

FIFTY-NINTH DAY

Tuesday, May 5, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 9:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. David Hockney, Olivet Baptist Church, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Fifty-Ninth Day.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 654) was read by the Clerk and was placed on file:

Gov. Msg. No. 654, informing the Senate that on May 4, 2009, the Governor withdrew the nominations of SONG K. CHOI and JEFFREY W. PIONTEK to the Board of Directors of the High Technology Development Corporation, under Gov. Msg. Nos. 573 and 574, dated April 3, 2009.

In compliance with Gov. Msg. No. 654, the nominations listed under Gov. Msg. Nos. 573 and 574 were returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 722 to 726) were read by the Clerk and were placed on file:

Hse. Com. No. 722, informing the Senate that the House has agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on May 1, 2009:

H.B. No. 1362, H.D. 1, S.D. 2; and
H.B. No. 1538, H.D. 1, S.D. 1.

Hse. Com. No. 723, informing the Senate on May 1, 2009, the Speaker made the following changes to the conferees on the following bill:

S.B. No. 496, S.D. 2 (H.D. 2):

Added Representative Finnegan as a manager.

Hse. Com. No. 724, returning S.C.R. No. 138, S.D. 1, which was adopted by the House of Representatives on May 1, 2009.

Hse. Com. No. 725, returning S.C.R. No. 152, S.D. 1, which was adopted by the House of Representatives on May 1, 2009.

Hse. Com. No. 726, returning S.C.R. No. 183, S.D. 1, which was adopted by the House of Representatives on May 1, 2009.

CONFERENCE COMMITTEE REPORTS

Senator Kim, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 200, H.D. 1, presented a report (Conf. Com. Rep. No. 167) recommending that H.B. No. 200, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 167 and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1673, S.D. 2, presented a report (Conf.

Com. Rep. No. 173) recommending that S.B. No. 1673, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 173 and S.B. No. 1673, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 36, H.D. 1, presented a report (Conf. Com. Rep. No. 174) recommending that H.B. No. 36, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 174 and H.B. No. 36, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 690, H.D. 2, presented a report (Conf. Com. Rep. No. 175) recommending that H.B. No. 690, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 175 and H.B. No. 690, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Gabbard, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1464, H.D. 3, presented a report (Conf. Com. Rep. No. 176) recommending that H.B. No. 1464, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 176 and H.B. No. 1464, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1260, H.D. 1, presented a report (Conf. Com. Rep. No. 177) recommending that H.B. No. 1260, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 177 and H.B. No. 1260, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1404, H.D. 1, presented a report (Conf. Com. Rep. No. 178) recommending that H.B. No. 1404, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 178 and H.B. No. 1404, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 989, H.D. 1, presented a report (Conf.

Com. Rep. No. 179) recommending that H.B. No. 989, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 179 and H.B. No. 989, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," was deferred for a period of 48 hours.

Senator Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1271, H.D. 3, presented a report (Conf. Com. Rep. No. 180) recommending that H.B. No. 1271, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 180 and H.B. No. 1271, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1548) recommending that the Senate not advise and consent to the nominations to the Board of Directors of the High Technology Development Corporation of the following:

SONG K. CHOI, in accordance with Gov. Msg. No. 573; and

JEFFREY W. PIONTEK, in accordance with Gov. Msg. No. 574.

By unanimous consent, Stand. Com. Rep. No. 1548 and Gov. Msg. Nos. 573 and 574 were placed on file.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1549) recommending that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

SHARON O.L. PANG, in accordance with Gov. Msg. No. 268;

PETER YUKIMURA, in accordance with Gov. Msg. No. 280; and

CHARLES K. H. AU, in accordance with Gov. Msg. No. 422.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1549 and Gov. Msg. Nos. 268, 280 and 422 was deferred until Wednesday, May 6, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1550) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Strategic Development Corporation of the following:

DANTON S. WONG, in accordance with Gov. Msg. No. 551; and

H. BRIAN MOORE, in accordance with Gov. Msg. No. 575.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1550 and Gov. Msg. Nos. 551 and 575 was deferred until Wednesday, May 6, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1551) recommending that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

HANS H. CHUN, in accordance with Gov. Msg. No. 589;

CAROL M. JUNG, in accordance with Gov. Msg. No. 590;

MICHAEL J. MURAKOSHI, in accordance with Gov. Msg. No. 591; and

JENNIFER L. ZELKO, in accordance with Gov. Msg. No. 592.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1551 and Gov. Msg. Nos. 589, 590, 591 and 592 was deferred until Wednesday, May 6, 2009.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1552) recommending that the Senate advise and consent to the nomination of ALBERT TUFONO to the Hawai'i Paroling Authority, in accordance with Gov. Msg. No. 475.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1552 and Gov. Msg. No. 475 was deferred until Wednesday, May 6, 2009.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1553) recommending that the Senate advise and consent to the nominations to the Advisory Board on Veterans' Services of the following:

PATRICIA ANN WIELAND, in accordance with Gov. Msg. No. 476; and

NORMAN S. STAHL, in accordance with Gov. Msg. No. 530.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1553 and Gov. Msg. Nos. 476 and 530 was deferred until Wednesday, May 6, 2009.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1554) recommending that the Senate advise and consent to the nomination of L. DEW KANESHIRO to the Crime Victim Compensation Commission, in accordance with Gov. Msg. No. 559.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1554 and Gov. Msg. No. 559 was deferred until Wednesday, May 6, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1555) recommending that the Senate advise and consent to the nominations to the Stadium Authority of the following:

KATHLEEN O. AHINA, in accordance with Gov. Msg. No. 285;

KEVIN H. M. CHONG KEE, in accordance with Gov. Msg. No. 286; and

ALEXANDER C. KANE JR., in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1555 and Gov. Msg. Nos. 285, 286 and 289 was deferred until Wednesday, May 6, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1556) recommending that the Senate advise and consent to the nominations to the Stadium Authority of the following:

MARCIA J. KLOMPUS, in accordance with Gov. Msg. No. 290;

NELSON G. OYADOMARI, in accordance with Gov. Msg. No. 291; and

LAWRENCE K. W. TSEU, in accordance with Gov. Msg. No. 522.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1556 and Gov. Msg. Nos. 290, 291 and 522 was deferred until Wednesday, May 6, 2009.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 1557) recommending that H.C.R. No. 100, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1557 and H.C.R. No. 100, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING SEPTEMBER 24, 2009, AS ISLAM DAY," was deferred until Wednesday, May 6, 2009.

Senators Fukunaga and Espero, for the Committee on Economic Development and Technology and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1558) recommending that H.C.R. No. 49, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1558 and H.C.R. No. 49, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII," was deferred until Wednesday, May 6, 2009.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1559) recommending that H.C.R. No. 207, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1559 and H.C.R. No. 207, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII," was deferred until Wednesday, May 6, 2009.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1560) recommending that H.C.R. No. 27, H.D. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1560 and H.C.R. No. 27, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," was deferred until Wednesday, May 6, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1561) recommending that H.C.R. No. 304 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1561 and H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN-RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO, AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO," was deferred until Wednesday, May 6, 2009.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1562) recommending that S.R. No. 61, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1562 and S.R. No. 61, S.D. 1, entitled: "SENATE RESOLUTION ENSURING THAT ANY LEGISLATIVE EFFORT TO REPAIR THE HEALTHCARE SYSTEM IN HAWAII SHOULD INCORPORATE SUSTAINABLE WELLNESS PROGRAMS THAT ADDRESS THE UNDERLYING CAUSAL FACTORS ASSOCIATED WITH CHRONIC DISEASE," was deferred until Wednesday, May 6, 2009.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1563) recommending that S.R. No. 97, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1563 and S.R. No. 97, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND ASSESS THE POLICIES AND PROCEDURES IMPLEMENTED BY HOSPITALS TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was deferred until Wednesday, May 6, 2009.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1564) recommending that S.R. No. 89, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1564 and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE CENTERS FOR DISEASE CONTROL AND PREVENTION ESTABLISH A CHRONIC OBSTRUCTIVE PULMONARY DISEASE PROGRAM," was deferred until Wednesday, May 6, 2009.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1565) recommending that S.R. No. 79 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1565 and S.R. No. 79, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION EAST AND WEST REGIONAL BOARDS TO ESTABLISH THE BIG ISLAND LONG-TERM CARE COALITION TO DEVELOP A PLAN FOR LONG-TERM CARE SOLUTIONS ON THE BIG ISLAND OF HAWAII," was deferred until Wednesday, May 6, 2009.

ORDER OF THE DAY

ADVISE AND CONSENT

MATTERS DEFERRED FROM THURSDAY, APRIL 30, 2009

Stand. Com. Rep. No. 1517 (Gov. Msg. Nos. 335 and 336):

Senator Ige moved that Stand. Com. Rep. No. 1517 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 Mental Health and Substance Abuse, Maui Service Area Board of the following:

KARIN E. PHANEUF, term to expire June 30, 2012 (Gov. Msg. No. 335); and

SHERRY L. POPPE, term to expire June 30, 2012 (Gov. Msg. No. 336),

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).

Stand. Com. Rep. No. 1518 (Gov. Msg. Nos. 329 and 340):

Senator Ige moved that Stand. Com. Rep. No. 1518 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 Mental Health and Substance Abuse, Oahu Service Area Board of the following:

THOMAS J. MCCORMACK, term to expire June 30, 2013 (Gov. Msg. No. 329); and

LINDA H. SHEA, term to expire June 30, 2011 (Gov. Msg. No. 340),

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).

Stand. Com. Rep. No. 1519 (Gov. Msg. No. 508):

Senator Ige moved that Stand. Com. Rep. No. 1519 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of SHEILA L. CALCAGNO to the Mental Health and Substance Abuse, Kaua'i Service Area Board, term to expire June 30, 2011, 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).

Stand. Com. Rep. No. 1520 (Gov. Msg. No. 509):

Senator Ige moved that Stand. Com. Rep. No. 1520 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of JONATHAN T. HARRIS to the State Council on Mental Health, term to expire June 30, 2011, 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).

Stand. Com. Rep. No. 1521 (Gov. Msg. Nos. 577 and 578):

Senator Ige moved that Stand. Com. Rep. No. 1521 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 Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

WESLEY L.K.M. LIM, term to expire June 30, 2012 (Gov. Msg. No. 577); and

BRADLEY M. PIERCE, term to expire June 30, 2013 (Gov. Msg. No. 578),

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).

Stand. Com. Rep. No. 1522 (Gov. Msg. No. 582):

Senator Ige moved that Stand. Com. Rep. No. 1522 be received and placed on file, seconded by Senator Green and carried.

Senator Ige then moved that the Senate advise and consent to the nomination of ROGER B. MCKEAGUE to the Board of Health, term to expire June 30, 2013, 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).

Stand. Com. Rep. No. 1523 (Gov. Msg. Nos. 473 and 474):

Senator Ige moved that Stand. Com. Rep. No. 1523 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 Health Planning Council, Honolulu Subarea of the following:

TRACY H. OKUBO, term to expire June 30, 2013 (Gov. Msg. No. 473); and

SUSAN STALDER, term to expire June 30, 2013 (Gov. Msg. No. 474),

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).

