

FORTY-NINTH DAY

Friday, April 15, 2011

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2011, convened at 11:38 a.m. with the Vice President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Taniguchi and Tsutsui who were excused.

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

At this time, Senator Solomon congratulated and commended the Honoka'a High School Jazz Band, who would be performing today with the Royal Hawaiian Band as part of National Jazz Month. Senator Solomon noted that Honoka'a High School had been recognized nationally as one of 138 schools providing outstanding music programs for music education.

Senator Tokuda introduced State Representative K. Mark Takai who was accompanied by guests from the Interstate Commission on Educational Opportunity for Military Children including retired Brigadier General Norman E. Arflack, Executive Director, and Rick Masters, General Counsel.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 194) was read by the Clerk and was placed on file:

Gov. Msg. No. 194, dated March 8, 2011, transmitting the Lead By Example: State of Hawaii Agencies' Energy Initiatives FY 2009-2010 Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96 and Act 160, SLH 2006.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 573 to 583) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 573, informing the Senate that on April 14, 2011, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 4, H.D. 2 (S.D. 2);
 H.B. No. 44, H.D. 1 (S.D. 1);
 H.B. No. 49, H.D. 1 (S.D. 1);
 H.B. No. 56, H.D. 2 (S.D. 2);
 H.B. No. 70, H.D. 2 (S.D. 1);
 H.B. No. 121, H.D. 1 (S.D. 1);
 H.B. No. 122, H.D. 1 (S.D. 2);
 H.B. No. 129, H.D. 2 (S.D. 2);
 H.B. No. 130, H.D. 1 (S.D. 1);
 H.B. No. 141, H.D. 1 (S.D. 1);
 H.B. No. 159, H.D. 1 (S.D. 2);
 H.B. No. 160, H.D. 2 (S.D. 2);
 H.B. No. 169, H.D. 2 (S.D. 2);
 H.B. No. 200, H.D. 1 (S.D. 1);
 H.B. No. 227, H.D. 2 (S.D. 2);
 H.B. No. 240 (S.D. 1);
 H.B. No. 243, H.D. 1 (S.D. 1);
 H.B. No. 257, H.D. 2 (S.D. 1);
 H.B. No. 270 (S.D. 1);
 H.B. No. 273, H.D. 1 (S.D. 1);
 H.B. No. 277, H.D. 2 (S.D. 2);
 H.B. No. 298, H.D. 1 (S.D. 1);
 H.B. No. 299, H.D. 1 (S.D. 1);
 H.B. No. 300, H.D. 2 (S.D. 2);
 H.B. No. 301 (S.D. 1);

H.B. No. 306, H.D. 1 (S.D. 2);
 H.B. No. 318, H.D. 2 (S.D. 2);
 H.B. No. 320, H.D. 2 (S.D. 1);
 H.B. No. 324, H.D. 2 (S.D. 2);
 H.B. No. 326, H.D. 1 (S.D. 2);
 H.B. No. 331, H.D. 2 (S.D. 2);
 H.B. No. 354, H.D. 1 (S.D. 2);
 H.B. No. 377, H.D. 2 (S.D. 2);
 H.B. No. 381, H.D. 1 (S.D. 1);
 H.B. No. 382, H.D. 2 (S.D. 2);
 H.B. No. 389, H.D. 3 (S.D. 2);
 H.B. No. 393, H.D. 2 (S.D. 2);
 H.B. No. 397, H.D. 2 (S.D. 2);
 H.B. No. 404, H.D. 1 (S.D. 1);
 H.B. No. 423, H.D. 1 (S.D. 1);
 H.B. No. 424 (S.D. 1);
 H.B. No. 439, H.D. 1 (S.D. 1);
 H.B. No. 467, H.D. 2 (S.D. 1);
 H.B. No. 484 (S.D. 2);
 H.B. No. 491, H.D. 1 (S.D. 1);
 H.B. No. 492, H.D. 2 (S.D. 2);
 H.B. No. 496 (S.D. 2);
 H.B. No. 505, H.D. 2 (S.D. 2);
 H.B. No. 519, H.D. 1 (S.D. 2);
 H.B. No. 526, H.D. 1 (S.D. 2);
 H.B. No. 545, H.D. 1 (S.D. 1);
 H.B. No. 546 (S.D. 1);
 H.B. No. 550, H.D. 1 (S.D. 1);
 H.B. No. 555, H.D. 1 (S.D. 1);
 H.B. No. 563, H.D. 1 (S.D. 1);
 H.B. No. 569, H.D. 1 (S.D. 2);
 H.B. No. 575, H.D. 1 (S.D. 2);
 H.B. No. 593, H.D. 1 (S.D. 1);
 H.B. No. 594, H.D. 2 (S.D. 2);
 H.B. No. 596, H.D. 1 (S.D. 1);
 H.B. No. 597, H.D. 1 (S.D. 1);
 H.B. No. 605, H.D. 2 (S.D. 2);
 H.B. No. 608, H.D. 3 (S.D. 1);
 H.B. No. 614, H.D. 2 (S.D. 1);
 H.B. No. 616, H.D. 2 (S.D. 2);
 H.B. No. 638, H.D. 1 (S.D. 1);
 H.B. No. 640, H.D. 1 (S.D. 1);
 H.B. No. 663, H.D. 2 (S.D. 2);
 H.B. No. 667, H.D. 1 (S.D. 2);
 H.B. No. 678, H.D. 3 (S.D. 2);
 H.B. No. 688, H.D. 2 (S.D. 2);
 H.B. No. 716, H.D. 1 (S.D. 1);
 H.B. No. 739, H.D. 2 (S.D. 1);
 H.B. No. 758, H.D. 1 (S.D. 2);
 H.B. No. 761, H.D. 1 (S.D. 2);
 H.B. No. 773, H.D. 1 (S.D. 1);
 H.B. No. 786, H.D. 2 (S.D. 2);
 H.B. No. 793 (S.D. 1);
 H.B. No. 801, H.D. 2 (S.D. 2);
 H.B. No. 814, H.D. 1 (S.D. 1);
 H.B. No. 828, H.D. 2 (S.D. 1);
 H.B. No. 838, H.D. 2 (S.D. 1);
 H.B. No. 850, H.D. 1 (S.D. 2);
 H.B. No. 855, H.D. 1 (S.D. 1);
 H.B. No. 865, H.D. 2 (S.D. 2);
 H.B. No. 866, H.D. 2 (S.D. 2);
 H.B. No. 879, H.D. 1 (S.D. 2);
 H.B. No. 889, H.D. 2 (S.D. 2);
 H.B. No. 902, H.D. 2 (S.D. 1);
 H.B. No. 905, H.D. 1 (S.D. 1);
 H.B. No. 909, H.D. 2 (S.D. 2);
 H.B. No. 915, H.D. 2 (S.D. 2);
 H.B. No. 916 (S.D. 1);

