

FORTY-FOURTH DAY

Wednesday, April 7, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:47 a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ed Ganigan, New Hope Kapolei, after which the Roll was called showing all Senators present.

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

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

Senator Baker, on behalf of the Maui Senators, introduced participants from 53rd Annual Hawai'i State Science & Engineering, including students from Maui High School, Baldwin High School, Moloka'i High School, and 'Iao Intermediate School who were accompanied by their teachers Terry Hamasaki and Sharon Seki. Senator Baker also recognized Michael Flynn, a student from Maui High who would be attending the Intel International Science and Engineering Fair held in San Jose, California in May.

Senator Hooser introduced a group of students, teachers, parents, and community members from Kaua'i who participated in the 53rd Annual Hawai'i State Science & Engineering Fair, including students from Kapa'a Middle School, Waimea Canyon Middle School, Kapa'a High School, Waimea High School, and Kaua'i High School. Senator Hooser also recognized several students who would be attending the Intel International Science and Engineering Fair held in San Jose, California in May.

Senator Kim introduced Linda Wong, former special assistant to Mayor Frank Fasi.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 323 to 455) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 323, informing the Senate that on April 6, 2010, the House disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 2056, H.D. 1 (S.D. 1);
H.B. No. 2197, H.D. 1 (S.D. 1); and
H.B. No. 2568 (S.D. 1),

was placed on file.

Hse. Com. No. 327, returning S.B. No. 633, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 633, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 330, returning S.B. No. 1062, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1062, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 331, returning S.B. No. 1230, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1230, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 335, returning S.B. No. 2068, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2068, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 337, returning S.B. No. 2116, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2116, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 341, returning S.B. No. 2159, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2159 and requested a conference on the subject matter thereof.

Hse. Com. No. 342, returning S.B. No. 2165, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2165, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 348, returning S.B. No. 2220, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2220, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 349, returning S.B. No. 2257, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2257, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 353, returning S.B. No. 2378, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2378, S.D. 2, and requested a conference on the subject matter thereof.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2828, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 412, returning S.B. No. 2863, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2863, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 415, returning S.B. No. 2903, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2903, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 420, returning S.B. No. 1315, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1315, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 424, returning S.B. No. 2169, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2169, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 425, returning S.B. No. 2231, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2231, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 426, returning S.B. No. 2256, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2256, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 436, returning S.B. No. 2951, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2951, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 437, returning S.B. No. 2001, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2001, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 439, returning S.B. No. 2400, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2400, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 440, returning S.B. No. 2401, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2401, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 441, returning S.B. No. 2402, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2402, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 442, returning S.B. No. 2405, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2405, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 443, returning S.B. No. 2408, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2408, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 445, returning S.B. No. 2578, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2578, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 347, returning S.B. No. 2201, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator English moved that the Senate agree to the amendments made by the House to S.B. No. 2201, S.D. 1, seconded by Senator Gabbard.

Senator English noted:

"Members of the Senate, the House perfected the dates on these bills."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2201, S.D. 1, and S.B. No. 2201, S.D. 1, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 361, returning S.B. No. 2440, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator English moved that the Senate agree to the amendments made by the House to S.B. No. 2440, seconded by Senator Gabbard.

Senator English noted:

"Members of the Senate, the House perfected the dates on these bills."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2440 and S.B. No. 2440, H.D. 2, entitled "A BILL FOR AN ACT RELATING TO THE BOARDS OF WATER SUPPLY," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 351, returning S.B. No. 2325, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2325, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"S.B. 2325 relates to contractors licensing for electricians and plumbers. The purpose of this measure is to make sure that when electricians and plumbers are on a construction site that they visibly display their DCCA-issued badges. The Senate had included elevator mechanics and discovered that doing so was problematic since they are under collective bargaining in a different licensing scheme than the electricians and plumbers. And so, at the request of the various unions involved, the House took those out and that deletion is fine with the Senate. We were trying to accommodate a request but later discovered that the accommodation was not feasible."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2325, S.D. 1, and S.B. No. 2325, S.D. 1, H.D. 2, entitled "A BILL FOR AN ACT RELATING TO CONTRACTORS," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 369, returning S.B. No. 2501, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Baker moved that the Senate agree to the amendments made by the House to S.B. No. 2501, S.D. 1, seconded by Senator Ige.