Stand. Com. Rep. No. 1524 (Gov. Msg. Nos. 503, 504, 506, and 507):

Senator Ige moved that Stand. Com. Rep. No. 1524 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 Hawai'i Advisory Commission on Drug Abuse and Controlled Substances of the following:

BILLIE GABRIEL, term to expire June 30, 2013 (Gov. Msg. No. 503);

LOUIS M. KEALOHA, term to expire June 30, 2013 (Gov. Msg. No. 504);

MICHELE S. SCOFIELD, term to expire June 30, 2013 (Gov. Msg. No. 506); and

STEVEN M. SHIRAKI, term to expire June 30, 2013 (Gov. Msg. No. 507),

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).

Stand. Com. Rep. No. 1525 (Gov. Msg. Nos. 469, 470, 472, and 528):

Senator Ige moved that Stand. Com. Rep. No. 1525 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 Statewide Health Coordinating Council of the following:

JOHN J. BARNETT PHD, term to expire June 30, 2013 (Gov. Msg. No. 469);

JILL B. MIYAMURA, term to expire June 30, 2012 (Gov. Msg. No. 470);

REBECCA S. WARD, term to expire June 30, 2013 (Gov. Msg. No. 472); and

ARTHUR Y. NISHIDA, term to expire June 30, 2013 (Gov. Msg. No. 528),

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).

Stand. Com. Rep. No. 1526 (Gov. Msg. Nos. 493, 494, 495, 496, 497, 498, and 499):

Senator Ige moved that Stand. Com. Rep. No. 1526 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 State Council on Developmental Disabilities of the following:

SARAH K. AHINA, term to expire June 30, 2012 (Gov. Msg. No. 493);

JOLAINE L. HAO, term to expire June 30, 2011 (Gov. Msg. No. 494);

LOUISE K. IWAISHI, term to expire June 30, 2012 (Gov. Msg. No. 495);

ANNIE L. KALAMA, term to expire June 30, 2010 (Gov. Msg. No. 496);

ANASTASIA L. KELLER-COLLINS, term to expire June 30, 2013 (Gov. Msg. No. 497);

JENNIFER V. PATRICIO ESQ., term to expire June 30, 2013 (Gov. Msg. No. 498); and

JOSEPHINE C. WOLL, term to expire June 30, 2011 (Gov. Msg. No. 499),

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).

Stand. Com. Rep. No. 1527 (Gov. Msg. Nos. 500, 501, and 502):

Senator Ige moved that Stand. Com. Rep. No. 1527 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:

BARBARA P. FISCHLOWITZ-LEONG, term to expire June 30, 2013 (Gov. Msg. No. 500);

LYNN K. MURAKAMI-AKATSUKA, term to expire June 30, 2010 (Gov. Msg. No. 501); and

ANTHONY A. RIECKE-GONZALES, term to expire June 30, 2013 (Gov. Msg. No. 502),

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).

Stand. Com. Rep. No. 1528 (Gov. Msg. Nos. 316 and 327):

Senator Ige moved that Stand. Com. Rep. No. 1528 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 Hawai'i Advisory Commission on Drug Abuse and Controlled Substances of the following:

STEPHEN KALANI BRADY, term to expire June 30, 2013 (Gov. Msg. No. 316); and

DARIN H. KAWAZOE, term to expire June 30, 2013 (Gov. Msg. No. 327),

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).

Stand. Com. Rep. No. 1529 (Gov. Msg. No. 303):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1529 be received and placed on file, seconded by Senator Green and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of LAURA L. TOBOSA to the Statewide Council on Independent Living, term to expire June 30, 2011, 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).

Stand. Com. Rep. No. 1530 (Gov. Msg. No. 552):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1530 be received and placed on file, seconded by Senator Green and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of CLAUD ROBERT SUTCLIFFE to the Commission on Fatherhood, term to expire June 30, 2011, 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).

Stand. Com. Rep. No. 1542 (Gov. Msg. Nos. 287, 519, 520, and 521):

Senator Fukunaga moved that Stand. Com. Rep. No. 1542 be received and placed on file, seconded by Senator Baker and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

TERILYNNE F. GORMAN, term to expire June 30, 2012 (Gov. Msg. No. 287);

LEONARD K. CHOW, term to expire June 30, 2013 (Gov. Msg. No. 519);

JAMES C. JENNINGS, term to expire June 30, 2013 (Gov. Msg. No. 520); and

SHERYL B. SEAMAN AIA, ASID, LEED AP, term to expire June 30, 2013 (Gov. Msg. No. 521),

seconded by Senator Baker.

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

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

At 9:46 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:52 a.m. with the Vice President in the Chair.

FINAL READING

MATTER DEFERRED FROM THURSDAY, APRIL 30, 2009

Conf. Com. Rep. No. 8 (H.B. No. 876, H.D. 1, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 8 be adopted and H.B. No. 876, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Chun Oakland then offered the following amendment (Floor Amendment No. 10) to H.B. No. 876, H.D. 1, S.D. 2, C.D. 1:

SECTION 1. House Bill No. 876, H.D. 1, S.D. 2, C.D. 1, is amended as follows:

1. By deleting the titles, "PART I" on page 1, line 1, "PART II" on page 2, line 3, and "PART III" on page 6, line 13.
2. By deleting Sections 1 and 2.
3. By renumbering "SECTION 3" to read "SECTION 1."
4. By renumbering "SECTION 4" to read "SECTION 2."
5. By renumbering "SECTION 5" to read "SECTION 3."
6. By renumbering "SECTION 6" to read "SECTION 4."

Senator Chun Oakland moved that Floor Amendment No. 10 be adopted, seconded by Senator Baker.

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

"Mr. President, the floor amendment before you removes sections 1 and 2 of H.B. No. 876, C.D. 1, which included language that increases the amount that condominium associations may recover in maintenance fees from foreclosure of condominium apartments from \$1,800 to \$3,600. This language was removed because S.B. No. 298 contained that language and has already been signed into law. Therefore, we are removing the duplicative language based on the Governor's attorneys indicating that this language would be problematic in this bill. The Aging in Place for elderly and disabled unit owners language is still in this bill. Thank you."

The motion to adopt Floor Amendment No. 10 was put by the Chair and carried.

Senator Chun Oakland then moved that Conf. Com. Rep. No. 8 be received and placed on file, seconded by Senator Baker and carried.

By unanimous consent, H.B. No. 876, H.D. 1, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

CONDOMINIUMS," was placed on the calendar for Final Reading on Thursday, May 7, 2009.

FINAL READING

Conf. Com. Rep. No. 46 (H.B. No. 128, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 46 be adopted and H.B. No. 128, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Taniguchi then offered the following amendment (Floor Amendment No. 11) to H.B. No. 128, H.D. 1, S.D. 1, C.D. 1:

SECTION 1. House Bill No. 128, C.D. 1, is amended by amending section 11-II of section 2 to read as follows:

"§11-II Contributions to noncandidate committees; limits. No person shall make contributions to a noncandidate committee in an aggregate amount greater than \$1,000 in an election. This section shall not apply to ballot issue committees."

Senator Taniguchi moved that Floor Amendment No. 11 be adopted, seconded by Senator Takamine.

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

"Mr. President, members, if you note that we took out one word; this would be on page 54 of the attached bill that we have, C.D. 2. We believe it was a technical error and that this version will reflect the current law."

The motion to adopt Floor Amendment No. 11 was put by the Chair and carried.

Senator Taniguchi then moved that Conf. Com. Rep. No. 46 be received and placed on file, seconded by Senator Takamine and carried.

By unanimous consent, H.B. No. 128, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 75 (S.B. No. 892, S.D. 1, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 75 be adopted and S.B. No. 892, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Baker then offered the following amendment (Floor Amendment No. 12) to S.B. No. 892, S.D. 1, H.D. 2, C.D. 1:

SECTION 1. Senate Bill No. 892, S.D. 1, H.D. 2, C.D. 1 is amended by amending paragraph (1) of Section 20 so that Section 3 of the measure becomes effective on January 1, 2010 and Section 4 of the measure becomes effective on July 1, 2009, and to read as follow:

"SECTION 20. This Act shall take effect on July 1, 2009; provided that:

- (1) Section 3 shall take effect on January 1, 2010;
- (2) Section 9 shall take effect on July 1, 2010; and
- (3) The amendments made to section 431:7-101(a), Hawaii Revised Statutes, in section 15 of this Act shall not be repealed when section 431:7-101(a), Hawaii Revised Statutes, is reenacted on June 16, 2010, pursuant to Act 177, Session Laws of Hawaii 2008."

Senator Baker moved that Floor Amendment No. 12 be adopted, seconded by Senator Taniguchi.

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

“There was a technical mistake in the effective date of one of the sections. The conference draft inadvertently addressed the wrong section. We need to correct this so the bill can go forward.”

The motion to adopt Floor Amendment No. 12 was put by the Chair and carried.

Senator Baker then moved that Conf. Com. Rep. No. 75 be received and placed on file, seconded by Senator Taniguchi and carried.

By unanimous consent, S.B. No. 892, S.D. 1, H.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” was placed on the calendar for Final Reading on Thursday, May 7, 2009.

At 9:58 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:00 a.m. with the President in the Chair.

Conf. Com. Rep. No. 85 (S.B. No. 1222, S.D. 1, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 85 be adopted and S.B. No. 1222, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Taniguchi then offered the following amendment (Floor Amendment No. 13) to S.B. No. 1222, S.D. 1, H.D. 1, C.D. 1:

Section 1. Senate Bill No. 1222, S.D. 1, H.D. 1, C.D. 1, is amended by amending section 1 to read as follows:

“SECTION 1. Section 711-1109, Hawaii Revised Statutes, is amended by amending subsections (1) and (2) to read as follows:

“(1) A person commits the offense of cruelty to animals in the second degree if the person intentionally, knowingly, or recklessly:

- (a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal[~~or deprives];~~
- (b) ~~Deprives~~ a pet animal of necessary sustenance or causes such deprivation;
- ~~[(b)]~~ (c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests;
- ~~[(c)]~~ (d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;
- ~~[(d)]~~ (e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner; [or]
- (f) ~~Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;~~
- (g) ~~Tethers, fastens, ties, or restrains a dog to a dog house, tree, fence, or any other stationary object by means of a choke collar, pinch collar, or prong collar; provided that a person is not prohibited from using such restraints when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or~~
- ~~[(e)]~~ (h) Assists another in the commission of any act specified in subsections (1)(a) through ~~[(d)]~~ (1)(g).

(2) Subsection (1)(a), (b), ~~[(d), and]~~ (c), (e), (f), (g), and (h) shall not apply to:

- (a) Accepted veterinary practices;
- (b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or
- (c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.”

Senator Taniguchi moved that Floor Amendment No. 13 be adopted, seconded by Senator Takamine.

