and S.B. No. 2764, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Ayes with Reservations, 1 (Chun Oakland). Noes, 3 (Gabbard, Hemmings, Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2782 (S.B. No. 2961, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2782 be adopted and S.B. No. 2961, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

“Madam President, I rise in support of the bill with reservations.

“I support the bill only because we have to, and we have to pay off our settlements. But every year I rise to again see if there is something that we can do to disallow all of the lawsuits against the state, and the fact that we’re deep pockets, and the fact that the lawyers representing the state will always say it’s better to settle and pay them off rather than to go through the cost of litigation; and of course that is true. We know the cost of litigation.

“But Madam President and colleagues, I think there should be something that we should do and look into our existing laws to make sure that the state and particularly its taxpayers, who ultimately pay these costs, are not the patsy that we are. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2782 was adopted and S.B. No. 2961, S.D. 2, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2786 (S.B. No. 3149, S.D. 3):

Senator Baker moved that Stand. Com. Rep. No. 2786 be adopted and S.B. No. 3149, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

“Madam President, I rise in opposition to this bill.

“This bill also includes a vehicle surcharge tax. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2786 was adopted and S.B. No. 3149, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAYS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2787 (S.B. No. 3171, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2787 be adopted and S.B. No. 3171, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition to the measure as follows:

“Madam President, I rise in opposition to S.B. No. 3171.

“Colleagues, if we feel that the consumers or the residents of our state are being taken advantage of by unscrupulous trusts, I suggest that, if and to the extent that it is occurring, it is nominal. If we really do need to regulate and investigate and prosecute more, let’s use general fund money instead of taxing through fees all the legitimate trusts and charitable organizations that do good work in our community. In fact we should be encouraging them to do more good work.

“For that reason I oppose this measure because we’re not using general fund money. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2787 was adopted and S.B. No. 3171, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2793 (S.B. No. 2829, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2793 be adopted and S.B. No. 2829, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

“Madam President, it’s back. Every year it gets bigger and worse—the streamlined tax bill. The presumption here is that this is going to help us collect uncollected taxes. It’s going to help the treasury and all that. The reality is that again it is a backdoor approach to internet taxation and to taxing sales and services that we are not currently taxing.

“I’m all for the enforcement of existing tax laws. I’m all for the collection of scofflaws and taxes that are due the state. But I absolutely oppose the introduction of new taxes, and that’s what this is. Thank you.”

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

“Madam President, I rise to speak in response to the prior speaker’s comments. I would like to remind the prior speaker that the use tax is currently due and owing. I’m rising to speak in support of this measure.

“I want to remind the prior speaker that the use tax is presently on the books, has been on the books, and is not a new tax. We are simply trying to help Department of Taxation collect the existing use tax which is due and owing on all out-of-state purchases. For these reasons I urge my colleagues to vote in support of this measure. Thanks.”

Senator Trimble rose in opposition and said:

“Madam President, I rise in opposition to this measure.

“I rise in opposition to this measure for slightly different reasons. While I’m aware that many of the constituents of the Senator from Hawai’i Kai purchase things on the Internet that are not available for sale in the State of Hawai’i, and feel that this is the one way that they can be more or less on a par with the other 48 or 49 states, that is not my reason for opposing this measure.

“I’m opposed to this measure because it is not tax neutral. If you sought to reduce tax pyramiding because of the all the additional revenue that would be coming in as a result, I could freely and openly support this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2793 was adopted and S.B. No. 2829, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2795 (S.B. No. 868, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2795 was adopted and S.B. No. 868, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2799 (S.B. No. 2129, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2799 was adopted and S.B. No. 2129, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELDER AFFAIRS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2802 (S.B. No. 2857, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2802 was adopted and S.B. No. 2857, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2803 (S.B. No. 2342, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2803 be adopted and S.B. No. 2342, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition as follows:

“Madam President, I rise in opposition to this bill.