H.B. No. 924, H.D. 2 (S.D. 2);
 H.B. No. 945, H.D. 2 (S.D. 1);
 H.B. No. 953, H.D. 2 (S.D. 1);
 H.B. No. 960, H.D. 1 (S.D. 2);
 H.B. No. 968, H.D. 1 (S.D. 1);
 H.B. No. 983, H.D. 2 (S.D. 1);
 H.B. No. 985, H.D. 2 (S.D. 2);
 H.B. No. 1000, H.D. 2 (S.D. 2);
 H.B. No. 1001, H.D. 2 (S.D. 2);
 H.B. No. 1003, H.D. 2 (S.D. 2);
 H.B. No. 1004, H.D. 1 (S.D. 1);
 H.B. No. 1005, H.D. 2 (S.D. 2);
 H.B. No. 1009, H.D. 2 (S.D. 2);
 H.B. No. 1012, H.D. 1 (S.D. 2);
 H.B. No. 1019, H.D. 1 (S.D. 2);
 H.B. No. 1020, H.D. 2 (S.D. 2);
 H.B. No. 1036, H.D. 1 (S.D. 2);
 H.B. No. 1038, H.D. 2 (S.D. 2);
 H.B. No. 1039, H.D. 1 (S.D. 2);
 H.B. No. 1041, H.D. 2 (S.D. 2);
 H.B. No. 1045, H.D. 1 (S.D. 2);
 H.B. No. 1049, H.D. 2 (S.D. 2);
 H.B. No. 1052, H.D. 2 (S.D. 1);
 H.B. No. 1056, H.D. 1 (S.D. 2);
 H.B. No. 1060, H.D. 1 (S.D. 2);
 H.B. No. 1063, H.D. 1 (S.D. 1);
 H.B. No. 1069, H.D. 2 (S.D. 1);
 H.B. No. 1070, H.D. 2 (S.D. 2);
 H.B. No. 1071, H.D. 2 (S.D. 1);
 H.B. No. 1076, H.D. 1 (S.D. 2);
 H.B. No. 1079, H.D. 2 (S.D. 1);
 H.B. No. 1082, H.D. 1 (S.D. 2);
 H.B. No. 1085, H.D. 2 (S.D. 2);
 H.B. No. 1088, H.D. 1 (S.D. 1);
 H.B. No. 1093, H.D. 1 (S.D. 2);
 H.B. No. 1094, H.D. 1 (S.D. 2);
 H.B. No. 1107, H.D. 1 (S.D. 2);
 H.B. No. 1130 (S.D. 1);
 H.B. No. 1134, H.D. 1 (S.D. 2);
 H.B. No. 1138 (S.D. 2);
 H.B. No. 1155, H.D. 1 (S.D. 1);
 H.B. No. 1164, H.D. 1 (S.D. 1);
 H.B. No. 1179, H.D. 3 (S.D. 1);
 H.B. No. 1183, H.D. 2 (S.D. 1);
 H.B. No. 1203, H.D. 2 (S.D. 1);
 H.B. No. 1221, H.D. 1 (S.D. 2);
 H.B. No. 1230, H.D. 2 (S.D. 1);
 H.B. No. 1241, H.D. 2 (S.D. 2);
 H.B. No. 1248, H.D. 1 (S.D. 1);
 H.B. No. 1270, H.D. 1 (S.D. 1);
 H.B. No. 1277, H.D. 2 (S.D. 2);
 H.B. No. 1286, H.D. 2 (S.D. 1);
 H.B. No. 1300, H.D. 2 (S.D. 2);
 H.B. No. 1307, H.D. 1 (S.D. 1);
 H.B. No. 1308, H.D. 2 (S.D. 2);
 H.B. No. 1312, H.D. 2 (S.D. 2);
 H.B. No. 1313, H.D. 2 (S.D. 1);
 H.B. No. 1322, H.D. 2 (S.D. 2);
 H.B. No. 1330, H.D. 1 (S.D. 2);
 H.B. No. 1333, H.D. 1 (S.D. 1);
 H.B. No. 1368, H.D. 2 (S.D. 1);
 H.B. No. 1376 (S.D. 1);
 H.B. No. 1405, H.D. 1 (S.D. 1);
 H.B. No. 1407, H.D. 1 (S.D. 2);
 H.B. No. 1411, H.D. 2 (S.D. 2);
 H.B. No. 1434, H.D. 2 (S.D. 1);
 H.B. No. 1447, H.D. 2 (S.D. 2);
 H.B. No. 1483, H.D. 1 (S.D. 2);
 H.B. No. 1505, H.D. 2 (S.D. 1);
 H.B. No. 1513, H.D. 1 (S.D. 2);
 H.B. No. 1529, H.D. 2 (S.D. 1);