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

“With regard to this bill, there was a phrase in section g that seemed to open up... I guess it was too vague, so we took it out.”

The motion to adopt Floor Amendment No. 13 was put by the Chair and carried.

Senator Taniguchi then moved that Conf. Com. Rep. No. 85 be received and placed on file, seconded by Senator Takamine and carried.

By unanimous consent, S.B. No. 1222, S.D. 1, H.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS,” was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 98 (S.B. No. 464, S.D. 2, H.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 98 be adopted and S.B. No. 464, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Gabbard then offered the following amendment (Floor Amendment No. 14) to S.B. No. 464, S.D. 2, H.D. 2, C.D. 1:

SECTION 1. Section 1 of Senate Bill No. 464, S.D. 2, H.D. 2, C.D. 1, is amended by amending subsection (b) of section 235-12.5, Hawaii Revised Statutes, to read as follows:

“(b) The amount of credit allowed for each eligible renewable energy technology system shall not exceed the applicable cap amount, which is determined as follows:

- (1) If the primary purpose of the solar energy system is to use energy from the sun to heat water for household use, then the cap amounts shall be:
 - (A) \$2,250 per system for single-family residential property;
 - (B) \$350 per unit per system for multi-family residential property; and
 - (C) \$250,000 per system for commercial property;
- (2) For all other solar energy systems, the cap amounts shall be:
 - (A) \$5,000 per system for single-family residential property; provided that if all or a portion of the system is used to fulfill the substitute renewable energy technology requirement pursuant to section 196-6.5(a)(3), the credit shall be reduced by thirty-five per cent of the actual system cost or \$2,250, whichever is less;
 - (B) \$350 per unit per system for multi-family residential property; and
 - (C) \$500,000 per system for commercial property; and
- (3) For all wind-powered energy systems, the cap amounts shall be:
 - (A) \$1,500 per system for single-family residential property; provided that if all or a portion of the

system is used to fulfill the substitute renewable energy technology requirement pursuant to section 196-6.5(a)(3), the credit shall be reduced by twenty per cent of the actual system cost or \$1,500, whichever is less;

- (B) \$200 per unit per system for multi-family residential property; and
 (C) \$500,000 per system for commercial property.”

Senator Gabbard moved that Floor Amendment No. 14 be adopted, seconded by Senator English.

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

“Madam President and colleagues, with the floor amendment we’re moving in coordination with our House counterparts. This amendment makes the bill consistent with another energy bill, H.B. No. 1464. It lowers the cap on tax credits for renewable energy systems if part of it is used to satisfy the requirements of the mandate for solar water heating.”

The motion to adopt Floor Amendment No. 14 was put by the Chair and carried.

Senator Gabbard then moved that Conf. Com. Rep. No. 98 be received and placed on file, seconded by Senator English and carried.

By unanimous consent, S.B. No. 464, S.D. 2, H.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 110 (S.B. No. 1461, S.D. 2, H.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 110 be adopted and S.B. No. 1461, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Galuteria.

Senator Baker then offered the following amendment (Floor Amendment No. 15) to S.B. No. 1461, S.D. 2, H.D. 1, C.D. 1:

SECTION 1. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by designating sections 1 through 4 as Part I.

SECTION 2. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by inserting the following:

“PART II

SECTION 5. Act 239, Session Laws of Hawaii 2007, is amended by amending section 4 to read as follows:

“SECTION 4. This Act shall take effect on January 1, 2008; provided that this Act shall be repealed on December 31, [2009-] 2010, and section 237-24.3, Hawaii Revised Statutes, and section 237-24.7, Hawaii Revised Statutes, shall be reenacted in the form in which they read on December 31, 2007.”

SECTION 6. The aggregate tax exemption from the amendment in Act 239, Session Laws of Hawaii 2007, shall not exceed \$400,000 per taxable year ending on or between January 1, 2010 and January 1, 2011.”

SECTION 3. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by renumbering sections 5 and 6 as sections 7 and 8 and by designating the newly renumbered sections as Part III.

SECTION 4. Senate Bill No. 1461, S.D. 2, H.D. 1, C.D. 1, is amended by amending the effective date to read:

“SECTION 8. This Act, upon its approval, shall apply to returns and payments due after May 31, 2009; provided that part II of this Act shall take effect upon approval.”

Senator Baker moved that Floor Amendment No. 15 be adopted, seconded by Senator Tsutsui.

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

“We are amending this bill because there were some serious flaws in the way that the language for the measure was adopted in another bill. We couldn’t use the original bill because it would not have given us an opportunity to correct the flaw, so we needed to correct the flaw and put the language in this measure.”

The motion to adopt Floor Amendment No. 15 was put by the Chair and carried.

Senator Baker then moved that Conf. Com. Rep. No. 110 be received and placed on file, seconded by Senator Tsutsui and carried.

By unanimous consent, S.B. No. 1461, S.D. 2, H.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 113 (H.B. No. 1016, H.D. 2, S.D. 1, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 113 be adopted and H.B. No. 1016, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Taniguchi then offered the following amendment (Floor Amendment No. 16) to H.B. No. 1016, H.D. 2, S.D. 1, C.D. 1:

SECTION 1. House Bill No. 1016, H.D. 2, S.D. 1, C.D. 1, is amended as follows:

1. By amending line 16 on page 4 to read:

“TOTAL (SECTION 1): \$1,089,096.86”

2. By amending Section 9 to read:

“SECTION 9. This Act shall take effect upon its approval; provided that section 2 shall take effect on July 1, 2009.”

Senator Taniguchi moved that Floor Amendment No. 16 be adopted, seconded by Senator Takamine.

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

“On this bill, we are just changing the effective date from July 1 to upon approval, so that these settlements can be paid and interest can be saved by the State.”

The motion to adopt Floor Amendment No. 16 was put by the Chair and carried.

Senator Taniguchi then moved that Conf. Com. Rep. No. 113 be received and placed on file, seconded by Senator Takamine and carried.

By unanimous consent, H.B. No. 1016, H.D. 2, S.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,” was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 132 (S.B. No. 199, S.D. 1, H.D. 1, C.D. 2):

By unanimous consent, action on S.B. No. 199, S.D. 1, H.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was deferred to the end of the calendar.

Conf. Com. Rep. No. 136 (S.B. No. 387, S.D. 1, H.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 136 be adopted and S.B. No. 387, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Tsutsui.

Senator Kim then offered the following amendment (Floor Amendment No. 18) to S.B. No. 387, S.D. 1, H.D. 1, C.D. 1:

SECTION 1. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by designating section 1 as Part I.

SECTION 2. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by deleting sections 2 and 3.

SECTION 3. Senate Bill No. 387, S.D. 1, H.D. 1, C.D. 1, is amended by inserting the following:

“PART II

SECTION 2. The purpose of this Act is to reorganize certain state executive branch departments to reflect the provisions of the General Appropriations Act of 2009.

SECTION 3. The purpose of this part is to transfer the position of tourism liaison from the department of business, economic development, and tourism to the office of the governor.

SECTION 4. Chapter 27, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . TOURISM

§27- Special advisor for tourism. (a) There is established within the office of the governor a special advisor for tourism who shall be appointed by the governor without regard to section 26-34. The special advisor shall not be subject to chapters 76 and 89.

(b) The special advisor for tourism shall serve as the liaison between the governor and the Hawaii tourism authority, department of business, economic development, and tourism, and other public and private parties on matters relating to tourism.”

PART III

SECTION 5. The purpose of this part is to transfer the small business regulatory review board, with its statutory duties and powers, from the department of business, economic development, and tourism to the department of commerce and consumer affairs.

SECTION 6. Section 201M-5, Hawaii Revised Statutes, is amended to read as follows:

“§201M-5 Small business regulatory review board; powers. (a) There shall be established within the department of ~~[business, economic development, and tourism,]~~ commerce and consumer affairs for administrative purposes~~[, pursuant to section 26-35].~~ a small business regulatory review board to review any proposed new or amended rule or to consider any request from small business owners for review of any rule adopted by a state agency and to make recommendations to the agency or the legislature regarding the need for a rule change or legislation. For requests regarding county ordinances, the board may make recommendations to the county council or the mayor for appropriate action.

(b) The board shall consist of eleven members, who shall be appointed by the governor pursuant to section 26-34. Nominations to fill vacancies shall be made from names submitted by the review board. The appointments shall reflect representation of a variety of businesses in the State; provided that no more than two members shall be representatives from the same type of business, and that there shall be at least two representatives from each county.

(c) All members of the board shall be either a current or former owner or officer of a business and shall not be an officer or employee of the federal, state, or county government. A majority of the board shall elect the chairperson. The chairperson shall serve a term of not more than one year, unless removed earlier by a two-thirds vote of all members to which the board is entitled.

(d) A majority of all the members to which the board is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board is entitled shall be necessary to make any action of the board valid.

(e) In addition to any other powers provided by this chapter, the board may:

- (1) Adopt any rules necessary to implement this chapter;
- (2) Organize and hold conferences on problems affecting small business; and
- (3) Do any and all things necessary to effectuate the purposes of this chapter.

(f) The board shall submit an annual report to the legislature twenty days prior to each regular session detailing any requests from small business owners for review of any rule adopted by a state agency, and any recommendations made by the board to an agency or the legislature regarding the need for a rule change or legislation. The report shall also contain a summary of the comments made by the board to agencies regarding its review of proposed new or amended rules.

(g) The expenses of the board shall be funded entirely from the compliance resolution fund; provided that this provision shall not require the board to charge any fee for its service. The director of commerce and consumer affairs shall include, as part of any other fee charged to a person or organization, an amount with a reasonable nexus to the small business regulatory review activities of the board.

For the purpose of this subsection, “expenses” includes operating expenses, cash capital expenses, and debt service attributable to the board.”

PART IV

SECTION 7. The purpose of this part is to transfer the natural energy laboratory of Hawaii authority, with its statutory duties and powers, from the department of business, economic development, and tourism to the department of accounting and general services.

SECTION 8. Section 227D-2, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) There is established the natural energy laboratory of Hawaii authority, which shall be a body corporate and politic and an instrumentality and agency of the State. The authority shall be placed within the ~~[department of business, economic development, and tourism]~~ department of accounting and general services for administrative purposes~~[, pursuant to section 26-35].~~ The purpose of the natural energy laboratory of Hawaii authority shall be to facilitate research, development, and commercialization of natural energy resources and ocean-related research, technology, and industry in Hawaii and to engage in retail, commercial, or tourism activities that will financially support that research, development, and commercialization at a research and technology park in Hawaii. Its duties shall include:

- (1) Establishing, managing, and operating facilities that provide sites for:
 - (A) Research and development;
 - (B) Commercial projects and businesses utilizing natural resources, such as ocean water or geothermal energy;
 - (C) Compatible businesses engaged in scientific and technological investigations, or retail, commercial, and tourism activities; and
 - (D) Businesses or educational facilities that support the primary projects and activities;
- (2) Providing support, utilities, and other services to facility tenants and government agencies;
- (3) Maintaining the physical structure of the facilities;
- (4) Promoting and marketing these facilities;
- (5) Promoting and marketing the reasonable utilization of available natural resources;

- (6) Supporting ocean research and technology development projects that support national and state interests, use facilities and infrastructure in Hawaii, and foster potential commercial development; and
- (7) Engaging in retail, commercial, and tourism activities that are not related to facilitating research, development, and commercialization of natural energy resources in Hawaii; provided that all income derived from these activities shall be deposited in the natural energy laboratory of Hawaii authority special fund.

