

FORTY-SEVENTH DAY

Thursday, April 16, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:37 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Sam Slom, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 608 to 611) were read by the Clerk and were placed on file:

Gov. Msg. No. 608, informing the Senate that on April 14, 2009, the Governor signed into law House Bill No. 520, H.D. 1, S.D. 1, as Act 4, entitled: "RELATING TO BUILDINGS."

Gov. Msg. No. 609, informing the Senate that on April 14, 2009, the Governor withdrew the nomination of MARC A. MORTIMER to the Statewide Council on Independent Living, under Gov. Msg. No. 299, dated January 29, 2009.

In compliance with Gov. Msg. No. 609, the nomination listed under Gov. Msg. No. 299 was returned.

Gov. Msg. No. 610, informing the Senate that on April 14, 2009, the Governor withdrew the nominations of LINDA ANN WATSON to the State Rehabilitation Council, under Gov. Msg. No. 304, dated January 29, 2009, and the Statewide Council on Independent Living, under Gov. Msg. No. 305, dated January 29, 2009.

In compliance with Gov. Msg. No. 610, the nominations listed under Gov. Msg. Nos. 304 and 305 were returned.

Gov. Msg. No. 611, informing the Senate that on April 14, 2009, the Governor withdrew the nomination of GARRETT F. SAIKLEY to the Statewide Health Coordinating Council, under Gov. Msg. No. 471, dated March 12, 2009.

In compliance with Gov. Msg. No. 611, the nomination listed under Gov. Msg. No. 471 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 419 to 566) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 419, returning S.B. No. 1, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

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

Hse. Com. No. 420, returning S.B. No. 19, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 19, S.D.1, and requested a conference on the subject matter thereof.

Hse. Com. No. 421, returning S.B. No. 21, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 21, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 422, returning S.B. No. 34, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 34, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 423, returning S.B. No. 43, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 43, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 424, returning S.B. No. 44, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 44, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 425, returning S.B. No. 50, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 50, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 426, returning S.B. No. 53, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 53, and requested a conference on the subject matter thereof.

Hse. Com. No. 427, returning S.B. No. 62, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 62, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 428, returning S.B. No. 91, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 91, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 429, returning S.B. No. 109, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1664, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 549, returning S.B. No. 1665, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1665, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 550, returning S.B. No. 1673, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1673, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 551, returning S.B. No. 1674, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1674, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 552, returning S.B. No. 1677, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1677, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 553, returning S.B. No. 1678, S.D. 3, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1678, S.D. 3, and requested a conference on the subject matter thereof.

Hse. Com. No. 554, returning S.B. No. 1679, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1679, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 555, returning S.B. No. 39, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 556, returning S.B. No. 119, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 557, returning S.B. No. 160, S.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 558, returning S.B. No. 162, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 559, returning S.B. No. 163, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 560, returning S.B. No. 164, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 561, returning S.B. No. 528, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 562, returning S.B. No. 862, S.D. 2, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 563, returning S.B. No. 878, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 564, returning S.B. No. 880, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 565, returning S.B. No. 947, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

Hse. Com. No. 566, returning S.B. No. 1108, which passed Third Reading in the House of Representatives on April 14, 2009, was placed on file.

At this time the Chair said:

“Conferees will be named in accordance with the action sheet to be distributed to your offices at a later date.”

STANDING COMMITTEE REPORTS

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1353) recommending that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

JONATHAN J. CHUN, in accordance with Gov. Msg. No. 357;

ALLEN M.F. CHUNG, in accordance with Gov. Msg. No. 358;

LILI HALLETT, in accordance with Gov. Msg. No. 359;

LILI HALLETT, in accordance with Gov. Msg. No. 360; and

MARCIA M. TAIRA, in accordance with Gov. Msg. No. 362.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1353 and Gov. Msg. Nos. 357, 358, 359, 360 and 362 was deferred until Friday, April 17, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1354) recommending that the Senate advise and consent to the nomination of NOA EMMETT ALULI to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 531.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1354 and Gov. Msg. No. 531 was deferred until Friday, April 17, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1355) recommending that the Senate advise and consent to the nominations to the Natural Area Reserve System Commission of the following:

ARLENE BUCHHOLZ, in accordance with Gov. Msg. No. 533;

RONALD RAPANOT, in accordance with Gov. Msg. No. 534; and

JOHN SINTON, in accordance with Gov. Msg. No. 535.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1355 and Gov. Msg. Nos. 533, 534 and 535 was deferred until Friday, April 17, 2009.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1356) recommending that S.C.R. No. 136, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1356 and S.C.R. No. 136, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was deferred until Friday, April 17, 2009.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1357) recommending that S.C.R. No. 158, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1357 and S.C.R. No. 158, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO IDENTIFY AND DEVELOP A PRIMARY HEALTH CARE TRAINING AND RECRUITING PLAN FOR RURAL AND MEDICALLY UNDERSERVED AREAS OF THE STATE," was deferred until Friday, April 17, 2009.

Senators Hee, Fukunaga and Tokuda, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Economic Development and Technology and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1358) recommending that S.C.R. No. 154, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1358 and S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION DIVISION TO COMPLETE THE 2006 ARCHAEOLOGICAL WORKING GROUP'S REPORT AND EXPAND THE WORKING GROUP AND TO WORK IN CONJUNCTION WITH THE UNIVERSITY OF HAWAII AT MANOA'S APPLIED ARCHAEOLOGY GRADUATE PROGRAM TO DEVELOP AN INTERNSHIP PROGRAM AND PROFESSIONAL STANDARDS," was deferred until Friday, April 17, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1359) recommending that S.C.R. No. 173, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1359 and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE KAUAI POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING REGARDING THE ENFORCEMENT OF STATE LAWS AND COUNTY ORDINANCES AT ANAHOLA AND ALIOMANU BEACH AREA," was deferred until Friday, April 17, 2009.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep.

No. 1360) recommending that S.R. No. 120, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1360 and S.R. No. 120, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE KAUAI POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING REGARDING THE ENFORCEMENT OF STATE LAWS AND COUNTY ORDINANCES AT ANAHOLA AND ALIOMANU BEACH AREA," was deferred until Friday, April 17, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1361) recommending that S.C.R. No. 96, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1361 and S.C.R. No. 96, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE REAL ESTATE COMMISSION TO ADOPT AND SUBMIT A STRATEGIC PLAN TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT," was deferred until Friday, April 17, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1362) recommending that S.R. No. 113, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1362 and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION URGING THE REAL ESTATE COMMISSION TO ADOPT AND SUBMIT A STRATEGIC PLAN TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1363) recommending that S.C.R. No. 84, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1363 and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN IMMEDIATE FINANCIAL STATEMENT AUDIT OF THE WATERS OF LIFE PUBLIC CHARTER SCHOOL FOR FISCAL YEAR 2006-2007 AND FISCAL YEAR 2007-2008," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1364) recommending that S.C.R. No. 39, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1364 and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO INCLUDE THE KUKUI GARDENS AFFORDABLE HOUSING PROJECT IN THE STATE'S LIST OF SHOVEL-READY PROJECTS FOR THE PRESIDENT'S PROPOSED ECONOMIC STIMULUS PLAN," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1365) recommending that S.C.R. No. 31, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1365 and S.C.R. No. 31, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE

