

## FORTY-FOURTH DAY

Thursday, April 3, 2008

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2008, convened at 11:41 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Michael Palompo, New Hope Mililani, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senators Gabbard and Ige honored and commended Jeanine Wong who could not be here on her title of 2008 Hawaii Young Mother of the Year awarded to her by American Mothers, Inc. for her dedication to her husband, children, church and community; in her place was Mervlyn Kitashima, President of the Hawaii American Mothers, Inc. Also congratulated was Margaret Marie "Nip" Ho on being named the 2008 Hawaii State Mother of the Year, for her excellence as a role model for her children and community.

Senators Tsutsui, Baker and English recognized Maui Economic Opportunity, Inc. in honor of National Community Action Month for their work in combating poverty in Hawaii, and introduced their staff: Sandy Baz, Executive Director; Lyn McNeff, Deputy Director; Paul Janes-Brown, Fund Development Director; and Harry Johnson, Transportation Director.

Senators Sakamoto, Taniguchi and Hee welcomed Dr. Darrel Lum and Eric Chock, founding editors of Bamboo Ridge Press, and congratulated them on their 30<sup>th</sup> Anniversary of publishing poetry and fiction that celebrates Hawaii's culture and people.

Senator Menor then introduced representatives from the following Filipino organizations and expressed deep appreciation and congratulations for their organizations' efforts: Amy Agbayani, Region XII Vice President of the National Federation of Filipino American Associations; Libby Domingo of Sariling Gawa Youth Council; Salome Calderon, veteran of the World War II Filipino-American Veterans Hawaii Chapter; Charlene Cuaresma, Community Director for the Asian American Network for Cancer Awareness, Research and Training; Helena Manzano, Project Director for the Domestic Violence Action Center Pilipina Rural Project; Lyna Burian, Vice President of the Filipino American Historical Society of Hawaii; Mila Medallon, advisor at the Hawaii Coalition of Caregivers; and Tony Sagayadoro, Program Director of the Minority Organ Tissue and Transplant Education Program.

At 12:17 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 p.m.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 40, from the Department of Education dated March 24, 2008, transmitting the Superintendent's 18th Annual Report for School Year 2006-2007, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 446 to 457) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 446, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 2810, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 447, transmitting H.C.R. No. 124, H.D. 1, which was adopted by the House of Representatives on April 2, 2008, was placed on file.

By unanimous consent, H.C.R. No. 124, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONSTRUCTION," was deferred.

Hse. Com. No. 448, transmitting H.C.R. No. 230, H.D. 1, which was adopted by the House of Representatives on April 2, 2008, was placed on file.

By unanimous consent, H.C.R. No. 230, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF SEPTEMBER 1 – SEPTEMBER 7 AS HAWAII LABOR HISTORY WEEK," was deferred.

Hse. Com. No. 449, returning S.B. No. 1802, which passed Third Reading in the House of Representatives on April 2, 2008, in the amended form, was placed on file.

By unanimous consent, action on S.B. No. 1802, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Friday, April 4, 2008.

Hse. Com. No. 450, returning S.B. No. 2141, which passed Third Reading in the House of Representatives on April 2, 2008, in the amended form, was placed on file.

By unanimous consent, action on S.B. No. 2141, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred until Friday, April 4, 2008.

Hse. Com. No. 451, returning S.B. No. 2363, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 2008, in the amended form, was placed on file.

By unanimous consent, action on S.B. No. 2363, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred until Friday, April 4, 2008.

Hse. Com. No. 452, returning S.B. No. 2997, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2008, in the amended form, was placed on file.

By unanimous consent, action on S.B. No. 2997, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Friday, April 4, 2008.

Hse. Com. No. 453, returning S.B. No. 3203, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2008, in the amended form, was placed on file.

By unanimous consent, action on S.B. No. 3203, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," was deferred until Friday, April 4, 2008.

Hse. Com. No. 454, returning S.B. No. 2399, which passed Third Reading in the House of Representatives on April 2, 2008, was placed on file.

Hse. Com. No. 455, returning S.B. No. 2401, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2008, was placed on file.

Hse. Com. No. 456, returning S.B. No. 2898, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2008, was placed on file.

Hse. Com. No. 457, returning S.B. No. 3105, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2008, was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Kokubun, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 3302) recommending that S.R. No. 47, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3302 and S.R. No. 47, S.D. 2, entitled: "SENATE RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was deferred until Friday, April 4, 2008.