Senator Baker noted:

"On S.B. 2501, this is peer review for CPAs. We were able to reach consensus with the various groups on this matter, and the House just made some clarifying and perfecting amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2501, S.D. 1, and S.B. No. 2501, S.D. 1, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 357, returning S.B. No. 2394, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Takamine moved that the Senate agree to the amendments made by the House to S.B. No. 2394, seconded by Senator Taniguchi.

Senator Takamine noted:

"Madam President, the House amendments really allow the Senate position to be implemented better, in this case."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2394 and S.B. No. 2394, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 374, returning S.B. No. 2544, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Senator Gabbard moved that the Senate agree to the amendments made by the House to S.B. No. 2544, S.D. 2, seconded by Senator Kim.

Senator Gabbard noted:

"Members, we're basically just agreeing to the House amendments which simply change the effective date to June 29, 2010."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2544, S.D. 2, and S.B. No. 2544, S.D. 2, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

Hse. Com. No. 324, returning S.B. No. 107, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 107 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 325, returning S.B. No. 358, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 358, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 326, returning S.B. No. 506, S.D. 1, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 506, S.D. 1, (H.D. 3), entitled "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 328, returning S.B. No. 910, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 910, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 329, returning S.B. No. 930, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 930 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 332, returning S.B. No. 2019, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2019, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 333, returning S.B. No. 2020, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2020, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 334, returning S.B. No. 2054, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2054, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 336, returning S.B. No. 2115, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2115, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 338, returning S.B. No. 2139, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2139, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VETERANS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 339, returning S.B. No. 2150, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2150 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 340, returning S.B. No. 2154, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2154, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 343, returning S.B. No. 2172, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2172, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 344, returning S.B. No. 2174, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2174 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 345, returning S.B. No. 2175, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2175, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 346, returning S.B. No. 2187, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2187, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 350, returning S.B. No. 2323, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2323 (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 352, returning S.B. No. 2371, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2371, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 356, returning S.B. No. 2390, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2390, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PHARMACIST LICENSURE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 358, returning S.B. No. 2399, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2399, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 363, returning S.B. No. 2454, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2454, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 364, returning S.B. No. 2469, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2469, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 365, returning S.B. No. 2472, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2472, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 366, returning S.B. No. 2473, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2473, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 367, returning S.B. No. 2491, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2491, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 368, returning S.B. No. 2494, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2494, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 370, returning S.B. No. 2502, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2502, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 373, returning S.B. No. 2532, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2532 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 377, returning S.B. No. 2548, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2548, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 379, returning S.B. No. 2565, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2565, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 380, returning S.B. No. 2570, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2570, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 381, returning S.B. No. 2571, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2571, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 384, returning S.B. No. 2597, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2597 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 385, returning S.B. No. 2599, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2599, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 386, returning S.B. No. 2600, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2600, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HEALTHCARE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 387, returning S.B. No. 2601, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2601, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 388, returning S.B. No. 2603, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2603, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 390, returning S.B. No. 2611, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2611, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 391, returning S.B. No. 2646, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2646, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO HAWAII SURFING RESERVES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 392, returning S.B. No. 2650, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2650, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 393, returning S.B. No. 2661, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2661, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 394, returning S.B. No. 2691, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, placed on file.