PERFORMANCE OF THE MANAGEMENT OF THE PUUWAI MOMI AND WEST OAHU ASSET MANAGEMENT PROJECTS (KNOWN AS AMP 30 AND AMP 44) TO COMPARE THE PERFORMANCE OF STATE OPERATED AND PRIVATELY OPERATED PUBLIC HOUSING PROPERTIES; AND TO DETERMINE THE RELATIVE CONTRIBUTIONS OF FUNDING LEVELS, MISMANAGEMENT, AND TENANT AND VISITOR ACTIONS TO THE FAILURE TO MEET PERFORMANCE STANDARDS FOR THESE PROPERTIES," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1366) recommending that S.C.R. No. 34, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1366 and S.C.R. No. 34, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO EXAMINE THE FISCAL, CURRICULUM, AND OTHER IMPACTS OF A FOUR-DAY SCHOOL WEEK FOR SCHOOL COMPLEXES," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1367) recommending that S.C.R. No. 35, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1367 and S.C.R. No. 35, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC TRAINERS," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1368) recommending that S.R. No. 66, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1368 and S.R. No. 66, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1369) recommending that S.C.R. No. 53, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1369 and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1370) recommending that S.C.R. No. 68, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1370 and S.C.R. No. 68, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A MANAGEMENT AND PERFORMANCE AUDIT OF THE BOARD OF TRUSTEES OF THE STATE DEFERRED COMPENSATION PLAN AND PLAN ADMINISTRATOR CONTRACTED BY THE BOARD," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1371) recommending that S.C.R. No. 78, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1371 and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX MAP KEY: (2) 4-3-2: 27, AT KAAPALI, MAUI, FOR CONCRETE PIER BLOCK REMNANTS PURPOSES," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1372) recommending that S.C.R. No. 108, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1372 and S.C.R. No. 108, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1373) recommending that S.C.R. No. 170, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1373 and S.C.R. No. 170, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII HEALTH CARE SUMMIT TO DEVELOP A STRATEGIC AND COMPREHENSIVE PLAN FOR HEALTH CARE IN HAWAII," was deferred until Friday, April 17, 2009.

Senator Kim, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1374) recommending that S.C.R. No. 188, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1374 and S.C.R. No. 188, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACCEPT THE RECOMMENDATIONS OF THE WORKING GROUP FORMED BY HAWAII'S CONGRESSIONAL DELEGATION TO DETERMINE THE MOST APPROPRIATE USES OF STATE FISCAL STABILIZATION FUND MONEYS, AND AUTHORIZE THE EXPENDITURE OF STATE FISCAL STABILIZATION FUND MONEYS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE WORKING GROUP," was deferred until Friday, April 17, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1375) recommending that S.C.R. No. 95, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1375 and S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE REAL ESTATE COMMISSION TO MODIFY AND ADOPT RULES TO REFLECT CHANGES IN THE CONDOMINIUM LAW UNDER CHAPTER 514B, HAWAII REVISED STATUTES," was deferred until Friday, April 17, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1376) recommending that S.C.R. No. 183, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1376 and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF THE WORLD WAR II HONOLIULI INTERNMENT CAMP AS A NATIONAL MONUMENT,

MUSEUM, AND RESTORED MEMORIAL PARK FOR THE STATE OF HAWAII," was deferred until Friday, April 17, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1377) recommending that S.R. No. 91, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1377 and S.R. No. 91, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING SYMBOL OF HAWAII," was deferred until Friday, April 17, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1378) recommending that S.C.R. No. 138, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1378 and S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO RECOGNIZE THE HISTORICAL SIGNIFICANCE OF THE FALLS OF CLYDE AS A SAILING SYMBOL OF HAWAII," was deferred until Friday, April 17, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1379) recommending that S.C.R. No. 152, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1379 and S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was deferred until Friday, April 17, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1380) recommending that S.R. No. 104, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1380 and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO PLACE IOLANI PALACE ON THE NOMINATION LIST TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION FOR WORLD HERITAGE SITE DESIGNATION," was deferred until Friday, April 17, 2009.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM TUESDAY, APRIL 14, 2009

S.B. No. 35, S.D. 1 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 35, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 55, S.D. 1 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed

by the House to S.B. No. 55, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 281 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 281, and requested a conference on the subject matter thereof.

S.B. No. 382, S.D. 1 (H.D. 2)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 382, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 532, S.D. 1 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 532, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 711, S.D. 1 (H.D. 2)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 711, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 932, S.D. 2 (H.D. 2)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 932, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 933, S.D. 2 (H.D. 2):

Senator Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 933, S.D. 2, seconded by Senator Baker.

Senator Ige rose to speak in support of the motion and said:

"The House made just technical, non-substantive amendments to this measure, and we are able to agree to that."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 933, S.D. 2, and S.B. No. 933, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY LICENSURE OF DENTISTS," was placed on the calendar for Final Reading on Friday, April 17, 2009.