Senator Kokubun, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 3303) recommending that S.C.R. No. 85, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3303 and S.C.R. No. 85, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was deferred until Friday, April 4, 2008.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 3304) recommending that S.R. No. 132, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3304 and S.R. No. 132, S.D. 1, entitled: "SENATE RESOLUTION ACKNOWLEDGING THE WORK OF THE STATE FOUNDATION ON CULTURE AND THE ARTS IN SUPPORTING ARTS AND CULTURE IN HAWAII, AND REQUESTING THAT AS AGENCIES MOVE FROM THE NO. 1 CAPITOL DISTRICT BUILDING, THE VACATED SPACE SHALL BE ASSIGNED TO THE STATE FOUNDATION ON CULTURE AND THE ARTS AND THE STATE ART MUSEUM," was deferred until Friday, April 4, 2008.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 3305) recommending that S.C.R. No. 225, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3305 and S.C.R. No. 225, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ACKNOWLEDGING THE WORK OF THE STATE FOUNDATION ON CULTURE AND THE ARTS IN SUPPORTING ARTS AND CULTURE IN HAWAII, AND REQUESTING THAT AS AGENCIES MOVE FROM THE NO. 1 CAPITOL DISTRICT BUILDING, THE VACATED SPACE SHALL BE ASSIGNED TO THE STATE FOUNDATION ON CULTURE AND THE ARTS AND THE STATE ART MUSEUM," was deferred until Friday, April 4, 2008.

Senators Chun Oakland, Inouye and Sakamoto, for the Committee on Human Services and Public Housing, the Committee on Intergovernmental and Military Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 3306) recommending that S.R. No. 118, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3306 and S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER TO DEVELOP A PROGRAM FOR PRIVATE, GOVERNMENTAL, AND NON-PROFIT ENTITIES WITH AN EMPHASIS ON AT-RISK COMMUNITIES," was deferred until Friday, April 4, 2008.

Senators Chun Oakland, Inouye and Sakamoto, for the Committee on Human Services and Public Housing, the Committee on Intergovernmental and Military Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 3307) recommending that S.C.R. No. 204, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3307 and S.C.R. No. 204, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER TO DEVELOP A PROGRAM FOR PRIVATE, GOVERNMENTAL, AND NON-PROFIT ENTITIES WITH AN EMPHASIS ON AT-RISK COMMUNITIES," was deferred until Friday, April 4, 2008.

Senators Chun Oakland and Espero, for the Committee on Human Services and Public Housing and the Committee on Public Safety, presented a joint report (Stand. Com. Rep. No. 3308) recommending that S.R. No. 59, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3308 and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH PROTOCOLS AND TRAINING PROGRAMS FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was deferred until Friday, April 4, 2008.

Senators Chun Oakland and Espero, for the Committee on Human Services and Public Housing and the Committee on Public Safety, presented a joint report (Stand. Com. Rep. No. 3309) recommending that S.C.R. No. 105, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3309 and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH PROTOCOLS AND TRAINING PROGRAMS FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was deferred until Friday, April 4, 2008.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 3310) recommending that S.C.R. No. 125, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3310 and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RESEARCH AND STUDY EARLY PAROLE ELIGIBILITY PROGRAMS THAT REDUCE THE MINIMUM PERIOD OF TIME THAT HAWAII INMATES MUST WAIT TO BECOME ELIGIBLE FOR PAROLE," was deferred until Friday, April 4, 2008.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 3311) recommending that S.R. No. 64, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3311 and S.R. No. 64, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RESEARCH AND STUDY EARLY PAROLE ELIGIBILITY PROGRAMS THAT REDUCE THE MINIMUM PERIOD OF TIME THAT HAWAII INMATES MUST WAIT TO BECOME ELIGIBLE FOR PAROLE," was deferred until Friday, April 4, 2008.

Senators Chun Oakland and Inouye, for the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 3312) recommending that H.C.R. No. 111, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3312 and H.C.R. No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATIVE INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was deferred until Friday, April 4, 2008.

Senators Ige, Chun Oakland and Inouye, for the Committee on Health, the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 3313) recommending that S.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3313 and S.R. No. 83, entitled: "SENATE RESOLUTION SUPPORTING THE 'DIVIDED WE FAIL' CAMPAIGN," was deferred until Friday, April 4, 2008.