(b) The governing body of the authority shall consist of a board of directors having eleven voting members. Three members from the general public shall be appointed by the governor for staggered terms pursuant to section 26-34, except that one of these members shall be a resident of the county of Hawaii. The members shall be selected on the basis of their knowledge, interest, and proven expertise in, but not limited to, one or more of the following fields: finance, commerce and trade, corporate management, marketing, economics, engineering, energy management, real estate development, property management, aquaculture, and ocean science. The chairperson and secretary of the research advisory committee shall serve on the board. The ~~[director of business, economic development, and tourism, the]~~ chairperson of the board of land and natural resources, the ~~[president of the University of Hawaii,]~~ comptroller, the mayor of the county of Hawaii, an appointed member from the board of the high technology development corporation, and an appointed member from the board of the Hawaii strategic development corporation, or their designated representatives, shall serve as ex officio, voting members of the board. The ~~[director of business, economic development, and tourism]~~ comptroller shall serve as the chairperson until such time as a chairperson is elected by the board from the membership. The board shall elect other officers as it deems necessary.”

PART V

SECTION 9. The purpose of this part is to transfer the arts and culture development branch within the department of business, economic development, and tourism to the state foundation on culture and the arts, which is placed within the department of accounting and general services for administrative purposes.

SECTION 10. All rights, powers, functions, and duties of the arts and culture development branch of the department of business, economic development, and tourism are transferred to the state foundation on culture and the arts.

PART VI

SECTION 11. The purpose of this part is to transfer the film industry branch within the department of business, economic development, and tourism to the Hawaii tourism authority.

SECTION 12. Chapter 201B, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . HAWAII TELEVISION AND FILM DEVELOPMENT

§201B-A Definitions. As used in this part:

“Applicant” means a person applying for a grant or venture capital investment from the authority under this part.

“Board” means the Hawaii television and film development board.

“Eligible Hawaii project” or “project” means an entertainment project in which at least seventy-five per cent of the budget for the production costs, excluding salaries and costs for the producer, director, writer, screenplay, and actors in the project, is dedicated for the purchase or lease of goods or services from a vendor or supplier who is located and doing business in the State.

“Fund” means the Hawaii television and film development special fund.

“Venture capital investment” means any of the following investments in a project:

- (1) Common or preferred stock and equity securities without a repurchase requirement for at least five years;
- (2) A right to purchase stock or equity securities;
- (3) Any debenture, whether or not convertible or having stock purchase rights, which is subordinated, together with security interests against the assets of the borrower, by their terms to all borrowings of the borrower from other institutional lenders, and that is for a term of not less than three years, and that has no part amortized during the first three years; and
- (4) General or limited partnership interests.

§201B-B Hawaii television and film development board.

(a) There is established the Hawaii television and film development board. The board shall be attached to the Hawaii tourism authority for administrative purposes only. The board shall administer the grant and venture capital investment programs and the Hawaii television and film development special fund established under this part. The board shall also assess and consider the overall viability and development of the television and film industries and make recommendations to appropriate state or county agencies.

(b) The board shall be composed of nine members, four of whom shall be appointed by the governor pursuant to section 26-34, and all of whom shall serve four-year staggered terms. One of the governor’s appointments shall be made from a list of nominees submitted by the president of the senate and another appointment shall be made from a list of nominees submitted by the speaker of the house of representatives. The four appointed members shall possess a current working knowledge of the film, television, or entertainment industry. The executive director of the Hawaii tourism authority and the chairs of the four county film commissions, or their equivalent, shall serve as ex officio voting members, who may be represented on the board by designees.

The chairperson and vice chairperson of the board shall be selected by the board by majority vote. Five members shall constitute a quorum, whose affirmative vote shall be necessary for all actions by the board. The members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(c) The film industry branch development manager shall serve as the executive secretary of the board.

(d) The board may adopt rules pursuant to chapter 91 to effectuate the purposes of this part.

§201B-C Hawaii television and film development special fund.

(a) There is established in the state treasury the Hawaii television and film development special fund into which shall be deposited:

- (1) Appropriations by the legislature;
- (2) Donations and contributions made by private individuals or organizations for deposit into the fund;
- (3) Grants provided by governmental agencies or any other source; and
- (4) Any profits or other amounts received from venture capital investments.

(b) The fund shall be used by the board to assist in, and provide incentives for, the production of eligible Hawaii projects that are in compliance with criteria and standards established by the board in accordance with rules adopted by the board pursuant to chapter 91. In particular, the board shall adopt rules to provide for the implementation of the following programs:

- (1) A grant program. The board shall adopt rules pursuant to chapter 91 to provide conditions and qualifications for grants. Applications for grants shall be made to the board and shall contain such information as the board shall require by rules adopted pursuant to chapter 91. At a minimum, the applicant shall agree to the following conditions:
 - (A) The grant shall be used exclusively for eligible Hawaii projects;

- (B) The applicant shall have applied for or received all applicable licenses and permits;
- (C) The applicant shall comply with applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, or physical handicap;
- (D) The applicant shall comply with other requirements as the board may prescribe;
- (E) All activities undertaken with funds received shall comply with all applicable federal, state, and county statutes and ordinances;
- (F) The applicant shall indemnify and save harmless the State of Hawaii and its officers, agents, and employees from and against any and all claims arising out of or resulting from activities carried out or projects undertaken with funds provided hereunder, and procure sufficient insurance to provide this indemnification if requested to do so by the department;
- (G) The applicant shall make available to the board all records the applicant may have relating to the project, to allow the board to monitor the applicant's compliance with the purpose of this chapter; and
- (H) The applicant, to the satisfaction of the board, shall establish that sufficient funds are available for the completion of the project for the purpose for which the grant is awarded;

and

- (2) A venture capital program. The board shall adopt rules pursuant to chapter 91 to provide conditions and qualifications for venture capital investments in eligible Hawaii projects. The program may include a written agreement between the borrower and the board, as the representative of the State, that as consideration for the venture capital investment made under this part, the borrower shall share any royalties, licenses, titles, rights, or any other monetary benefits that may accrue to the borrower pursuant to terms and conditions established by the board by rule pursuant to chapter 91. Venture capital investments may be made on such terms and conditions as the board shall determine to be reasonable, appropriate, and consistent with the purposes and objectives of this part.

§201B-D Inspection of premises and records. The board shall have the right to inspect, at reasonable hours, the plant, physical facilities, equipment, premises, books, and records of any applicant in connection with the processing of a grant to the applicant."

SECTION 13. Part IX of chapter 201, Hawaii Revised Statutes, is repealed.

PART VII

SECTION 14. The purpose of this part is to conform various sections of the Hawaii Revised Statutes to the amendments made under more than one of the previous parts.

SECTION 15. Section 26-18, Hawaii Revised Statutes, is amended to read as follows:

"§26-18 Department of business, economic development, and tourism. [(a)] The department of business, economic development, and tourism shall be headed by a single executive to be known as the director of business, economic development, and tourism.

The department shall undertake statewide business and economic development activities, undertake energy development and management, provide economic research and analysis, plan for the use of Hawaii's ocean resources, and encourage the development and promotion of industry and international commerce through programs established by law.

[(b)] The following are placed in the department of business, economic development, and tourism for administrative purposes

as defined by section 26-35: Aloha Tower development corporation, Hawaii community development authority, Hawaii housing finance and development corporation, high technology development corporation, land use commission, [natural energy laboratory of Hawaii authority,] and any other boards and commissions as shall be provided by law.

The department of business, economic development, and tourism shall be empowered to establish, modify, or abolish statistical boundaries for cities, towns, or villages in the State and shall publish, as expeditiously as possible, an up-to-date list of cities, towns, and villages after changes to statistical boundaries have been made."

SECTION 16. Section 201-2, Hawaii Revised Statutes, is amended to read as follows:

"§201-2 General objective, functions, and duties of department. It shall be the objective of the department of business, economic development, and tourism to make broad policy determinations with respect to economic development in the State and to stimulate through research and demonstration projects those industrial and economic development efforts that offer the most immediate promise of expanding the economy of the State. The department shall endeavor to gain an understanding of those functions and activities of other governmental agencies and of private agencies that relate to the field of economic development. [It shall,] The department, at all times, shall encourage initiative and creative thinking in harmony with the objectives of the department.

The department of business, economic development, and tourism shall have sole jurisdiction over the land use commission under chapter 205, state planning under chapter 225M, and the Hawaii State Planning Act under chapter 226. Due to the inherently interdependent functions of development, planning, and land use, these functions shall not be transferred by executive order, directive, or memorandum, to any other department, nor shall these functions be subject to review or approval by any other department."

SECTION 17. Section 201-3, Hawaii Revised Statutes, is amended to read as follows:

"§201-3 Specific research and promotional functions of the department. Without prejudice to its general functions and duties the department of business, economic development, and tourism shall have specific functions in the following areas:

- (1) Industrial development. The department shall determine through technical and economic surveys the profit potential of new or expanded industrial undertakings; develop through research projects and other means new and improved industrial products and processes; promote studies and surveys to determine consumer preference as to design and quality and to determine the best methods of packaging, transporting, and marketing the State's industrial products; disseminate information to assist the present industries of the State, to attract new industries to the State, and to encourage capital investment in present and new industries in the State; assist associations of producers and distributors of industrial products to introduce these products to consumers; and make grants or contracts as may be necessary or advisable to accomplish the foregoing;
- (2) Land development. The department shall encourage the most productive use of all land in the State in accordance with a general plan developed by the department; encourage the improvement of land tenure practices on leased private lands; promote an informational program directed to landowners, producers of agricultural and industrial commodities, and the general public regarding the most efficient and most productive use of the lands in the State; and make grants or contracts as may be necessary or advisable to accomplish the foregoing;