S.B. No. 1066, S.D. 2 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1066, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1073, S.D. 1 (H.D. 2)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1073, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1222, S.D. 1 (H.D. 1)

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1222, S.D. 1, and requested a conference on the subject matter thereof.

At this time the Chair said:

“Conferees will be named in accordance with the action sheet to be distributed to your offices at a later date.”

ADVISE AND CONSENT

Stand. Com. Rep. No. 1346 (Gov. Msg. Nos. 323, 324, 330, and 333):

Senator Ige moved that Stand. Com. Rep. No. 1346 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

PETER L. FRITZ, term to expire June 30, 2013 (Gov. Msg. No. 323);

MALCOLM “MARK” M. GIBLIN, term to expire June 30, 2013 (Gov. Msg. No. 324);

LUCY MILLER PHD, term to expire June 30, 2010 (Gov. Msg. No. 330); and

GLENN M. MORGAN, term to expire June 30, 2013 (Gov. Msg. No. 333),

seconded by Senator Green.

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

Ayes, 24. Noes, none. Excused, 1 (Ihara).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, APRIL 14, 2009

Stand. Com. Rep. No. 1347 (S.R. No. 33, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 33, S.D. 1, entitled: “SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO MAKE IT A PRIORITY TO EDUCATE THE PUBLIC ON THE PROPER CLEANING OF PRODUCE,” was adopted.

Stand. Com. Rep. No. 1348 (S.C.R. No. 32, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 32, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS,” was adopted.

Stand. Com. Rep. No. 1349 (S.C.R. No. 165, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 165, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON HUMANE RESTRAINT AND CONFINEMENT OF PET ANIMALS,” was adopted.

Stand. Com. Rep. No. 1350 (S.R. No. 114, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 114, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON HUMANE RESTRAINT AND CONFINEMENT OF PET ANIMALS,” was adopted.

Stand. Com. Rep. No. 1351 (S.C.R. No. 171, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE THE THIRD SATURDAY OF EVERY APRIL AS “HAWAIIAN MONK SEAL DAY” AND TO COORDINATE THE IMPLEMENTATION OF THE RECOVERY PLAN FOR THE HAWAIIAN MONK SEAL WITH THE FEDERAL AND COUNTY GOVERNMENTS,” was adopted.

Stand. Com. Rep. No. 1352 (S.R. No. 117, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 117, S.D. 1, entitled: “SENATE RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE THE THIRD SATURDAY OF EVERY APRIL AS “HAWAIIAN MONK SEAL DAY” AND TO COORDINATE THE IMPLEMENTATION OF THE RECOVERY PLAN FOR THE HAWAIIAN MONK SEAL WITH THE FEDERAL AND COUNTY GOVERNMENTS,” was adopted.

FINAL READING

S.B. No. 426, H.D. 2:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 426, and S.B. No. 426, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DENTISTRY,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 715, H.D. 1:

Senator English moved that S.B. No. 715, H.D. 1 pass Final Reading, seconded by Senator Gabbard.

Senator Slom rose in opposition to the measure and stated:

“It’s a short bill and it looks very innocuous, but on page 2, lines 5-13, the way I read it and interpret it, it means that the State can be on the financial hook for a county-operated transportation system ‘that may require state financial assistance for a twenty-year period.’ The only county-operated transportation system I’m aware of is the City and County of Honolulu ‘train to nowhere’, the \$6 billion financial disaster. And for this bill to put the State in financial obligation for up to 20 years for this, I think is a gross mistake and a hardship on the taxpayers, and I urge consideration and a ‘no’ vote. Thank you.”

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

The Senate reconvened at 11:50 a.m.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 715, and S.B. No. 715, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Ihara).

THIRD READING

H.B. No. 1663, H.D. 1, S.D. 2:

Senator Gabbard moved that H.B. No. 1663, H.D. 1, S.D. 2 pass Third Reading, seconded by Senator English.