Senators Ige, Chun Oakland and Inouye, for the Committee on Health, the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 3314) recommending that S.C.R. No. 153 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3314 and S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE 'DIVIDED WE FAIL' CAMPAIGN," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the majority of the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3315) recommending that S.C.R. No. 222 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3315 and S.C.R. No. 222, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE DEPARTMENTS TO CONVERT EXEMPT EMPLOYEES TO CIVIL SERVICE IN ACCORDANCE WITH ACT 253, SESSION LAWS OF HAWAII 2000, AND ACT 300, SESSION LAWS OF HAWAII 2006," was deferred until Friday, April 4, 2008.

Senators Hee and Chun Oakland, for the Committee on Water and Land and the Committee on Human Services and Public Housing, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 3316) recommending that S.C.R. No. 119 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3316 and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE'EHU LAGOON," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3317) recommending that H.B. No. 1978, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1978, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senators Menor and Inouye, for the Committee on Energy and Environment and the Committee on Intergovernmental and Military Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 3318) recommending that H.B. No. 2977, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2977, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3319) recommending that H.B. No. 3011, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3319 and H.B. No. 3011, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3320) recommending that H.B. No. 2254, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3320 and H.B. No. 2254, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3321) recommending that H.B. No. 2675, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3321 and H.B. No. 2675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3322) recommending that H.B. No. 2326, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3322 and H.B. No. 2326, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3323) recommending that H.B. No. 2366, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3323 and H.B. No. 2366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3324) recommending that H.B. No. 2238, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3324 and H.B. No. 2238, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3325) recommending that H.B. No. 2739, H.D. 1, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3325 and H.B. No. 2739, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3326) recommending that H.B. No. 2441 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3326 and H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3327) recommending that H.B. No. 2163, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3327 and H.B. No. 2163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3328) recommending that H.B. No. 2527, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3328 and H.B. No. 2527, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMART GROWTH," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3329) recommending that H.B. No. 2306, H.D. 2, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3329 and H.B. No. 2306, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3330) recommending that H.B. No. 2761, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3330 and H.B. No. 2761, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," was deferred until Friday, April 4, 2008.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3331) recommending that H.B. No. 2763, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3331 and H.B. No. 2763, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3332) recommending that H.B. No. 2730, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3332 and H.B. No. 2730, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," was deferred until Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3333) recommending that H.B. No. 2696, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 2696, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 4, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3334) recommending that H.B. No. 2699, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 2699, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3335) recommending that H.B. No. 2729, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 2729, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3336) recommending that H.B. No. 3002, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 3002, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senator Taniguchi, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3337) recommending that H.B. No. 3383, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 3383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2008.

Senator Hee, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 3338) recommending that the Senate advise and consent to the nomination of MR.

ABBEY SETH MAYER as Director of the Office of Planning, in accordance with Gov. Msg. No. 258.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3338 and Gov. Msg. No. 258 was deferred until Friday, April 4, 2008.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2008

S.B. No. 1035, S.D. 1 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1035, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2441 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2441, and requested a conference on the subject matter thereof.

S.B. No. 2849, S.D. 1, H.D. 1 (Hse. Com. No. 404):

By unanimous consent, action on S.B. No. 2849, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Friday, April 4, 2008.

S.B. No. 2159, H.D. 1 (Hse. Com. No. 415):

By unanimous consent, action on S.B. No. 2159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," was deferred until Friday, April 4, 2008.

S.B. No. 2434 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2434, and requested a conference on the subject matter thereof.

S.B. No. 2464 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2464, and requested a conference on the subject matter thereof.

S.B. No. 2584, S.D. 2 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2584, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 3166 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3166, and requested a conference on the subject matter thereof.

S.B. No. 2499 (H.D. 1):

On motion by Senator Ige, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2499, and requested a conference on the subject matter thereof.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3282 (Gov. Msg. Nos. 323 and 324):

Senator Kokubun moved that Stand. Com. Rep. No. 3282 be received and placed on file, seconded by Senator Ige and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Real Estate Commission of the following:

CAROL MAE A. BALL, term to expire June 30, 2012 (Gov. Msg. No. 323); and

MICHELE SUNAHARA LOUDERMILK, term to expire June 30, 2012 (Gov. Msg. No. 324).

seconded by Senator Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3283 (Gov. Msg. Nos. 305 and 306):

Senator Kokubun moved that Stand. Com. Rep. No. 3283 be received and placed on file, seconded by Senator Ige and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