“With all of the things that we have the Auditor doing, and all of the things we can have the Auditor doing, to require the Auditor to audit mainland private prisons, I think, is a waste of our money. Actually we should be doing something to solve our lack of prison space. And that should be the real emphasis of our focus. Thank you.”

Senator Espero rose in support of the measure and said:

“Madam President, I rise in support of this measure.

“We spend over \$50 million a year, colleagues, to house our Hawai’i inmates on the mainland. This is an expense that we would obviously prefer not to have. However, it is important that we make certain that facilities on the mainland are treating our inmates properly and that we are getting the services that we have contracted for. Recently there was a study that said 1 in 100 residents of the United States are incarcerated—the highest number in the history of our nation. In the future it would be a noble goal to reduce our prison population, emphasize community-based programs, services, and resources, and eventually bring all of our inmates home. If we can do that, we will not need this measure. Thank you, Madam President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2803 was adopted and S.B. No. 2342, S.D. 2, entitled:

“A BILL FOR AN ACT RELATING TO THE AUDITOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2805 (S.B. No. 2780, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2805 was adopted and S.B. No. 2780, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC WORKS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2807 (S.B. No. 2233, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2807 be adopted and S.B. No. 2233, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition as follows:

“Madam President, I was waiting for my colleague from Hawai‘i Kai to stand up in opposition to S.B. No. 2233 because yesterday morning he volunteered.”

The Chair interjected:

“And you rise for what purpose?”

Senator Trimble continued:

“He’s run out of ethanol, I guess, and he’s going to have to switch.” (Laughter.)

The Chair inquired:

“Senator Trimble, for what purpose do you rise?”

Senator Trimble responded:

“I rise to similarly oppose this piece of legislation. You know, we on one hand talk about autonomy for the University. And on the other hand, we seek to ask them to do more and more stuff. I actually like the idea. But my sense is we’ve got a university system that cannot maintain what they currently have and that they are not prioritizing. And that the campuses throughout our state are in terrible condition. And we’re not going to help this process if this Legislature keeps on and continually asks them to do more and more stuff. We may fund something for one year or two years, but after a while we go on to something else and we eliminate the funding for what we did previously. And our university system will not get better if we continually ask them to do more and more stuff without them prioritizing and weeding out some of the older programs. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2807 was adopted and S.B. No. 2233, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2812 (S.B. No. 3167, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2812 be adopted and S.B. No. 3167, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition to the measure and said:

“I don’t know who asked to pull this bill. I didn’t. Oh, I’m sorry. I don’t want to rise to speak in opposition to this bill, but it’s on the list. (Laughter.) I wanted to let it go through.”

The Chair responded:

“You don’t have to speak, Senator Trimble. But you must say for what purpose you rise.”

Senator Trimble continued:

“Colleagues, I don’t want to face Dexter after he hears what I have to say today. If we want to give tax relief to business . . .”

The Chair interjected:

“Senator Trimble, you still haven’t stated for what purpose you rise.”

Senator Trimble replied:

“I rise in opposition because it selectively takes a small part of our community, one which for some reason or other is included in my Senate district, for preferential treatment. And I support tax relief for businesses. But if we’re going to do it, we should do it for all small businesses—not only in Kakaako but in Honolulu, on Maui, in Hilo, in Lihue. We should make it a state policy to make it easier for small business to do business in the State of Hawai‘i. And since we’re selectively taking out one small slice of that apple, I think that it is bad law. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2812 was adopted and S.B. No. 3167, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO KAKA’AKO,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2814 (S.B. No. 2824, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2814 be adopted and S.B. No. 2824, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2814 was adopted and S.B. No. 2824, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Ayes with Reservations, 1 (Ihara). Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 2 (Bunda, Inouye).

Stand. Com. Rep. No. 2816 (S.B. No. 2294, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2816 be adopted and S.B. No. 2294, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition to the measure as follows:

“Madam President, I stand in opposition to this measure.