Senator Tokuda rose in support of the measure and stated:

“The issue of genetically modifying taro has drawn a wide range of supporters and detractors to the debate, and it is my belief that this bill strikes a middle ground and proposes a compromise that has been put forth by taro growers from across the state. While the measure does not call for the prohibition of transgenic research and development on all taro varieties, it does acknowledge and respects the cultural importance of Hawaiian varieties of taro unique to these islands. In addition to prohibiting the development, testing, propagation, release and importation of genetically modified Hawaiian varieties of taro in the State of Hawai‘i, this measure would also prohibit the field testing, propagation, and planting of any genetically modified taro. It should also be noted that while lab testing on those varieties not unique to Hawai‘i, such as Bun long and araimo, will be allowed, the tenets of the bill strictly dictate the security conditions that will be required to ensure the containment of the research to the facility.

“This measure would also sunset in 5 years. In the agricultural world, much can happen during this time and perhaps at that point we will be that much wiser in understanding the threats, the opportunities, and the safeguards needed to sustain traditional and non-traditional taro production in Hawai‘i. Leaf blight, the Alomae-Bobone virus, the taro beetle, and other threats have ravished and decimated taro production and severely impacted food supplies in our Pacific island neighbors of Samoa, Papua New Guinea and the Solomon Islands. While locally we have struggled with the apple snail and leaf blight, many in the industry know that it is just a matter of time when an even more serious and potentially devastating threat will arrive on our shores. With over one million pounds of unchecked and unaccounted for taro being imported into Hawai‘i each year, threats to our taro industry hide behind a cloud of federal preemption, currently making it impossible to adequately protect ourselves from possible blight and infestation. When that day comes, it is important that we have an arsenal of tools ready to combat these threats. This includes breeding techniques to improve disease resistance, an understanding of quarantine and field sanitation measures found to be successful in other countries, and the dissemination of disease-resistant cultivars. Being prepared also means having the best available science that can help us better understand the threats facing taro and ways to strengthen our crops. That is what this bill, as amended, hopes to achieve: a balance that respects the will and the desire of native Hawaiians to protect and preserve varieties unique to these islands, while allowing laboratory-based research to continue in preparation for that day when Hawai‘i’s taro industry will need all the help it can get.

“Colleagues, it is my sincerest hope that the discussions on how to best protect and preserve the purity of Hawaiian varieties of taro will continue, but at the same time, this bill is a step in the right direction towards the preferred future that we all want to see: a sustainable Hawai‘i, where the most ancient of taro varieties are preserved and perpetuated, and where all varieties contribute to the sustenance and economic vitality of our state. Thank you.”

Senator Hemmings rose in opposition to the measure and stated:

“I want to preface my comments by saying I really appreciate the hard work, diligence, and the efforts to reach some resolution on this matter by the previous speaker. It is a laudable effort, and we all do want to preserve the culturally rich heritage of taro growing and the taro itself here in Hawai‘i. But I would suggest that by passing this bill, we may put taro at great jeopardy.

“The previous speaker did enumerate some instances in the other South Pacific islands where entire crops have been wiped out; so could be true of taro here in Hawai‘i. We’re living in perilous times when it comes to the world and how fast diseases

and pandemics and blight travel around the world. Within five years, it’d very easily imaginable that the entire taro industry could be decimated, and Hawaiian taro as we know it could be wiped out entirely by some unknown blight.

“It was mentioned also in the previous speaker’s presentation to you that we can utilize breeding techniques to further protect endemic species. Well, that’s basically what genetic modification is; it is science speeding up the process of genetic modification to protect or enhance the value of a certain breed of plant or animal. Therefore we have within our power, because of the wisdom of humankind to protect and further make viable economically, the taros of Hawai‘i. Both of those goals, I think, we all would share. This bill does just the opposite. It will stop progress on protecting Hawaiian taro and protecting the integrity of the native Hawaiian plant—not only integrity of it but also the very survival of it.

“Something was mentioned about compromise. Compromise is a wonderful thing and it’s absolutely necessary in our process. However, sometimes when you compromise with wrong, what you end up with is wrong; and I would say this bill is the wrong bill at the wrong time for the best interests of Hawaiian taro. Thank you, Madam President.”