- (3) Credit development. The department shall conduct a continuing study of agricultural and industrial credit needs; encourage the development of additional private and public credit sources for agricultural and industrial enterprises; promote an informational program to acquaint financial institutions with agricultural and industrial credit needs and the potential for agricultural and industrial expansion, and inform producers of agricultural and industrial products as to the manner in which to qualify for loans; and make grants or contracts as may be necessary or advisable to accomplish the foregoing; and
- (4) Promotion. The department shall disseminate information developed for or by the department pertaining to economic development to assist present industry in the State, attract new industry and investments to the State, and assist new and emerging industry with good growth potential or prospects in jobs, exports, and new products. The industrial and economic promotional activities of the department may include the use of literature, advertising, demonstrations, displays, market testing, lectures, travel, motion picture and slide films, and other promotional and publicity devices as may be appropriate;
- (5) Tourism research and statistics. The department shall maintain a program of research and statistics for the purpose of:
 - (A) Measuring and analyzing tourism trends;
 - (B) Providing information and research to assist in the development and implementation of state tourism policy;
 - (C) Encouraging and arranging for the conduct of tourism research and information development through voluntary means or through contractual services with qualified agencies, firms, or persons; and
 - (D) Providing tourism information to policy makers, the public, and the visitor industry. This includes:
 - (i) Collecting and publishing visitor-related data including visitor arrivals, visitor characteristics and expenditures;
 - (ii) Collecting and publishing hotel-related statistics including the number of units available, occupancy rates, and room rates;
 - (iii) Collecting and publishing airline-related data including seat capacity and number of flights;
 - (iv) Collecting information and conducting analyses of the economic, social, and physical impacts of tourism on the State;
 - (v) Conducting periodic studies of the impact of ongoing marketing programs of the Hawaii tourism authority on Hawaii's tourism industry, employment in Hawaii, state taxes, and the State's lesser known and underutilized destinations; and
 - (vi) Cooperate with the Hawaii tourism authority and provide it with the above information in a timely manner;

and

- (6) Self-sufficiency standard. The department shall establish and update biennially a self-sufficiency standard that shall incorporate existing methods of calculation, and shall reflect, at a minimum, costs relating to housing, food, child care, transportation, health care, clothing and

household expenses, federal and state tax obligations, family size, children's ages, geography, and the number of household wage earners. The department shall report to the legislature concerning the self-sufficiency standard no later than twenty days prior to the convening of the regular session of 2009, and every odd-numbered year thereafter. The recommendations shall address, among other things, the utilization of any federal funding that may be available for the purposes of establishing and updating the self-sufficiency standard.

~~["The department shall be the central agency to coordinate film permit activities in the State;"]~~

PART VIII

SECTION 18. The purpose of this part is to provide for the transition of various state agencies and programs that are transferred under parts II, III, IV, V, and VI of this Act.

SECTION 19. (a) All rights, powers, functions, and duties of the agencies, divisions, or programs transferred under parts II, III, IV, V, and VI, are transferred to the successor agencies as provided under those parts.

(b) All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to the state personnel laws and this Act; except that an officer or employee whose position is no longer authorized under the General Appropriations Act of 2009 shall not be transferred.

(c) No officer or employee who has been transferred pursuant to subsection (b) and who has tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

(d) If a position held by an officer or employee having tenure is no longer authorized under the General Appropriations Act of 2009, the movement of an officer or employee to another position shall be subject to the appropriate collective bargaining agreement.

SECTION 20. (a) Nothing in this Act shall be deemed to affect the civil service status of any civil service member transferred to the Hawaii tourism authority pursuant to part VI of this Act as it existed on June 30, 2009; provided that upon the vacancy of any transferred position, the Hawaii tourism authority may hire an employee to fill the vacated position without regard to chapters 76 and 89, Hawaii Revised Statutes.

(b) No officer or employee of the State whose functions are transferred by part VI of this Act, and who is employed by the Hawaii tourism authority pursuant to this section, shall suffer any loss of salary, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

(c) Any officer or employee having tenure whose office or position is abolished by part VI of this Act shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the head of the department of the governor.

SECTION 21. All rules, policies, procedures, guidelines, and other material adopted or developed by an agency, division, or program transferred under parts II, III, IV, V, and VI, shall be transferred to the successor agency and shall remain in full force and effect until amended or repealed by the successor agency.

SECTION 22. All records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, or acquired or held by an agency, division, or program transferred under parts II, III, IV, V, and VI, shall be transferred to the successor agency.

SECTION 23. Unless specifically required by this Act, this Act shall not affect the membership or term of any appointed

member of a board or other policy-making or advisory body transferred under parts II, III, IV, V, and VI. Such a member shall continue to serve on the board or other body for the member's term without necessity of reappointment.

SECTION 24. The legislative reference bureau shall review this Act for the purpose of making recommendations as to the appropriate placement of parts or chapters of the Hawaii Revised Statutes affected by this Act. The legislative reference bureau shall submit its findings and recommendations, accompanied by any necessary proposed legislation, to the legislature by January 1, 2010.

SECTION 25. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

PART IX

SECTION 26. The provisions of this part shall supersede section 15 of House Bill 1271 H.D. 3, S.D. 2, C.D. 1, of the 2009 regular session. There is established within the department of business, economic development, and tourism, the position of energy program administrator. The employment status of the incumbent employee occupying the energy program administrator position on the effective date of this Act shall retain the employee's civil service status which shall not be affected by any Act enacted in the regular session of 2009.

PART X

SECTION 27. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 28. This Act shall take effect upon its approval."

Senator Kim moved that Floor Amendment No. 18 be adopted, seconded by Senator Tsutsui.

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

"Madam President, this measure includes certain provisions of H.B. No. 1260 and H.B. No. 1271, for the purposes of amending those provisions to ensure that in the reorganization of certain state executive branch departments, that any transferring employees would not lose their civil service status. It was also amended to delete any reference to the repeal of ATDC since that was put in by error."

The motion to adopt Floor Amendment No. 18 was put by the Chair and carried.

Senator Kim then moved that Conf. Com. Rep. No. 136 be received and placed on file, seconded by Senator Tsutsui and carried.

By unanimous consent, S.B. No. 387, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was placed on the calendar for Final Reading on Thursday, May 7, 2009.

Conf. Com. Rep. No. 160 (H.B. No. 754, H.D. 1, S.D. 1, C.D. 1):

Senator Nishihara moved that Conf. Com. Rep. No. 160 be adopted and H.B. No. 754, H.D. 1, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Kim.

Senator Kim then offered the following amendment (Floor Amendment No. 19) to H.B. No. 754, H.D. 1, S.D. 1, C.D. 1:

SECTION 1. House Bill No. 754, H.D. 1, S.D. 1, C.D. 1, is amended by deleting Section 11 and replacing it with the following:

"SECTION 11. For fiscal year 2010-2011, after the revenues collected under chapter 237D, Hawaii Revised Statutes, are distributed pursuant to section 237D-2(b), Hawaii Revised Statutes, 12.5 per cent of the revenues derived under section 237D-2(b)(2), Hawaii Revised Statutes, shall be deposited into the tourism special fund established under section 201B-11,

Hawaii Revised Statutes, and any excess revenues shall be deposited into the general fund."

Senator Kim moved that Floor Amendment No. 19 be adopted, seconded by Senator Tsutsui.

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

"This amendment is to fix the percentage in the measure to ensure that we have the correct amount going into the tourism special fund for one year from the anticipated increase of the TAT from FY2010—FY2011. This will ensure that the projected \$8.2 million will go to help HTA to properly fund the programs it needs to boost our ailing visitor industry. Thank you."

The motion to adopt Floor Amendment No. 19 was put by the Chair and carried.

Senator Kim then moved that Conf. Com. Rep. No. 160 be received and placed on file, seconded by Senator Tsutsui and carried.

By unanimous consent, H.B. No. 754, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was placed on the calendar for Final Reading on Thursday, May 7, 2009.

FINAL READING

MATTERS DEFERRED FROM THURSDAY, APRIL 30, 2009 AND FRIDAY, MAY 1, 2009

Conf. Com. Rep. No. 7 (H.B. No. 1057, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 7 and H.B. No. 1057, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 12 (H.B. No. 1071, H.D. 3, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 12 and H.B. No. 1071, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 15 (H.B. No. 1045, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 15 and H.B. No. 1045, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 16 (H.B. No. 975, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 16 and H.B. No. 975, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 17 (H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 17 and H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 21 (H.B. No. 1103, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 21 and H.B. No. 1103, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 47 (H.B. No. 1713, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 47 and H.B. No. 1713, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 50 (H.B. No. 1471, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 50 and H.B. No. 1471, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARMS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 57 (S.B. No. 659, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 57 and S.B. No. 659, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 67 (S.B. No. 914, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67 and S.B. No. 914, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 72 (S.B. No. 1066, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72 and S.B. No. 1066, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 77 (S.B. No. 1107, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 77 and S.B. No. 1107, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 83 (S.B. No. 91, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 83 and S.B. No. 91, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 93 (S.B. No. 1206, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 93 and S.B. No. 1206, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 103 (S.B. No. 1164, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 103 and S.B. No. 1164, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 107 (S.B. No. 1345, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 107 and S.B. No. 1345, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 108 (S.B. No. 1160, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 108 and S.B. No. 1160, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 109 (S.B. No. 109, S.D. 2, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 109 and S.B. No. 109, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR JUVENILES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 111 (H.B. No. 381, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 111 and H.B. No. 381, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 119 (H.B. No. 610, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 119 and H.B. No. 610, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 120 (H.B. No. 586, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 120 and H.B. No. 586, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEHOE BAY REGIONAL COUNCIL," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 124 (H.B. No. 1692, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 124 and H.B. No. 1692, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 128 (H.B. No. 986, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 128 and H.B. No. 986, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 137 (S.B. No. 427, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 137 and S.B. No. 427, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 145 (S.B. No. 415, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 145 and S.B. No. 415, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 147 (S.B. No. 1248, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 147 and S.B. No. 1248, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 148 (S.B. No. 1674, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 148 and S.B. No. 1674, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 150 (S.B. No. 1329, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 150 and S.B. No. 1329, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 156 (H.B. No. 34, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 156 and H.B. No. 34, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 158 (H.B. No. 1495, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 158 and H.B. No. 1495, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INCOME TAX," was deferred until Thursday, May 7, 2009.

S.B. No. 522, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 522, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," was deferred until Thursday, May 7, 2009.

S.B. No. 523, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 523, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Thursday, May 7, 2009.