“Colleagues, this measure seeks to increase the number or percent of affordable housing units that will be done as a part of a project in Kaka’ako. I truly believe that we need more affordable housing in Kaka’ako, but having a legislative mandate might result in absolutely the opposite result. By requiring developers to go from 10 percent to 25 percent affordable housing, it affects the economics of the project.

“We’re at the end of the cycle, not the beginning. We are seeing that there are very few new construction projects that are now being undertaken for new residential housing. So it would indicate, and it hopefully would indicate to you, and even if it didn’t, if you read the testimony that was submitted on this legislation, you should come to the conclusion that it will result in not more affordable housing, but less. And for those reasons you should vote against this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2816 was adopted and S.B. No. 2294, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO KAKAAKO,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Trimble, Whalen). Excused, 2 (Bunda, Inouye).

Stand. Com. Rep. No. 2819 (S.B. No. 3257, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2819 was adopted and S.B. No. 3257, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Slom, Trimble, Whalen). Excused, 2 (Bunda, Inouye).

Stand. Com. Rep. No. 2820 (S.B. No. 2768, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2820 was adopted and S.B. No. 2768, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Hemmings). Excused, 2 (Bunda, Inouye).

Stand. Com. Rep. No. 2821 (S.B. No. 2845, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2821 was adopted and S.B. No. 2845, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Bunda, Inouye).

Stand. Com. Rep. No. 2825 (S.B. No. 3009, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2825 be adopted and S.B. No. 3009, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose in opposition as follows:

“Madam President, I rise in opposition to S.B. No. 3009.

“Colleagues, until last year every session—I guess including last year—every session we got to discuss whether we needed to regulate money transmitters. These are people that take money from people that want to get money in Hawai‘i to money back home, whether it’s in the Philippines or China or Vietnam. And every year when we had the hearings, no consumers came forward and said that they were taken advantage of. What we wound up passing was an industry protection bill by an industry that wanted to charge more money and have less competition. After we succeeded in passing that, now we come to regulators that want to increase the charges or the fees for the money transmitters so they can do an effective or more effective, so

they say, regulation and auditing of the money transmitters. But neither today nor last year or two years ago did any consumers come forward and say please protect me, I’m being taken advantage of.

“Colleagues, why are we doing this? We are continuing to go in the direction of more regulation, more expensive government, and less service to the people. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2825 was adopted and S.B. No. 3009, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2826 (S.B. No. 2843, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2826 be adopted and S.B. No. 2843, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

“Madam President, I rise in opposition to this bill.

“This bill basically would do two things. It would create yet another special fund—the electronic device recycling special fund—and would in effect impose a tax on manufacturers of electronic equipment, which ultimately would be paid for by the consumers of that equipment. I stand in support of recycling, but recycling with incentives and not tax punishment. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2826 was adopted and S.B. No. 2843, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2828 (S.B. No. 2192, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2828 be adopted and S.B. No. 2192, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition as follows:

“Madam President, I rise in opposition to this bill.

“The issue of Waimanalo Gulch, which I think the Senate President is more than well aware of, has been festering for too long. Promises have been made and broken. We should be moving towards closing the landfill, expediting alternative movement of trash and recycling, instead of continuing to study and finding ways to make excuses for keeping the landfill open. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2828 was adopted and S.B. No. 2192, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SOLID WASTE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2832 (S.B. No. 2579, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2832 be adopted and S.B. No. 2579, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition and stated:

“Madam President, I rise in opposition to S.B. No. 2579.

“The change or the most important change is instead of moneys that were collected as a result of fines being deposited with the campaign spending commission, it will be deposited in the general fund. The result of this seemingly minor change is to make the campaign spending commission less efficient and reduce their capacity to investigate and weed out fraud and abuse. And because it weakens our current system—not strengthens it—I oppose it.”