By unanimous consent, action on S.B. No. 2691, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 396, returning S.B. No. 2701, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2701, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 397, returning S.B. No. 2702, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2702, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 399, returning S.B. No. 2716, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2716, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 400, returning S.B. No. 2726, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2726, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 401, returning S.B. No. 2807, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2807, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 402, returning S.B. No. 2729, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2729, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO IMMUNIZATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 403, returning S.B. No. 2770, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2770, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING PHARMACY," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 404, returning S.B. No. 2775, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2775, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 405, returning S.B. No. 2809, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2809, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 406, returning S.B. No. 2811, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2811, S.D. 2, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO PHARMACIES," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 409, returning S.B. No. 2831, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2831, S.D. 1, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 410, returning S.B. No. 2840, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2840, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 411, returning S.B. No. 2842, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2842, S.D. 2, (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT," was deferred until Thursday, April 8, 2010.

Hse. Com. No. 413, returning S.B. No. 2883, S.D. 1, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2883, S.D. 1, (H.D. 2), entitled "A BILL FOR AN ACT RELATING TO

EMPLOYMENT PRACTICES,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 414, returning S.B. No. 2885, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2885, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 416, returning S.B. No. 2919, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2919, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 417, returning S.B. No. 2942, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2942, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 418, returning S.B. No. 950, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 950, S.D. 2, (H.D. 3), entitled “A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 419, returning S.B. No. 1178, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1178, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO HEALTH,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 421, returning S.B. No. 2105, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2105, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 422, returning S.B. No. 2124, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2124, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 423, returning S.B. No. 2144, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2144, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 427, returning S.B. No. 2324, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2324, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 428, returning S.B. No. 2461, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2461, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 429, returning S.B. No. 2533, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2533, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 430, returning S.B. No. 2534, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2534, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO BAIL,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 431, returning S.B. No. 2566, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2566 (H.D. 2), entitled “A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 432, returning S.B. No. 2610, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2610 (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO CONVEYANCE TAX,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 433, returning S.B. No. 2849, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2849, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 434, returning S.B. No. 2884, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2884, S.D. 2, (H.D. 2), entitled “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 435, returning S.B. No. 2897, S.D. 2, as amended in H.D. 3, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2897, S.D. 2, (H.D. 3), entitled “A BILL FOR AN ACT RELATING TO

HIGHWAY SAFETY,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 438, returning S.B. No. 2395, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2395, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO THE BUDGET,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 444, returning S.B. No. 2493, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2493, S.D. 2, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO USE OF TOBACCO SETTLEMENT FUNDS,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 446, returning S.B. No. 2643, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2643, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 447, returning S.B. No. 2937, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

By unanimous consent, action on S.B. No. 2937, S.D. 1, (H.D. 1), entitled “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” was deferred until Thursday, April 8, 2010.

Hse. Com. No. 448, returning S.B. No. 2050, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 449, returning S.B. No. 2117, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 450, returning S.B. No. 2120, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 451, returning S.B. No. 2122, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 452, returning S.B. No. 2389, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 453, returning S.B. No. 2649, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 454, returning S.B. No. 2758, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

Hse. Com. No. 455, returning S.B. No. 2834, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2010, was placed on file.

SENATE COMMUNICATION

Sen. Com. No. 2, notice to Governor dated April 6, 2010, transmitting H.B. No. 2376, H.D. 3, S.D. 2, which proposes an amendment to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

“April 6, 2010

The Honorable Linda Lingle
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. No. 2376, H.D. 3, S.D. 2
“PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.”

Respectfully,

/s/Carol Taniguchi
CAROL T. TANIGUCHI
Clerk of the Senate”

STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3067) recommending that S.C.R. No. 192, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3067 and S.C.R. No. 192, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3068) recommending that S.R. No. 91, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3068 and S.R. No. 91, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN HAWAII CORRECTIONAL FACILITIES,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3069) recommending that S.C.R. No. 190, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3069 and S.C.R. No. 190, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY,” was deferred until Thursday, April 8, 2010.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 3070) recommending that S.R. No. 89, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3070 and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO RESUME ITS MEETINGS AND TO MEET AT LEAST QUARTERLY," was deferred until Thursday, April 8, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3071) recommending that S.C.R. No. 193, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3071 and S.C.R. No. 193, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was deferred until Thursday, April 8, 2010.