S.B. No. 876, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 876, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 20 (H.B. No. 1676, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20 and H.B. No. 1676, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 28 (H.B. No. 541, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28 and H.B. No. 541, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 33 (H.B. No. 1776, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33 and H.B. No. 1776, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 36 (H.B. No. 982, H.D. 3, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 36 and H.B. No. 982, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 39 (H.B. No. 983, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39 and H.B. No. 983, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 48 (H.B. No. 994, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 48 and H.B. No. 994, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 49 (H.B. No. 1174, H.D. 3, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 49 and H.B. No. 1174, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 58 (S.B. No. 971, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 58 and S.B. No. 971, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 69 (S.B. No. 389, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69 and S.B. No. 389, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 94 (S.B. No. 1665, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 94 and S.B. No. 1665, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 100 (S.B. No. 1664, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 100 and S.B. No. 1664, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 102 (S.B. No. 1218, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 102 and S.B. No. 1218, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 104 (S.B. No. 266, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 104 and S.B. No. 266, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLOBAL WARMING," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 105 (S.B. No. 1224, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 105 and S.B. No. 1224, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 106 (S.B. No. 1352, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 106, and S.B. No. 1352, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 112 (H.B. No. 1536, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 112 and H.B. No. 1536, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 114 (H.B. No. 1550, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 114 and H.B. No. 1550, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 117 (H.B. No. 1166, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 117 and H.B. No. 1166, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 118 (H.B. No. 1552, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 118 and H.B. No. 1552, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 121 (H.B. No. 1525, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 121 and H.B. No. 1525, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 122 (H.B. No. 111, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 122 and H.B. No. 111, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 123 (H.B. No. 343, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 123 and H.B. No. 343, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 126 (H.B. No. 1807, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 126 and H.B. No. 1807, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 127 (H.B. No. 371, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 127 and H.B. No. 371, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 130 (H.B. No. 1504, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 130 and H.B. No. 1504, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 134 (S.B. No. 423, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 134 and S.B. No. 423, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 140 (S.B. No. 1202, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 140 and S.B. No. 1202, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY INITIATIVES," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 142 (S.B. No. 292, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 142 and S.B. No. 292, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 143 (S.B. No. 972, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 143 and S.B. No. 972, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 146 (S.B. No. 496, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 146 and S.B. No. 496, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 149 (S.B. No. 43, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 149 and S.B. No. 43, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 151 (H.B. No. 427, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 151 and H.B. No. 427, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE

REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 152 (H.B. No. 1627, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 152 and H.B. No. 1627, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 153 (H.B. No. 1628, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 153 and H.B. No. 1628, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 154 (H.B. No. 1483, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 154 and H.B. No. 1483, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 155 (H.B. No. 1678, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 155 and H.B. No. 1678, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 157 (H.B. No. 35, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 157 and H.B. No. 35, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 159 (H.B. No. 1544, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 159 and H.B. No. 1544, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 161 (H.B. No. 899, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 161 and H.B. No. 899, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 162 (H.B. No. 1364, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 162 and H.B. No. 1364, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 163 (H.B. No. 183, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 163 and H.B. No. 183, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 164 (H.B. No. 1405, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 164 and H.B. No. 1405, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 165 (H.B. No. 900, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 165 and H.B. No. 900, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 166 (H.B. No. 300, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 166 and H.B. No. 300, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 168 (S.B. No. 21, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 168 and S.B. No. 21, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 169 (S.B. No. 1678, S.D. 3, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 169 and S.B. No. 1678, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, May 7, 2009.

Conf. Com. Rep. No. 171 (S.B. No. 884, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 171 and S.B. No. 884, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was deferred until Thursday, May 7, 2009.

FINAL READING

Conf. Com. Rep. No. 6 (H.B. No. 1422, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 1422, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 9 (H.B. No. 632, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Galuteria and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 632, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 10 (H.B. No. 615, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 10 was adopted and

H.B. No. 615, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (H.B. No. 590, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 590, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (H.B. No. 1351, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 1351, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE AGRICULTURAL PARKS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 14 (H.B. No. 589, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 589, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18 (H.B. No. 618, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 618, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22 (H.B. No. 1070, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 1070, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (H.B. No. 814, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 814, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 24 (H.B. No. 28, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 28, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO DEAD HUMAN BODIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25 (H.B. No. 358, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 358, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (H.B. No. 1415, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 1415, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29 (H.B. No. 1696, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Baker and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 1696, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (H.B. No. 1316, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 1316, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 271, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 271, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (H.B. No. 1040, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 1040, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38 (H.B. No. 366, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 366, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANTA RAYS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (H.B. No. 1141, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 1141, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43 (H.B. No. 1512, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Nishihara and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 1512, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (S.B. No. 1065, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 1065, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (S.B. No. 281, H.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 281, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (S.B. No. 711, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 711, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (S.B. No. 714, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 714, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (S.B. No. 564, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator English and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 564, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (S.B. No. 1183, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 1183, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (S.B. No. 868, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Baker and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 868, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (S.B. No. 470, H.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Baker and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 470, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (S.B. No. 203, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 203, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65 (S.B. No. 35, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Espero and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 35, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 66 (S.B. No. 34, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 66 was adopted and S.B. No. 34, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (S.B. No. 440, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator English and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 440, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 70 (S.B. No. 300, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Baker and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 300, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73 (S.B. No. 55, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 55, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74 (S.B. No. 50, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Gabbard and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 50, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 76 (S.B. No. 1069, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 76 was adopted and S.B. No. 1069, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (S.B. No. 1259, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 78 was adopted and S.B. No. 1259, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (S.B. No. 1268, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 1268, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (S.B. No. 113, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 113, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88 (S.B. No. 932, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 88 was adopted and S.B. No. 932, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 90 (S.B. No. 1195, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hee and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 1195, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 95 (S.B. No. 1223, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Ige and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 1223, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MADE PRODUCTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 97 (S.B. No. 851, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 851, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101 (S.B. No. 1250, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 1250, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 116 (H.B. No. 981, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 116 was adopted and H.B. No. 981, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 129 (H.B. No. 1378, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 129 was adopted and H.B. No. 1378, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131 (S.B. No. 1058, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 131 was adopted and S.B. No. 1058, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 133 (S.B. No. 917, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Ige and carried, Conf. Com. Rep. No. 133 was adopted and S.B. No. 917, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD PARTY LIABILITY FOR MEDICAID," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 138 (S.B. No. 1263, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 138 was adopted and S.B. No. 1263, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (S.B. No. 912, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 141 was adopted and S.B. No. 912, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 144 (S.B. No. 1142, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 144 was adopted and S.B. No. 1142, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 170 (S.B. No. 585, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Baker and carried, Conf. Com. Rep. No. 170 was adopted and S.B. No. 585, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 309, H.D. 1:

On motion by Senator Takamine, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 309, and S.B. No. 309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 420, S.D. 2, H.D. 2:

On motion by Senator Ige, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 420, S.D. 2, and S.B. No. 420, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 937, H.D. 1:

On motion by Senator Ige, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 937, and S.B. No. 937, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 967, S.D. 2, H.D. 3:

On motion by Senator Ige, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 967, S.D. 2, and S.B. No. 967, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19 (H.B. No. 1479, H.D. 2, S.D. 1, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 19 be adopted and H.B. No. 1479, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

"Yes, this will provide an undue burden for both small businesses and for the Department of Labor, requiring additional reporting of fringe benefits. 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, Conf. Com. Rep. No. 19 was adopted and H.B. No. 1479, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Ayes with Reservations, 1 (Kim). Noes, 2 (Hemmings, Slom). Excused, 1 (Tokuda).

Conf. Com. Rep. No. 26 (H.B. No. 262, H.D. 2, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 26 be adopted and H.B. No. 262, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in support of the measure with reservations and stated:

"While this does expand the investigative powers of the insurance commissioner, notably absent from that ability is workers' compensation; and with growing workers' compensation fraud which affects all of us, whether it's by employee or by employer or doctor or hospital, we all pay the cost for that. So, I note my reservations. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 262, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 30 (H.B. No. 643, H.D. 2, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 30 be adopted and H.B. No. 643, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure and stated:

“This bill seeks to ferret out illegal employees, and that’s a good thing and I think we should all support that. However, it unfairly penalizes contractors who may have been the victims as well. I note that in testimony and in discussion, everybody was more worried about the illegal immigrants and workers, and they wanted to penalize contractors. We should make it very clear that illegality is the issue here; criminal offense is the issue here, and not piling onto the contractors. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 643, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTRACTORS,” passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 31 (H.B. No. 31, S.D. 1, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 31 be adopted and H.B. No. 31, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the measure and stated:

“What this bill does is create a new legal offense, and that is a crime for an employer to check credit references for employees. While there have been certain exemptions carved out, notably in the financial sector, those people that testified in the retail sector say that people that deal with cash and money all the time pose a potential threat; and if the money is lost, they’re not going to go after the employee, they’re going to go after the employer. So in this age of credit transparency where all of us have our credit information taken, it should not be a crime, and it should not be unfair for employers to potentially look at employees’ credit history. Thank you.”

Senators Sakamoto, Nishihara, and Kidani requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 31, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 3 (Kidani, Nishihara, Sakamoto). Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 32 (H.B. No. 1611, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Baker and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 1611, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 40 (H.B. No. 813, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 813, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hemmings).

Conf. Com. Rep. No. 42 (H.B. No. 1379, H.D. 2, S.D. 2, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 42 be adopted and H.B. No. 1379, H.D. 2, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

“This bill has had a long path to where it is right now, and at one point the Senate draft, I think, was a good bill which tightened up and made secure a person giving their power of attorney basically for order of life sustaining treatment or whatever. What’s happened now in the conference draft, I think it went back to the House version, which was much broader and allowed for many other people to give consent for the patient. And I think that was not the intent and I think that opens up the possibilities of a great deal of harm here, so I’ll be voting ‘no.’ Thank you.”

Senator Baker rose in support of the measure and stated:

“Unfortunately, the good Senator from East Honolulu has mischaracterized this bill. This bill actually went back to existing statute and provides that, in fact, an individual can ensure that his or her advance directives are honored. It also allows the physician to provide the individual with a piece of paper that “orders” and officially acknowledges, really, what the individual wants, and that makes it easier for emergency personnel who may be called to a scene when the individual does not want to be resuscitated. This is something that our statute has sought to ensure, that those of us who make an advanced directive can, with certainty, have our wishes honored. That is really all this measure does. It is in line with what is being adopted in a number of other states in terms of physicians’ orders, and I think this is an appropriate way to ensure that those of us who have advance directives have those advance directives followed when needed. Thank you, Madam President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 1379, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT,” passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 44 (H.B. No. 640, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Gabbard, seconded by Senator English and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 640, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (H.B. No. 1470, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Takamine and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 1470, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (S.B. No. 605, S.D. 1, H.D. 3, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 71 be adopted and S.B. No. 605, S.D. 1, H.D. 3, C.D. 1 pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and stated:

“I think we all recognize we’ve got a problem with noise. It’s all around us. We want to try to control it. We want to make sure that there’s not excessive noise. But this bill, which

talks about 50 decibels, one wonders where the 50 decibels has come from because that basically is ordinary conversation. And I think anytime that you try to place restrictions on individuals and you don't have a realistic benchmark, it creates problems not only for adjudication of the law, but also for respect of the law. So, I think that this bill is overly broad and vague, and if we were to use the higher number or indicated how we arrived at that number, I think it would be fairer to all. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 605, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 79 (S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 79 be adopted and S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and stated:

"This is our annual clothesline bill; and while I have no problem with people using clotheslines as an alternative, I do have a problem with the government interfering with private contracts and private covenants in residential or other areas. And I think this is something that we should be able to convince people it's something good that they should do if they want to do, but if they have already entered into a private covenant and they're prohibited from doing that, the government has no business violating that contract. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 79 was adopted and S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 80 (S.B. No. 19, S.D. 1, H.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 80 be adopted and S.B. No. 19, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Takamine.