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2832 was adopted and S.B. No. 2579, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 1 (Ihara). Noes, 2 (Slom, Trimble). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2835 (S.B. No. 2528, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2835 was adopted and S.B. No. 2528, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2840 (S.B. No. 2832, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2840 was adopted and S.B. No. 2832, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SUSTAINABILITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2842 (S.B. No. 2915, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2842 was adopted and S.B. No. 2915, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TARO,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2848 (S.B. No. 3165, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2848 was adopted and S.B. No. 3165, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2851 (S.B. No. 2878, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2851 be adopted and S.B. No. 2878, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and said:

“Madam President, I rise in opposition to this bill.

“Even though we have lofty goals and a lot of platitudes in the bill, the fact of the matter is we continue to lose public education attendees in the upper age levels and upper grades.

So this seems to me to be a way of pumping up both the attendance by getting it earlier and, as one my colleagues had said to me, it just prepares people at an earlier age for failure.

“We’ve got to do something about our education system instead of getting more people into it, spending more money on it, without having the accountability with the audits that are necessary and all of that. And just by adding more younger and younger keiki to this does not solve the problem. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2851 was adopted and S.B. No. 2878, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EARLY LEARNING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2853 (S.B. No. 3252, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2853 be adopted and S.B. No. 3252, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

“Madam President, I rise in opposition to this bill.

“This is an omnibus bill; it’s a kitchen sink bill. There are several good positions in here for teacher incentives, but there are an awful lot of other items of dubious distinction and also of high cost. And I think we’d be better off to target and use a rifle approach to trying to improve incentives for teaching. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2853 was adopted and S.B. No. 3252, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TEACHERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2855 (S.B. No. 2842, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2855 be adopted and S.B. No. 2842, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

“Madam President, I rise in opposition to this bill.

“This is one of the several ban bills that were introduced this Session. And the interesting thing about this bill—it aims at the incandescent light and is also talking about mercury-controlled light fixtures. And it pushes the benefits of CFLs. But as we’ve been seeing recently, as we’re getting more information, CFLs—which do contain mercury—if they are shattered, if they break, they cause a toxic hazard. They cause evacuations of home and hearth, and are a real danger.

“We are rushing, rushing into this area of getting rid of old and true products and taking up new products with the idea that they are a panacea, without the benefit of any time, testing, or unintended consequences. And this is one of those bills that does create unintended consequences and cost items. Thank you.”

Senator Trimble rose in opposition and stated:

“Madam President, this truly is tandem. If you’re going to pass a bill, and I have a sense that you are, would you consider amending it in Committee? Or at least asking the House on the other side to amend it to have a recycling program for compact fluorescent bulbs? We don’t need them in our waste stream going to our landfills. So, if you’re going to pass the bill, then

now let's figure out what we're going to do with compact fluorescent bulbs because there truly is a significant mercury issue. Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2855 was adopted and S.B. No. 2842, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 1 (Kim). Noes, 2 (Slom, Trimble).

Stand. Com. Rep. No. 2856 (S.B. No. 2932, S.D. 3):

Senator Baker moved that Stand. Com. Rep. No. 2856 be adopted and S.B. No. 2932, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition as follows:

"Madam President, I rise in opposition to this bill, which increases the taxes and it may be tax increases on petroleum, but of course that filters down to us. And it will mean that our fuel costs are even greater than they are now. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2856 was adopted and S.B. No. 2932, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 2857 (S.B. No. 2828, S.D. 2):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2857 was adopted and S.B. No. 2828, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 2858 (S.B. No. 3215, S.D. 3):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2858 was adopted and S.B. No. 3215, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2863 (S.B. No. 2905, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2863 be adopted and S.B. No. 2905, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

"Madam President, I rise in opposition to this bill.

"We had a lengthy hearing and discussion about this bill. It's not about false labeling. It's not about mislabeling. It's not about non-labeling. It's about the fact that we have products right now that are on sale everyday that are clearly marked 10 percent Kona coffee. And consumers that drink coffee, and want Kona coffee, and want to pay that price do so. The others that want 100 percent Kona coffee and are able and willing to pay that price do so.