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 3072) recommending that S.R. No. 92, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3072 and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE OWNER OF THE HONOLULU STAR-BULLETIN TO PROVIDE SUFFICIENT TIME TO FIND A NEW OWNER FOR THE NEWSPAPER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was deferred until Thursday, April 8, 2010.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3073) recommending that the Senate advise and consent to the nomination of CATHERINE A. ADAMS, RN to the Center for Nursing Advisory Board, in accordance with Gov. Msg. No. 314.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3073 and Gov. Msg. No. 314 was deferred until Thursday, April 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3074) recommending that the Senate advise and consent to the nomination of JERRY L. ORNELLAS to the Board of Agriculture, in accordance with Gov. Msg. No. 374.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3074 and Gov. Msg. No. 374 was deferred until Thursday, April 8, 2010.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3075) recommending that the Senate advise and consent to the nomination of DAVID C. GOODE to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 375.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3075 and Gov. Msg. No. 375 was deferred until Thursday, April 8, 2010.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM TUESDAY, APRIL 6, 2010

S.B. No. 2109, S.D.2 (H.D.1):

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

by the House to S.B. No. 2109, S.D.2, and requested a conference on the subject matter thereof.

S.B. No. 2173, S.D.1 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2173, S.D.1, and requested a conference on the subject matter thereof.

S.B. No. 2825, S.D.1 (H.D.1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2825, S.D.1, and requested a conference on the subject matter thereof.

At this time, the Chair said:

"Conferees for said bills will be named at a later date."

S.B. No. 2137, S.D. 1 (H.D. 1):

Senator Espero moved that the Senate agree to the amendments made by the House to S.B. No. 2137, S.D. 1, seconded by Senator Baker.

Senator Espero noted:

"The House made changes that would limit the documentation that would be used to prove a deployment of a military member, and allows health clubs to retain the portion of the total contract representing services that had been used; and these are very reasonable and we should agree. 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. 2137, S.D. 1, and S.B. No. 2137, S.D. 1, H.D. 1, entitled "A BILL FOR AN ACT RELATING TO HEALTH CLUBS," was placed on the calendar for Final Reading on Thursday, April 8, 2010.

S.B. No. 1105, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 1105, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," was deferred until Thursday, April 8, 2010.

S.B. No. 2045, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2045, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Thursday, April 8, 2010.

S.B. No. 2163, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2163, S.D. 2 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred until Thursday, April 8, 2010.

S.B. No. 2898, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2898, S.D. 1 (H.D. 1), entitled "A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES," was deferred until Thursday, April 8, 2010.

S.B. No. 2685, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2685, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Thursday, April 8, 2010.

S.B. No. 2803, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2803, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," was deferred until Thursday, April 8, 2010.

S.B. No. 2806, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2806, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," was deferred until Thursday, April 8, 2010.

ADVISE AND CONSENT

Stand. Com. Rep. No. 3053 (Gov. Msg. No. 256):

Senator Gabbard moved that Stand. Com. Rep. No. 3053 be received and placed on file, seconded by Senator English and carried.

Senator Gabbard then moved that the Senate advise and consent to the nomination of LOIS FUJISHIGE to the Kaua'i Aquatic Life and Wildlife Advisory Committee, term to expire June 30, 2014, seconded by Senator English.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3054 (Gov. Msg. No. 203):

Senator Tokuda moved that Stand. Com. Rep. No. 3054 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Tokuda then moved that the Senate advise and consent to the nomination of FLORDELIN B. VILA to the Hawai'i Commission for National and Community Service, term to expire June 30, 2013, seconded by Senator Sakamoto.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3055 (Gov. Msg. Nos. 268 and 298):

Senator Takamine moved that Stand. Com. Rep. No. 3055 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nominations to the Hawai'i Workforce Development Council of the following:

CARL W. HINSON, term to expire June 30, 2013 (Gov. Msg. No. 268); and

JEFFREY W. PIONTEK, term to expire June 30, 2014 (Gov. Msg. No. 298),

seconded by Senator Taniguchi.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3056 (Gov. Msg. No. 267):

Senator Takamine moved that Stand. Com. Rep. No. 3056 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Takamine then moved that the Senate advise and consent to the nomination of ROLAND QUOK FONG THOM to the Labor and Industrial Relations Appeals Board, term to expire June 30, 2020, seconded by Senator Taniguchi.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3057 (Gov. Msg. No. 354):

Senator Hee moved that Stand. Com. Rep. No. 3057 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of MARISSA SANDBLOM to the Board of Directors of the Agribusiness Development Corporation, term to expire June 30, 2013, seconded by Senator Tokuda.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3058 (Gov. Msg. No. 372 and 373):

Senator Hee moved that Stand. Com. Rep. No. 3058 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

DUANE C.K. LAU, term to expire June 30, 2014 (Gov. Msg. No. 372); and

DAVID G. RIETOW, term to expire June 30, 2014 (Gov. Msg. No. 373),

seconded by Senator Tokuda.

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

Ayes, 25. Noes, none.

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

Senator Takamine recognized and congratulated Roland Thom, who had just received confirmation for another 10-year term as the Chair of the Labor and Industrial Relations Appeals Board. Also recognized were Mr. Thom's wife Susan, and staff members David Pendleton and Rock Lehu (sp?).

Senator English introduced Danny Kaleikini, who would be donating his time to emcee the Food Bank putting challenge.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 7, 2010

Stand. Com. Rep. No. 3059 (S.C.R. No. 75, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Stand. Com. Rep. No. 3060 (S.R. No. 31, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A

COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION," was adopted.

Stand. Com. Rep. No. 3061 (S.C.R. No. 202, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 202, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted.

Stand. Com. Rep. No. 3062 (S.R. No. 101, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 101, S.D. 1, entitled: "SENATE RESOLUTION URGING GOOGLE INC. TO SELECT HAWAII AS A TEST SITE TO CONDUCT THE GOOGLE GIGABIT BROADBAND INITIATIVE," was adopted.

Stand. Com. Rep. No. 3063 (S.C.R. No. 124, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 124, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR WEIGHT MANAGEMENT AND OBESITY TREATMENT FOR CHILDREN," was adopted.

Stand. Com. Rep. No. 3064 (S.C.R. No. 228, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 228, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE," was adopted.

Stand. Com. Rep. No. 3065 (S.C.R. No. 37, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3065 and S.C.R. No. 37, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose in opposition to the measure as follows:

"I've spoken on this before. It seems innocuous enough to urge the Governor to use and consider gender equity when appointing judges and jurists. Number one, I think all governors have done this before; and more importantly, there has been some concern of recent appointments because most of those appointments were men. But as I reported from the Judiciary Committee hearings, the women that were present and that testified all said yes, they would like to have more women on the bench, but their first and major consideration was to have the most qualified; and those women that attended those hearings all testified in favor of the Governor's judicial nominees. So, I think that this is unnecessary. I would love to see sometime we have a resolution that says, 'Let's get the best person for the job, period'. Thank you."

Senator Hemmings requested that his vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was adopted with Senators Hemmings and Slom voting "No".

Stand. Com. Rep. No. 3066 (S.R. No. 26, S.D. 1):

Senator Sakamoto moved that Stand. Com. Rep. No. 3066 and S. R. No. 26, S.D. 1 be adopted, seconded by Senator Slom.

Senator Slom rose in opposition to the measure as follows:

"I've spoken on this before. It seems innocuous enough to urge the Governor to use and consider gender equity when appointing judges and jurists. Number one, I think all governors have done this before; and more importantly, there has been some concern of recent appointments because most of those appointments were men. But as I reported from the Judiciary Committee hearings, the women that were present and that testified all said yes, they would like to have more women on the bench, but their first and major consideration was to have the most qualified; and those women that attended those hearings all testified in favor of the Governor's judicial nominees. So, I think that this is unnecessary. I would love to see sometime we have a resolution that says, 'Let's get the best person for the job, period'. Thank you."