MICHAEL S. CHU, term to expire June 30, 2012 (Gov. Msg. No. 305); and

ROSS S. OKUDA, term to expire June 30, 2012 (Gov. Msg. No. 306).

seconded by Senator Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3284 (Gov. Msg. No. 303):

Senator Kokubun moved that Stand. Com. Rep. No. 3284 be received and placed on file, seconded by Senator Ige and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of WAYNE MINORU SHINTANI to the Credit Union Advisory Board, term to expire June 30, 2012, seconded by Senator Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3285 (Gov. Msg. No. 301):

Senator Kokubun moved that Stand. Com. Rep. No. 3285 be received and placed on file, seconded by Senator Ige and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of DENNY R. SADOWSKI to the Contractors License Board, term to expire June 30, 2012, seconded by Senator Ige.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3286 (Gov. Msg. No. 541):

Senator Nishihara moved that Stand. Com. Rep. No. 3286 be received and placed on file, seconded by Senator Kim and carried.

Senator Nishihara then moved that the Senate advise and consent to the nomination of SHARON R. WEINER to the Board of Directors of the Hawai'i Tourism Authority, term to expire June 30, 2012, seconded by Senator Kim.

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

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

#### ADOPTION OF RESOLUTION

##### MATTER DEFERRED FROM WEDNESDAY, APRIL 2, 2008

Stand. Com. Rep. No. 3287 (S.C.R. No. 134, S.D. 2):

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 134, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO 'BUY LOCAL' AND TO IMPLEMENT AND DEVELOP FOOD WARE AND FOOD WASTE RECYCLING PROGRAMS TO ENCOURAGE SUSTAINABILITY," was adopted.

#### FINAL READING

S.B. No. 1805, S.D. 1:

On motion by Senator Ige, seconded by Senator Kokubun and carried, S.B. No. 1805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

#### THIRD READING

H.B. No. 3085, H.D. 2, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, H.B. No. 3085, H.D. 2, 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, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

H.B. No. 3174, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Kokubun and carried, H.B. No. 3174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3290 (H.B. No. 2165):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 3290 was adopted and H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3291 (H.B. No. 2301, H.D. 1, S.D. 1):

On motion by Senator Kokubun, seconded by Senator Ige and carried, Stand. Com. Rep. No. 3291 was adopted and H.B. No. 2301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Stand. Com. Rep. No. 3292 (H.B. No. 2523):

On motion by Senator Hee, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 3292 was adopted and H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

H.B. No. 3343, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Espero and carried, H.B. No. 3343, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, English, Hemmings).

Senator Baker, Chair of the Committee on Ways and Means, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 3348.

Senator Baker noted:

"Madam President, I request a waiver of the notice requirement pursuant to Senate Rule. No. 21 in order to reconsider the Committee's previous action and hold decision making on H.B. No. 3348, S.D. 1. This measure was passed out unamended and it needed some amendments. So since we have an opportunity to do that, we would like to have that opportunity to correct the bill before sending it back."

The Chair granted the waiver.

#### REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

##### MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2008

The President made the following committee assignments of House concurrent resolutions that were received on Wednesday, April 2, 2008:

House Concurrent Resolution	Referred to:
H.C.R. No. 109	Committee on Intergovernmental and Military Affairs
H.C.R. No. 116	Jointly to the Committee on Education and the Committee on Agriculture and Hawaiian Affairs
H.C.R. No. 169	Committee on Education
H.C.R. No. 226	Jointly to the Committee on Education and the Committee on Health

H.C.R. No. 239, H.D. 1 Committee on Health, then to the Committee on Ways and Means

H.C.R. No. 246, H.D. 1 Jointly to the Committee on Economic Development and Taxation and the Committee on Commerce, Consumer Protection and Affordable Housing

H.C.R. No. 248, H.D. 1 Jointly to the Committee on Water and Land and the Committee on Intergovernmental and Military Affairs

H.C.R. No. 271 Jointly to the Committee on Energy and Environment and the Committee on Intergovernmental and Military Affairs

H.C.R. No. 276, H.D. 1 Jointly to the Committee on Education and the Committee on Human Services and Public Housing

H.C.R. No. 312 Jointly to the Committee on Education and the Committee on Economic Development and Taxation

**ADJOURNMENT**

At 12:29 p.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 a.m., Friday, April 4, 2008.