"For the Legislature to get involved and to have more studies and more committees to arrive at a percentage—whether it's 50 percent, 75 percent—really doesn't solve a problem that at this point does not exist. Thank you."

Senator Tokuda rose in support of the measure:

"Madam President, I rise in support of this measure.

"This measure was in response to requests that have been coming to us from the Kona coffee industries to increase the blend law to 75 percent, but also to look at strengthening our truth in labeling laws, because Kona coffee is one of our most important agricultural crops. And as we stated in last year's S.C.R. No. 102, further economic analysis and evaluation into these labeling laws as well as to the various percentages that could be required to call yourself a Kona coffee blend, is very much needed, so that we do not make an uninformed decision and negatively impact one of our most profitable agricultural crops.

"While this bill provides the necessary funding to continue the study and analysis called for in S.C.R. No. 102, it does go a bit further in that it not only looks at Kona coffee, but asks us to basically look at all of the other Hawai'i regional coffees that are now currently coming out and have the potential to achieve the branding and recognition similar to Kona. Those of you on the neighbor islands may be very familiar with some of these particular coffee blends—from Ka'u to Moloka'i to Kaua'i to Hamakua—they've all begun to establish themselves and have great potential to become one of the many high quality Hawai'i regional coffees that we promote and will greatly add to our agricultural industry.

"What this bill does is calls upon us to look at what measurements or standards will be necessary to support these up and coming regional coffees and assist them in gaining the recognition that Kona coffee has established over the years. So I ask you to please support Kona coffee, as well as our many other Hawai'i regional coffees, and support this bill. Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2863 was adopted and S.B. No. 2905, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 1 (Gabbard). Noes, 2 (Slom, Trimble). Excused, 1 (Hee).

Stand. Com. Rep. No. 2866 (S.B. No. 2808, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2866 be adopted and S.B. No. 2808, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Gabbard.

Senators Kokubun, Tokuda, Baker, Tsutsui, Gabbard, Menor, English and Ige requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2866 was adopted and S.B. No. 2808, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 8 (Baker, English, Gabbard, Ige, Kokubun, Menor, Tokuda, Tsutsui). Noes, 2 (Hooser, Ihara). Excused, 1 (Hee).

Stand. Com. Rep. No. 2870 (S.B. No. 2395, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Gabbard and carried, Stand. Com. Rep. No. 2870 was adopted and S.B. No. 2395, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hemmings). Excused, 1 (Hee).

Stand. Com. Rep. No. 2872 (S.B. No. 2366, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Gabbard and carried, Stand. Com. Rep. No. 2872 was adopted and S.B. No. 2366, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2873 (S.B. No. 2334, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Gabbard and carried, Stand. Com. Rep. No. 2873 was adopted and S.B. No. 2334, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2876 (S.B. No. 2063, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2876 was adopted and S.B. No. 2063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2877 (S.B. No. 2486, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 2877 be adopted and S.B. No. 2486, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition and said:

"Madam President, I rise in opposition.

"Colleagues, I suggest that you carefully look at the wording contained in this bill. The wording is rather strange. And when you read the wording—since it's too late for this to be done today—I suggest that you think about whether, or the extent to which, this strange wording might increase the liability of the state to suit. Okay? We'll get another chance to look at it. I hope the language is cleaned up before it comes back. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2877 was adopted and S.B. No. 2486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2878 (S.B. No. 2341, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2878 was adopted and S.B. No. 2341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2879 (S.B. No. 2895, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hee and carried, Stand. Com. Rep. No. 2879 was adopted and S.B. No. 2895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2883 (S.B. No. 2901, S.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 2883 was adopted and S.B. No. 2901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hemmings).

At 3:12 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:13 p.m.

ADJOURNMENT

At 3:13 p.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 10:30 a.m., Thursday, March 6, 2008.