Senator Hemmings requested that his vote be cast "no," and the Chair so ordered.

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS," was adopted with Senators Hemmings and Slom voting "No".

FINAL READING

S.B. No. 2357, S.D. 2, H.D. 1:

On motion by Senator Gabbard, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2357, S.D. 2, and S.B. No. 2357, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2837, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2837, S.D. 1, and S.B. No. 2837, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2921, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2921, S.D. 1, and S.B. No. 2921, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MISCELLANEOUS BUSINESS

Senator Kim, Chair of the Committee on Ways and Means, requested that the referral of the following Senate concurrent resolutions and Senate resolutions to the Committee on Ways and Means be waived pursuant to Senate Rule 46(4):

S.C.R. No. 50, S.D. 1;

S.C.R. No. 51, S.D. 1;

S.C.R. No. 52, S.D. 1;
 S.C.R. No. 53, S.D. 1;
 S.C.R. No. 54, S.D. 1;
 S.C.R. No. 55, S.D. 1;
 S.C.R. No. 56, S.D. 1;
 S.C.R. No. 57, S.D. 1;
 S.C.R. No. 58, S.D. 1;
 S.C.R. No. 59, S.D. 1;
 S.C.R. No. 69;
 S.C.R. No. 70, S.D. 1;
 S.C.R. No. 71;
 S.C.R. No. 73;
 S.C.R. No. 100;
 S.C.R. No. 180, S.D. 1;
 S.R. No. 81, S.D. 1;
 S.C.R. No. 183, S.D. 1;
 S.R. No. 84, S.D. 1;
 S.C.R. No. 191, S.D. 1;
 S.R. No. 90, S.D. 1;
 S.C.R. No. 194;
 S.R. No. 93;
 S.C.R. No. 227, S.D. 1;
 S.R. No. 118, S.D. 1;
 S.C.R. No. 239, S.D. 1; and
 S.R. No. 119, S.D. 1.

Senator Kim noted:

"Madam President, I am requesting a waiver of the referral of these measures. All were heard and reported favorably by their respective subject matter committees, and by waiving the referral to your Committee on Ways and Means, these Senate concurrent resolutions can be brought to the floor for a final vote by Friday, the first crossover deadline, and the companion Senate resolutions can be adopted at the same time."

The Chair granted the waiver.

By unanimous consent, the aforementioned Senate concurrent resolutions and Senate resolutions were placed on the calendar for adoption on Thursday, April 8, 2010.

Senator Taniguchi, Chair of the Committee on Judiciary and Government Operations, requested that the referral of the following Senate concurrent resolutions to the Committee on Judiciary and Government Operations be waived pursuant to Senate Rule 46(4):

S.C.R. No. 155, S.D. 1; and
 S.C.R. No. 157, S.D. 1.

Senator Taniguchi noted:

"I am requesting a waiver of the referral as these measures were heard and reported favorably by their respective subject matter committees. By waiving the referral to your Committee on Judiciary and Government Operations, these Senate concurrent resolutions can be brought to the floor for a final vote by Friday's first crossover deadline."

The Chair granted the waiver.

By unanimous consent, the aforementioned Senate concurrent resolutions were placed on the calendar for adoption on Thursday, April 8, 2010.

Senator Hee rose on a point of personal privilege and said:

"In this morning's *Advertiser*, the 'Canoe races OK for busy channels' is an article where DLNR is dinging the canoe clubs \$1,500 for the use of public waters; and it's a scurrilous attempt, in my own opinion, by DLNR to raise revenues inasmuch as the failed Rec Renaissance Program got nowhere.

