

THIRTY-THIRD DAY

Friday, March 20, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:33 a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Lou Ann Ha'aheo Guanson, Pacific Justice and Reconciliation Center, after which the Roll was called showing all Senators present with the exception of Senators Bunda, English, Hemmings, and Takamine who were excused.

The President announced that she had read and approved the Journal of the Thirty-Second Day.

At this time, Senator Gabbard introduced and congratulated Damon Duhaylonsod and *The Voice of Kapolei 'ohana*. Accompanying Mr. Duhaylonsod were his wife Karen Duhaylonsod, and children Joshua Duhaylonsod, Malia Duhaylonsod, Keala Duhaylonsod, and Isaac Duhaylonsod.

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

The Senate reconvened at 11:48 a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 492 to 517) were read by the Clerk and were referred to committee:

Gov. Msg. No. 492, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of STEVEN R. OBERG CPA, term to expire June 30, 2010, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 493, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of SARAH K. AHINA, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 494, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOLAINE L. HAO, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 495, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of LOUISE K. IWAISHI, term to expire June 30, 2012, was referred to the Committee on Health.

Gov. Msg. No. 496, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANNIE L. KALAMA, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 497, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANASTASIA L. KELLER-COLLINS, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 498, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JENNIFER V. PATRICIO ESQ, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 499, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOSEPHINE C. WOLL, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 500, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of BARBARA P. FISCHLOWITZ-LEONG, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 501, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 502, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of ANTHONY A. RIECKE-GONZALES, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 503, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of BILLIE GABRIEL, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 504, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of LOUIS M. KEALOHA, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 505, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of MARILYN L. MCINTOSH, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 506, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of MICHELE S. SCOFIELD, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 507, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of STEVEN M. SHIRAKI, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 508, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of SHEILA L. CALCAGNO, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 509, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of JONATHAN T. HARRIS, term to expire June 30, 2011, was referred to the Committee on Health.

Gov. Msg. No. 510, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of ANH BROW, term to expire June 30, 2013, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 511, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of JENNIFER LANI LI, term to expire June 30, 2011, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 512, submitting for consideration and confirmation to the Language Access Advisory Council, the

nomination of AZI TURTURICI, term to expire June 30, 2013, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 513, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of SCOTT A. KAMI, term to expire June 30, 2013, was referred to the Committee on Labor.

Gov. Msg. No. 514, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of WESLEY MACHIDA, term to expire June 30, 2013, was referred to the Committee on Labor.

Gov. Msg. No. 515, submitting for consideration and confirmation to the Board of Agriculture, the nomination of CLARK S. HASHIMOTO, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 516, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of SUMNER P. ERDMAN, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 517, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of NEAL S. FUJIWARA, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 348) was read by the Clerk and was placed on file:

Hse. Com. No. 348, transmitting S.B. No. 412, which passed Third Reading in the House of Representatives on March 19, 2009.

STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 905) recommending that S.C.R. No. 18, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 905 and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE FURTHER SUPPORT FOR ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE COURSES IN PUBLIC SCHOOLS THAT LIMIT OR DO NOT OFFER THESE COURSES," was deferred until Monday, March 23, 2009.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 906) recommending that S.C.R. No. 52, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 906 and S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HOOKAKOO CORPORATION REPORT ON THE PROGRESS AND IMPACTS OF THE MODELS FOR EXPANDED LEARNING TIME BEING PILOTED BY THE HOOKAKOO CORPORATION'S PARTNER CONVERSION CHARTER SCHOOLS," was deferred until Monday, March 23, 2009.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 902 (Gov. Msg. No. 418):

Senator Sakamoto moved that Stand. Com. Rep. No. 902 be received and placed on file, seconded by Senator Kidani and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of CLARISSA P. HOSINO to the Board of Directors of the Hawaii Public Housing Authority (HPHA), term to expire June 30, 2013, seconded by Senator Kidani.

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

Ayes, 21. Noes, none. Excused, 4 (Bunda, English, Hemmings, Takamine).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, MARCH 19, 2009

Stand. Com. Rep. No. 903 (S.C.R. No. 30):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY ON CONVERTING HARD COVER TEXT BOOKS TO E-BOOKS FOR USE IN PUBLIC SCHOOLS," was adopted.

Stand. Com. Rep. No. 904 (S.C.R. No. 11):

Senator Sakamoto moved that Stand. Com. Rep. No. 904 and S.C.R. No. 11 be adopted, seconded by Senator Slom.

Senator Tsutsui rose to speak with reservations as follows:

"Madam President, please note my reservations for S.C.R. No. 11. While I support helping homeless individuals, I am just not quite convinced that the public schools is the appropriate place for them to go. 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, the report of the Committee was adopted and S.C.R. No. 11, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE PUBLIC ELEMENTARY SCHOOLS TO ESTABLISH RESOURCE CENTERS ON THEIR CAMPUSES IN ORDER TO COMBAT HOMELESSNESS," was adopted with Senators Kim and Tsutsui voting "Aye, with Reservations".

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

ADJOURNMENT

At 11:51 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, March 23, 2009.