Senator Slom rose in opposition to the measure and stated:

“I, too, would like to thank the efforts of the Chair and the Committee. We’ve discussed this bill, or some style of it, for the last several years. And I think possibly that the real problem here is that in trying to stop research in this specific area, we are very selective in what we do. I think it’s been brought up on the Senate floor, for example, also in the last couple years, about research that’s going on in Kaka’ako dealing with potentially very deadly viruses that could, if not totally secure, hurt our entire human population here. We’ve also been very selective when we’ve discussed things like embryonic stem cell research and other areas as well. And if we look back over the testimony of the people that opposed this measure over the years, it is the scientific community, it is the agriculture community, the very community that stresses agricultural viability and also sustainability. So, I think that while we’re making a step in the right direction, the step is not far enough. And as the good Senate Minority leader said that if you’re compromising and you’re compromising with something that may be erroneous from the beginning, you still wind up with wrong result. Thank you.”

The motion was put by the Chair and carried, H.B. No. 1663, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TARO SECURITY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Ihara).

H.B. No. 1148, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 1148, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

H.B. No. 1031, S.D. 3:

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, H.B. No. 1031, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

At this time, the Chair made the following announcement:

“Members, before proceeding any further, I would like to clarify the record on the next item on the Order of the Day—H.B. No. 984, S.D. 2.

“For the members’ information, two versions of this bill have been filed as H.B. No. 984, S.D. 2. The first was the draft filed with Standing Committee Report No. 1314 from the Committee on Ways and Means on April 9, 2009, which recommended that H.B. No. 984, S.D. 2 pass Third Reading.

“On Tuesday, April 14, we amended H.B. No. 984, S.D. 2 by adopting Floor Amendment No. 7. However, due to a typographical error, the bill attached to the floor amendment was designated as Senate Draft 2, which resulted in the creation of two versions of H.B. No. 984, S.D. 2.

“For the purpose of clarifying today’s Third Reading vote, we are voting on the second and subsequent version of H.B. No. 984, S.D. 2, that was attached to Floor Amendment No. 7. This version was printed and distributed to the members at Tuesday’s floor session and the constitutionally required 48-hour notice of its final form prior to today’s Third Reading vote has been satisfied.”

H.B. No. 984, H.D. 4, S.D. 2:

Senator Kim moved that H.B. No. 984, H.D. 4, S.D. 2 pass Third Reading, seconded by Senator Tsutsui.

Senator English rose to speak with reservations on the measure and said:

“Madam President, I’d like to register a ‘reservation’ on this measure because it took out the provisions protecting the PEG access group, so I’m hoping that that would be restored in conference. Thank you.”

Senators Slom, Tsutsui, and Kim requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 984, H.D. 4, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 4 (English, Kim, Slom, Tsutsui). Noes, none. Excused, 1 (Ihara).

H.B. No. 611, H.D. 1, S.D. 2:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, H.B. No. 611, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

H.B. No. 1766, H.D. 2, S.D. 3:

Senator Kim moved that H.B. No. 1766, H.D. 2, S.D. 3 pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose in support of the measure and stated:

“I’d like to illuminate that the battle at the Ala Wai and, to a certain extent, at Ke’ehi Lagoon has been long-standing, and this bill will go a long way in providing the state the resources to improve the situations in both those harbors; most especially the Ala Wai, where you have certain long-term, vested special interest—specific boat owners that want to protect their dominion while the state likewise does not have the resources to improve our harbors. This bill will help solve those problems. But I would suggest, because of an amendment, this bill could go a lot farther, and it’s important for us to look at the maritime industry in our harbors. The findings clause to this bill says that the state operates and manages 21 harbors, 50 boat ramps, 2,122

moorings and berths, and 19 piers spread throughout the various counties of this state. ‘The legislature finds that these ocean recreation facilities, in light of the present demand, are in short supply’—that’s a very important statement. ‘In most cases, where they exist, are in dire need of long overdue repair and maintenance. Some facilities are in such need of repair and replacement that they cannot be used and pose a public safety hazard.’ That’s truly unfortunate and it is, unfortunately, so true. It’s important to add to those statistics that we are the fourth largest coastline in the nation—of course, Alaska, California, and Florida have more coastline—but yet with all the ocean activity that we have and could have here in Hawai‘i and considering the size of our coastline, we have the least amount of recreational mooring space for our public than any other state in the nation. In fact, it’s sad to say that many, if not most, of the land-locked states have more recreational space on their lakes than we have in the State of Hawai‘i. Not to mention that maritime industries could be a huge economic engine for the beleaguered Hawaiian economy.