"It's a sad day in Hawai'i when the Hawaiian sport of canoe racing—which embraces everyone, *everyone*, for generations—

is dinged for the use of public waters. In high school canoe racing, the canoe clubs provide officials for safety. All canoe clubs provide their own liability insurance. DLNR does not require the surfers to have DOCARE officers and ding them \$1,500 to have surf meets. DLNR does not require the 'yachties' to have DOCARE nannies accompany the 'yachties' when they do their yachting events. This is a scurrilous effort by the director of DLNR at a time when the State is contemplating raising the live-aboard fees at Ala Wai and at Ke'ehi.

"One of our staff attorneys has worked all session with the canoe racing associations in a genuine and bona fide effort to try to reach a compromise between the Coast Guard, DLNR, and the canoe clubs. Because of the swift action taken by DLNR in this effort, the Committee on Water, Land, Ag, and Hawaiian Affairs will be conducting a hearing and is inviting all of the canoe clubs, all of the canoe paddlers—of every race, of every gender, of every age—to join us, and we look forward to Ed Underwood and Laura Thielen, as well. Thank you."

At this time, the Chair made the following announcements:

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

"Conferees will be named in accordance with the Action Sheets to be distributed to your offices later this afternoon.

"Chairs, completed agree/disagree forms should be submitted to my office no later than 8:00 a.m. tomorrow morning. A failure to do so will result in an automatic disagree tomorrow."

Senator Hemmings rose on a point of personal privilege and said:

"I'd like to bring to the floor of this Legislature what I think would be evidence of a growing concern in the State of Hawai'i in our ability to manage the destiny of this state by the Senate. It's been my concern over the last several years that we have lost control of our destiny to collective bargaining.

"I am in receipt of a copy of a letter sent to the Chairman of the Ways and Means Committee concerning House Bill 2690. In it, it emphasizes the Supreme Court ruling that the Legislature cannot unilaterally affect public employees' wages, hours, or other terms or conditions of employment without going through the collective bargaining process. I don't know the specifics of the ruling, but I do know in concept, the ruling preempts our ability to ratify and also control the destiny of these contracts. Even in the United States government, when a treaty or contract is entered into by the executive branch of government, it is ratified by the legislative branch of government, especially in foreign affairs treaties. This letter says that, 'We are confident that the courts will reject any effort by the Legislature to circumvent the constitutionally-protected collective bargaining process, and urge you to abandon efforts to have a bill passed into law.' I looked at the constitution and it's pretty clear as to what it allows in Article XIII concerning public employees. It says, 'Persons in public employment shall have the right to organize for the purpose of collective bargaining as provided by law.' Well, you'd think this letter signed by executives of the government employees' union that we no longer have the right to apply collective bargaining by law, that they just simply bargain with the executive branch of government and whatever deal they come up with, we have to live by.

"And this year, more than any other year, as far as I know, in the history, not only of the state but maybe of the territory and kingdom, we're in dire straits as far as being able to pay our bills. We can give political opinions as to what's causing this, but I would recommend we follow the money and look at the

reports of *Wall Street Journal* and other honorable tabloids on what the cost of employment is and how public employees they themselves on the average make more than the private sector counterparts, how they have way more day offs and benefits, but that's a decision for us to make politically and through law, and we have made those decisions. But what the labor is telling us goes against everything that we stand for as a legislative body. We make the laws. We make the agreements. The executive branch of government can negotiate all they want, but unless we ratify and agree to it, it should not happen.

"So I would suggest that the Majority party take a long and serious look at this situation, and as the Constitution says, 'protect—protect—organized labor's right to bargain.' That, I believe, is a just and fair right. But those rules and terms of engagement and what benefits should be controlled by the legislative branch of government, not by unelected, collective bargaining negotiators in the executive branch of government. I hope that the Majority party takes a long and serious look at this; otherwise, since 70 percent of the budget goes to collective bargaining and salaries and wages and benefits, why not just acquiesce the whole process to collective bargainers? I hope I'm not being facetious because it really is a concern that addresses the very fundamentals of the problems we are facing in this state. Thank you, Madam President."