Senator Slom rose in opposition to the measure and stated:

"I think the intent is good here to give preference in construction contracts and also to recognize the importance of apprenticeship. However, this bill is totally one-sided and requires that people that get the benefits have to be unionized in their apprenticeship programs and will either force people to be unionized or will completely cut out a growing segment of the construction industry that provides apprenticeship and workplace programs but are in fact independent and merit based. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 80 was adopted and S.B. No. 19, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 84 (S.B. No. 536, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Baker and carried, Conf. Com. Rep. No. 84 was adopted and S.B. No. 536, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 87 (S.B. No. 931, S.D. 1, H.D. 1, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 87 be adopted and S.B. No. 931, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

"I was looking for all my ACLU friends and everyone else that's concerned about civil liberties because this bill actually allows for trampling of civil liberties—allows people to enter your home or business to get samples merely for an administrative investigation. We're not talking about epidemics or actual things that have taken place, but this is for administrative investigations. And I don't think we want government bureaucrats coming into our homes and offices more than they do already on hunting expeditions. So, I'll be voting 'no'. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 931, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 89 (S.B. No. 1073, S.D. 1, H.D. 2, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 89 be adopted and S.B. No. 1073, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Espero.

Senator Slom rose in opposition to the measure and stated:

"You know, part of the smoking ban was that the smoking ban was supposed to apply to all people, and then for a while it allowed the prisoners to have their own exemption; it allowed prisoners to smoke. We took that exemption away, but now we're allowing employees of the prison to have a designated smoking area and allowed to smoke. You know, I continue to be concerned and confused about this because all the initial banning legislation was to protect the health of individuals—worried about firsthand smoke, secondhand smoke, third-hand smoke, but apparently we don't because we allow certain people to carve out their own exemptions for them. So I'm in opposition to it because it really comes down to the money—the money that is generated by smoking—and not the health. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 1073, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 91 (S.B. No. 764, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 91 be adopted and S.B. No. 764, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Hemmings rose in opposition to the measure and stated:

"In doing so, I recognize the lack of public debate on many of the issues that are being passed today, and I do recognize that absolute power does have absolute results. So I'm very proud that the good Senator from Hawai'i Kai and I have the opportunity to challenge some of these initiatives.

“The intent of this bill is to alleviate the economic burden on lessees of certain commercial and industrial leases. The concern as expressed by the AG is that the bill violates the contracts clause of the United States Constitution because it changes the process for renegotiating the amount of rent during the term of existing commercial or industrial leases. The attorney general said it’s well-established that a retroactive law, in a constitutional sense, is one that takes away or pares vested rights acquired under existing law or catches new obligations, imposes a new duty, or taxes a new disability with respect to the transaction or consideration already concluded. In other words, it rewrites a deal after it’s made to the benefit of one and the detriment of another; in this case, the land owner. It’s interesting to note that Professor Van Dyke, I guess a hired expert witness, assessed the constitutionality of the legislation, and he provided testimony which is doubtful in relationship to the attorney general’s very broad opinion that points out the problems with this legislation constitutionally. So, I’d urge my colleagues to be real careful on legislation like this. A deal’s a deal, and people coming after the fact and trying to rewrite the deal is unfair. So I’d urge my colleagues to vote ‘no’.”

Senator Slom requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 764, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REAL PROPERTY,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Ayes with Reservations, 1 (Slom). Noes, 1 (Hemmings).

Conf. Com. Rep. No. 92 (S.B. No. 1005, S.D. 2, H.D. 2, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 92 be adopted and S.B. No. 1005, S.D. 2, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

“I’ve sat through the hearings on the bill and I think, again, the intent is a good one—to protect individuals’ likeness and their contributions. However, try as we may, even with this version here, I think that the bill is overly broad and I think it opens up the possibilities for unintended consequences, particularly with the use of images, voices, and so forth on the internet and the expansion thereof. So, while I support the intent, I think that this would probably have a problem with free speech, usage, and also with growing technology. Thank you.”

Senator Fukunaga rose in support of the measure and stated:

“During the discussions on this bill, we did hear from the Internet Coalition and others who have businesses that are based on search engines, so this version of the bill specifically excludes those types of entities from the reach of the bill. I believe that all of the parties who participated in the discussions, including those involved in the recording industry and entertainment industry, are satisfied with the current draft. For those reasons, I urge everyone to vote in support of this measure. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 1005, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 96 (S.B. No. 539, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONS,” passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 99 (S.B. No. 695, S.D. 1, H.D. 1, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 99 be adopted and S.B. No. 695, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senators Sakamoto, Ige, Bunda, Kidani, and Nishihara requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 695, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 5 (Bunda, Ige, Kidani, Nishihara, Sakamoto). Noes, 2 (Hemmings, Slom).

Conf. Com. Rep. No. 115 (H.B. No. 952, H.D. 1, S.D. 2, C.D. 1):

Senator Takamine moved that Conf. Com. Rep. No. 115 be adopted and H.B. No. 952, H.D. 1, S.D. 2, C.D. 1 pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

“I had to promise the Labor Chair that I would be ‘soft’ opposition. Yeah, but you know, if it oinks like a pig and makes bacon like a pig, it’s still a pig. It’s still a bad bill. It still is anti-business. It’s anti-investment climate. It is the union card-check bill, and while the House version is a little bit less offensive than the Senate bill, it still is offensive. It’s offensive to workers; it’s offensive to those that still want the right to have a secret ballot. And even though this version, the final version, changes the bill from the number of employees to gross sales—\$5 million or more—it still is going to affect people, and we know that these numbers continue to be manipulated and can be changed. It also provides for a secession or exemption of some of the criminal penalties that would apply otherwise to criminal trespass, criminal assault when labor union organization is involved. We recall that Hawai‘i still is the second highest labor union represented state in the nation, behind New York. There’s been no problem up to this point in organizing, and there’s been no problem in allowing a secret ballot; and this still is an affront to our democratic way of life. Thank you.”

Senators Kim, Ige, Kidani, Espero, and Gabbard requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 115 was adopted and H.B. No. 952, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LABOR,” passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Ayes with Reservations, 5 (Espero, Gabbard, Ige, Kidani, Kim). Noes, 5 (Chun Oakland, Hemmings, Nishihara, Sakamoto, Slom).

Conf. Com. Rep. No. 125 (H.B. No. 1809, H.D. 2, S.D. 1, C.D. 1):

Senator Gabbard moved that Conf. Com. Rep. No. 125 be adopted and H.B. No. 1809, H.D. 2, S.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Gabbard rose to request comments be entered into the Journal.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Madame President, I rise in support of HB 1809 CD1. Colleagues, last year we passed the e-waste recycling law that addresses our old computers, printers, monitors, and lap tops. This bill would add TVs to that list. As you know, TVs contain toxic materials and it would be much better for our environment if these materials were recycled and not allowed to be dumped in our landfills. This bill has industry support so I hope you'll join me in voting in favor of HB 1809 CD1. *Mahalo.*"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 125 was adopted and H.B. No. 1809, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 135 (S.B. No. 1677, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 135 was adopted and S.B. No. 1677, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (S.B. No. 166, S.D. 1, H.D. 1, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 139 be adopted and S.B. No. 166, S.D. 1, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and stated:

"This is another mandate of our prepaid health care act; and while we're concerned about patients getting adequate care, when there is a contract and when there is a determination that one type of care will be covered and another is not, it is not the purpose of government to interfere with that. Thank you."

Senator Baker rose in support of the measure and stated:

"Madam President, as technology and pharmaceuticals advance, there's a natural tension that develops when we have new procedures and new abilities to make a patient's—particularly a cancer patient's—quality of life better, and that's what this bill seeks to do. In many instances, most of our prepaid health contracts do in fact make no distinction in the kind of treatment for cancer that one takes, but there are a few that do. And it's so important that when we have advances that can improve a person's quality of life and keep them from being either tethered to a doctor's office to get their intravenous infusions of chemotherapy or make them go out of their way to get those life-saving treatments, why wouldn't we want to make those available on an equal basis? That's really all this bill does. If you have a plan that provides for cancer treatment and its infusion, you need to also have, if it's medically necessary, the ability to have it delivered in an oral fashion. This is something that's so important for all of our cancer patients. In talking with the major carriers, because of the way we worked on the language and worked with them on it, it is not anticipated to raise anybody's costs. It just makes it fair and equitable for

anybody who's going through that dreadful disease to make sure that they have the best possible care and delivered in the most appropriate way according to their physician. So, I urge my colleagues to vote strongly in support of this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 139 was adopted and S.B. No. 166, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 172 (S.B. No. 1350, S.D. 2, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 172 be adopted and S.B. No. 1350, S.D. 2, H.D. 1, C.D. 1 pass Final Reading, seconded by Senator Hee.

Senators Fukunaga and Ige requested their vote be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose to request that remarks in support of the measure be entered into the Journal.

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Honolulu and Oahu are facing a housing crisis that has been increasing for decades. The solution of the past was to expand with new housing developments outside of urban Honolulu. This has resulted in sprawl, high infrastructure costs, increased traffic, and loss of open space and agricultural lands.

"We have an opportunity to refocus and optimize the use of one of the few developable areas within urban Honolulu. Kaka'ako has been designated one of those areas. The renewed emphasis on this special development district will allow a master plan to design Kaka'ako to meet housing, commercial, industrial, and community needs. These uses are often not easily accommodated side-by-side or when left to the self-interest of private and individual developers, could create banks of luxury condominiums rather than a well-planned mixed-use community.

"SB1350 proposes to refocus the Honolulu Community Development Corporation (HCDA) to increase the affordable housing provided, make use of access to mass transit and create a vibrant commercial and industrial center with recreational and leisure amenities for its workers and residents. The bill requires a fair percentage of square footage dedicated to affordable housing. It also gives developers a menu of options to meet reserve housing requirements within or without the design district. It emphasizes the urgency for action by providing a five year window of opportunity with a lower percentage dedicated to reserve housing so that developers will act more expeditiously. Finally, the bill attempts to keep for sale affordable housing affordable with ten year requirements and incentives to keep rentals affordable for at least twenty years.

"While the bill may not be perfect and advocates and detractors may still not be fully satisfied, the bill will provide the catalyst for action that should not be put off. With rail transit coming, housing in shortage, further delays could allow Kaka'ako to become a patchwork of developments that do not meet the needs of the whole nor be effectively contribute to a well-planned, and coordinated mixed-use community.

"To put things in a different perspective, let's look at a hypothetical 80,000 sq ft property. The land value at \$250/sq ft would be \$20,000,000. When developed this could produce over 300 residential units of which 60 would be required to be affordable if the property is less than 80,000 sq ft or 90

affordable units for a 80,000+ sq ft property. Is that too much to require based on our state's investment in the Kaka'ako district?

"I urge my colleagues to support this bill. There may be provisions we will have to further adjust but there are no fatal flaws. The bill is the result of many recommendations by many individuals and entities with disparate interests. We must not act in haste, but we must also act with urgency and with decisiveness. Access to both for sale and for rental affordable housing and the advent of rail transit cannot be delayed or hampered because we have yet to provide a basis for HCDA to optimize this valuable and critical asset. Increasing the affordable housing footprint within urban Honolulu reduces traffic, requires less new infrastructure, and can provide our residents with a pleasant and vibrant community when residing, working, or playing. *Mahalo.*"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 172 was adopted and S.B. No. 1350, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Ayes with Reservations, 2 (Fukunaga, Ige). Noes, 7 (Baker, Hee, Hemmings, Ihara, Kim, Slom, Tsutsui).