“This bill took out a line that was in H.D. 2 which would have assisted the state in creating public-private partnerships to develop recreational resources, and that said, ‘the prior authorization by the legislature by concurrent resolution for the lease of submerged lands shall not be required.’ That should apply to every harbor. If we could lease submerged lands, we could have what most other states do: private-public partnerships in developing recreational resources for the people of Hawai‘i. Now I’ve heard it said that, ‘Well, we can’t do that because it is privatization and the public would not have access to leased facilities.’ That could be very easily remedied by leases that demand that the public does have 100 percent access, especially with regard to mooring ramps, and that a certain number of slips would be set aside at state rates. Right now, we have 100 percent access to nothing because of our limited space. So, if we had access through public-private partnerships and public access for people driving their boats from home or being allowed at state rates to lease space, it would create way more public access than we have now. So, I’m hoping in conference, when this bill goes there, that the leaders of the conference committees will take a look at opening up our state to public-private partnerships to develop marinas throughout this state, which is done healthily in other countries and in other parts of this nation. We could actually have a maritime industry, and Hawai‘i could really be one of the great stopping places for boats, recreational and otherwise, plying the Pacific basin. This step is a small step in the right direction, but it’s a small step and I’m hoping that we could take a much bigger one. Thank you, Madam President.”

The motion was put by the Chair and carried, H.B. No. 1766, H.D. 2, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

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.”

APPOINTMENT OF CONFEREES

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

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Fukunaga, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 19, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 19, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 34, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 34, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 35, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 35, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 43, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 43, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Ige, Kim, co-chairs; Baker, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 55, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 55, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 62, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 62, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Hee, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 109, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 109, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 205, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 205, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Baker, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 281 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 281, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Gabbard, Slom as managers on the part of the Senate at such conference.

S.B. No. 300, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 300, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 309 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 309, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 350, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 350, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 378, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 378, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Fukunaga, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 382, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 382, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Baker, Ige as managers on the part of the Senate at such conference.

S.B. No. 468, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 468, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; English, co-chair; Fukunaga, Slom as managers on the part of the Senate at such conference.

S.B. No. 532, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 532, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 695, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 695, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Hee, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 711, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 711, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Gabbard, Slom as managers on the part of the Senate at such conference.

S.B. No. 714, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 714, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Gabbard, Slom as managers on the part of the Senate at such conference.

S.B. No. 887, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 887, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 892, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 892, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 932, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 932, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Baker, Slom as managers on the part of the Senate at such conference.

S.B. No. 1046, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1046, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Ige, Tsutsui, co-chairs; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 1066, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1066, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Fukunaga, Kim, co-chairs; Green, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1073, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1073, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Espero, co-chair; Green, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1107, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1107, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1218, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1218, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Kim, co-chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1222, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1222, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 1223, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1223, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1250, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1250, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Takamine, co-chair; Bunda, Kidani, Slom as managers on the part of the Senate at such conference.

S.B. No. 1343, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1343, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Kokubun as manager on the part of the Senate at such conference.

S.B. No. 1345, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1345, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Kokubun, Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1568, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1568, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takamine, chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 1665, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1665, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Takamine, Kim, co-chairs; Slom as manager on the part of the Senate at such conference.

S.B. No. 1674, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1674, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Kim, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 593, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 593, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Fukunaga, Hemmings, as managers on the part of the Senate at such conference.

H.B. No. 1141, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1141, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Fukunaga, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 1436, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1436, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Hee, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

ADJOURNMENT

At 12:05 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, April 17, 2009.