APPOINTMENT OF CONFEREES

S.B. No. 466, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 466, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Taniguchi, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 633, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 633, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 898, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 898, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Bunda, Takamine, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1059, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1059, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Kidani, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 1062, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1062, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1315, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1315, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Hee, chair; Espero, Tsutsui, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2068, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2068, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Chun Oakland, Kidani, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 2109, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2109, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2116, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2116, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; English, Taniguchi, co-chairs; Kidani, Slom as managers on the part of the Senate at such conference.

S.B. No. 2159 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2159, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, co-chair; Takamine as manager on the part of the Senate at such conference.

S.B. No. 2165, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2165, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2169, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2169, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Bunda, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2173, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2173, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Tsutsui, co-chair; Galuteria, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2220, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2220, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Sakamoto, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2231, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2231, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; English, Kim, co-chairs; Green, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2256, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2256, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2257, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2257, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tokuda, Tsutsui, co-chairs; Kidani, Slom as managers on the part of the Senate at such conference.

S.B. No. 2378, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2378, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Bunda, Takamine, Slom as managers on the part of the Senate at such conference.

S.B. No. 2385, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2385, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2386 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2386, and the request for a conference on the subject matter thereof, the President appointed Senators Tokuda, chair; Tsutsui, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2400, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2400, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Galuteria, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2408, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2408, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Sakamoto, co-chair; Fukunaga, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2409 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2409, and the request for a conference on the subject matter thereof, the

President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

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

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2434, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Kidani as manager on the part of the Senate at such conference.

S.B. No. 2441, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2441, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Hee, Taniguchi, co-chairs; Hooser, Slom as managers on the part of the Senate at such conference.

S.B. No. 2449 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2449, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2452, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2452, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2488, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2488, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2523, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2523, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2527, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2527, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2545, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2545, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2547, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2547, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2563, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2563, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Kim, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2578, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2578, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Galuteria as manager on the part of the Senate at such conference.

S.B. No. 2589, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2589, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kim, co-chair; Chun Oakland, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2593, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2593, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Chun Oakland, Galuteria, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2607, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2607, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nishihara, chair; Baker, co-chair; Galuteria, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 2695, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2695, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kidani, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 2697, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2697, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2709, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2709, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Gabbard, Tsutsui, co-chairs; Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2745, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2745, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Hemmings as manager on the part of the Senate at such conference.

S.B. No. 2817, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2817, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker, co-chair; Green as manager on the part of the Senate at such conference.

S.B. No. 2825, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2825, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Galuteria, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2828, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2828, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Tsutsui, co-chair; Galuteria, Kidani, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2859, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2859, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Baker, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2863, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2863, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Tsutsui, co-chair; Slom as manager on the part of the Senate at such conference.

S.B. No. 2903, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2903, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Tokuda, Sakamoto, Tsutsui, co-chairs; Slom as manager on the part of the Senate at such conference.

S.B. No. 2951, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2951, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kim, co-chair; Takamine, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 840, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 840, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1019, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1019, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1853 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1853, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Galuteria, Kidani as managers on the part of the Senate at such conference.

H.B. No. 1862, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1862, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1863, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1863, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Slom as managers on the part of the Senate at such conference.

H.B. No. 1900 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1900, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Bunda, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1907, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1907, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kokubun as manager on the part of the Senate at such conference.

H.B. No. 1927, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1927, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; English, co-chair; Slom as manager on the part of the Senate at such conference.

H.B. No. 2077, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2077, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kidani, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2197, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2197, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Gabbard, chair; Baker,

co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2289, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2289, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Espero, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2351 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2351, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; English, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2397, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2397, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Takamine, Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 2546 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2546, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Ige, co-chair; Hemmings as manager on the part of the Senate at such conference.

H.B. No. 2784, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2784, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 2845, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2845, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Sakamoto, co-chair; Bunda, Galuteria, Hemmings as managers on the part of the Senate at such conference.

ADJOURNMENT

At 12:20 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 10:00 a.m., Thursday, April 8, 2010.