S.B. No. 777, S.D. 1, H.D. 1:

Senator Baker moved that S.B. No. 777, S.D. 1, H.D. 1 pass Final Reading, seconded by Senator Ige.

Senators Gabbard and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 777, S.D. 1, and S.B. No. 777, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Ayes with Reservations, 2 (Gabbard, Sakamoto). Noes, 2 (Hemmings, Slom).

S.B. No. 1008, S.D. 1, H.D. 2:

Senator Ige moved that S.B. No. 1008, S.D. 1, H.D. 2 pass Final Reading, seconded by Senator Gabbard.

Senator Taniguchi requested that his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1008, S.D. 1, and S.B. No. 1008, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Ayes with Reservations, 1 (Taniguchi). Noes, 6 (Chun Oakland, Hooser, Ihara, Kim, Nishihara, Tsutsui).

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

Senator Baker moved that S.B. No. 1568, S.D. 2, H.D. 1 pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition to the measure and stated:

"Basically what this bill does is to extend unemployment compensation benefits to part-time workers, and also provides that if there is 'compelling family reasons' for a person leaving work that they can still be compensated, and I think that 'compelling family reasons' can be very broad. The examples we discussed, of course, were domestic violence and I think everybody feels very concerned about that, but if you're on the

other end of that, if you're an employer and your employee leaves, you still have a problem. You're going to wind up paying for the unemployment compensation benefits and you're going to have to pay for another employee in addition to that. I think this bill needs more work. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1568, S.D. 2, and S.B. No. 1568, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 81 (S.B. No. 1, S.D. 1, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 81 be adopted and S.B. No. 1, S.D. 1, H.D. 2, C.D. 1 pass Final Reading, seconded by Senator Fukunaga.

Senator Hooser requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 1, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHL," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Ayes with Reservations, 1 (Hooser). Noes, 4 (Baker, English, Taniguchi, Tsutsui).

At 10:40 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:00 p.m.

FINAL READING

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 132 (S.B. No. 199, S.D. 1, H.D. 1, C.D. 2):

Senator Kim moved that Conf. Com. Rep. No. 132 be adopted and S.B. No. 199, S.D. 1, H.D. 1, C.D. 2 pass Final Reading, seconded by Senator Fukunaga.

Senator Bunda then offered the following amendment (Floor Amendment No. 17) to S.B. No. 199, S.D. 1, H.D. 1, C.D. 2:

SECTION 1. Senate Bill No. 199, S.D. 1, H.D. 1, C.D. 2, is amended by deleting Section 2.

SECTION 2. Senate Bill No. 199, S.D. 1, H.D. 1, C.D. 2, is amended by renumbering Section 3 as Section 2.

SECTION 3. Senate Bill No. 199, S.D. 1, H.D. 1, C.D. 2, is amended by renumbering Section 4 as Section 3 and by amending subsection (a) in section 235-110.9, Hawaii Revised Statutes, to read as follows:

"(a) There shall be allowed to each taxpayer subject to the taxes imposed by this chapter a high technology business investment tax credit that shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the investment was made and the following four years provided the credit is properly claimed[-]; provided further that for investments made on or after May 1, 2009, and before January 1, 2011, the sum of all high technology business investment tax credits available (over five years as set forth below) to all taxpayers investing in a single qualified high technology business in a single calendar year shall not exceed \$10,000,000; provided further that for investments made on or after May 1, 2009, and before

January 1, 2011, high technology business investment tax credits may only be claimed to the extent that the qualified high technology business in which the investment was made has received credit allotments from the department, as set forth in subsection (i). The tax credit shall be as follows:

- (1) In the year the investment was made, for investments made prior to May 1, 2009, thirty-five per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;
- (2) In the first year following the year in which the investment was made, for investments made prior to May 1, 2009, twenty-five per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;
- (3) In the second year following the investment, twenty per cent;
- (4) In the third year following the investment, for investments made prior to May 1, 2009, ten per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent; and
- (5) In the fourth year following the investment, for investments made prior to May 1, 2009, ten per cent[;], and for investments made on and after May 1, 2009, and before January 1, 2011, twenty per cent;

of the investment made by the taxpayer in each qualified high technology business, up to a maximum allowed credit in the year the investment was made, [~~\$700,000;~~] \$700,000 for investments made prior to May 1, 2009, and \$400,000 for investments made on and after May 1, 2009, and before January 1, 2011; in the first year following the year in which the investment was made, [~~\$500,000;~~] \$400,000 for investments made prior to May 1, 2009, and \$400,000 for investments made on and after May 1, 2009, and before January 1, 2011; in the second year following the year in which the investment was made, \$400,000; in the third year following the year in which the investment was made, [~~\$200,000;~~] \$200,000 for investments made prior to May 1, 2009, and \$400,000 for investments made on and after May 1, 2009, and before January 1, 2011; and in the fourth year following the year in which the investment was made, [~~\$200,000;~~] \$200,000 for investments made prior to May 1, 2009, and \$400,000 for investments made on and after May 1, 2009, and before January 1, 2011. For purposes of this section, "taxpayer" shall mean the taxpayer that is ultimately liable to pay any applicable taxes and shall not include a partnership, limited liability company, or other pass-through entity; provided that any direct or indirect investment made into a qualified high technology business by a partnership, limited liability company, or other pass-through entity shall be deemed to have been made by its respective partners, members, or other beneficial owners who are the taxpayers that are ultimately liable to pay any applicable taxes."

SECTION 4. Senate Bill No. 199, S.D. 1, H.D. 1, C.D. 2 is amended by deleting subsection (i) in section 235-110.9, Hawaii Revised Statutes, and replacing it with a new subsection (i) to read as follows:

"(i) All claims of high technology business investment tax credits under this section for investments in qualified high technology businesses made after on and after May 1, 2009, and before January 1, 2011, shall be made subject to the following aggregate and periodic credit caps and credit allotment procedures:

- (1) Aggregate and periodic credit caps for all new investments. The maximum amount of high technology business investment tax credits available under this section shall not exceed the following amounts for the following periods:
 - (A) \$80,000,000 to be claimed over the five-year period set forth in subsection (a) for investments

made beginning on May 1, 2009, and through December 31, 2009; and

- (B) \$80,000,000 to be claimed over the five-year period set forth in subsection (a), for investments made during the calendar year beginning on January 1, 2010, and ending on December 31, 2010, plus any carryover credit allotments available from unused credit allotments from the prior calendar years and in subparagraph (A).
- (2) Credit allotments. Beginning on May 1, 2009, the department shall provide credit allotments to qualified high technology businesses up to the maximum amount of high technology business investment tax credits as provided in paragraph (1). A qualified high technology business may apply for a credit allotment of high technology business investment tax credits in any amount not to exceed an aggregate of \$10,000,000 for investments it receives in a single calendar year (to be claimed over the five-year period set forth in subsection (a)) for investments, as defined in section 235-1, made in a qualified high technology business in the same calendar year. A qualified high technology business may apply for an allotment of high technology business investment tax credits, on a form prescribed by the department, or by a duly executed written letter or statement delivered to the department prior to the time that the department has established and published a prescribed form, on or after the day on which that qualified high technology business has received the investment for which that allotment is applied for; provided that in order to apply for that allotment, the qualified high technology business shall attest and declare to the department the amount of investment that the qualified high technology business has received for which it is applying for that allotment; provided further that the qualified high technology business submits to the department a copy of the checks, bank deposit receipts, wire transfer confirmations, or other evidence reasonably acceptable to the department to verify that the qualified high technology business has received the investment for which the allotment is being applied for. All allotments issued by the department shall be made on a first to apply basis only. Notices of all allotments and denials thereof shall be certified in writing and delivered to the respective qualified high technology business by the department by email, fax, United States Postal Service, or other means reasonably requested by the qualified high technology business and approved by the department, within one business day of the department's receipt of the application for that allotment. If a qualified high technology business does not receive the full allotment of high technology business investment tax credits applied for, the qualified high technology business may, at an investor's option, refund to that investor all or any portion of that investor's investment for which allotment was applied for. An investor's right to receive such refund of its investment shall not negate or invalidate an investment's status as being nonrefundable or at risk, as required by section 235-1. Beginning no later than July 1, 2009, the department shall post on its website in a manner accessible to the general public the total amount of allotments made, and the total unused allotments of credits remaining available under this subsection, which posting shall be updated by the department within one business day of making any allotment of credits pursuant to this subsection.
- (3) Non-transferable nature of allotments. All credit allotments issued by the department shall be non-transferable, non-negotiable, and non-assignable; provided that a statutory conversion in the form of

business entity shall not be considered a transfer or assignment.

- (4) Credit claims subject to audit. Notwithstanding a credit allotment under this section, every claim for credit shall be subject to audit or review by the department.”

SECTION 5. Senate Bill No. 199, S.D. 1, H.D. 1, C.D. 2, is amended by renumbering Sections 5, 6, 7, 8, 9, and 10, as sections 4, 5, 6, 7, 8, and 9, respectively.

Senator Bunda moved that Floor Amendment No. 17 be adopted, seconded by Senator Chun Oakland.

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

“This bill actually adds a \$10 million cap per investor for investments made between May 2009 and January 2011, and it adds an aggregate cap of \$80 million in investments per year for which credits may be claimed. It also removes the credit allocation ratio limitation of 1 to 1. But, Madam President, it adds a partial deferral of credits that will provide an additional budget savings and result in a total cost savings of more than \$151 million over the next biennium.

“Colleagues, this amendment will provide for continued employment for people now in the industry, as well as the creation of new job opportunities in the state. I urge all of you to vote for this amendment. Thank you, Madam President.”

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

“Madam President, certainly we’re willing to have this amendment be considered and looked at, but despite the fact that the House took the amendment up and the amendment did not pass, I have to speak against the amendment at this point in time. This measure is an important bill to our financial plan. Should this measure fail, we will have a big hole in the budget. Also, the difference with this measure is the 2 for 1 credits; that is the only difference. This floor amendment will allow the multiple credits to be taken, which is one of the biggest criticisms of the measure. But again, despite that, I was willing to consider the amendment, but the fact that the House has in fact voted against it—it has failed—then I ask my colleagues to please do not support the amendment. Thank you.”

Senator Slom requested a Roll Call vote and the Chair so ordered.

The motion to adopt Floor Amendment No. 17 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 7. Noes, 18 (English, Espero, Gabbard, Galuteria, Green, Hanabusa, Hee, Hemmings, Hooser, Kidani, Kim, Kokubun, Nishihara, Sakamoto, Takamine, Taniguchi, Tokuda, Tsutsui).

At 1:04 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 p.m.

By unanimous consent, action S.B. No. 199, S.D. 1, H.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was deferred until Thursday, May 7, 2009.

ADJOURNMENT

At 1:06 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, May 6, 2009.