H.B. No. 1532, H.D. 2 (S.D. 2);
 H.B. No. 1552, H.D. 1 (S.D. 2);
 H.B. No. 1566, H.D. 1 (S.D. 1);
 H.B. No. 1568, H.D. 2 (S.D. 2);
 H.B. No. 1570, H.D. 2 (S.D. 1);
 H.B. No. 1613, H.D. 1 (S.D. 1);
 H.B. No. 1626, H.D. 1 (S.D. 2);
 H.B. No. 1640, H.D. 2 (S.D. 1); and
 H.B. No. 1642, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 574, informing the Senate that on April 14, 2011, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 117, H.D. 2 (S.D. 2);
 H.B. No. 680 (S.D. 2);
 H.B. No. 922 (S.D. 3); and
 H.B. No. 1092, H.D. 1 (S.D. 3),

was placed on file.

Hse. Com. No. 575, transmitting H.C.R. No. 5, H.D. 2, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 5, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO IDENTIFY MEASURES USED TO DETERMINE WHETHER SEX OFFENDER REGISTRATION LAWS ARE ACHIEVING THEIR GOALS AND OBJECTIVES AND REQUESTING THE ATTORNEY GENERAL TO APPLY THE IDENTIFIED MEASURES TO CRIMINAL JUSTICE DATA ON REGISTERED SEX OFFENDERS IN HAWAII AND DETERMINE WHETHER HAWAII SEX OFFENDER REGISTRATION LAWS ARE BEING IMPLEMENTED IN THE WAY THEY WERE INTENDED AND ARE MEETING THEIR GOALS AND OBJECTIVES," was deferred.

Hse. Com. No. 576, transmitting H.C.R. No. 24, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was deferred.

Hse. Com. No. 577, transmitting H.C.R. No. 30, H.D. 1, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 30, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR OF HONOLULU AND THE HONOLULU CITY COUNCIL TO ALLOW AN EXEMPTION FROM SECTION 15-14.1(A)(2) OF THE REVISED ORDINANCES OF HONOLULU TO ALLOW FOR STREET PARKING IN THE COMMUNITY OF HO'OKEA IN EWA VILLAGES," was deferred.

Hse. Com. No. 578, transmitting H.C.R. No. 51, H.D. 1, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 51, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION

FOR THE STATES' CONSIDERATION TO PROVIDE THAT CORPORATIONS ARE NOT PERSONS UNDER THE LAWS OF THE UNITED STATES OR ANY OF ITS JURISDICTIONAL SUBDIVISIONS," was deferred.

Hse. Com. No. 579, transmitting H.C.R. No. 132, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO REVIEW CONFIDENTIALITY LAWS PERTAINING TO COURT INVOLVED, MULTI-AGENCY YOUTH," was deferred.

Hse. Com. No. 580, transmitting H.C.R. No. 135, H.D. 1, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 135, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONTINUED SUPPORT OF THE ALOHA SPIRIT OF ALL PEOPLE OF THE STATE OF HAWAII," was deferred.

Hse. Com. No. 581, transmitting H.C.R. No. 275, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO PROVIDE IMMUNITY FROM LIABILITY FOR NEIGHBORHOOD BOARD MEMBERS ACTING IN THEIR OFFICIAL CAPACITY OR TO ENSURE THAT NEIGHBORHOOD BOARD MEMBERS WILL BE DEFENDED," was deferred.

Hse. Com. No. 582, transmitting H.C.R. No. 285, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 285, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COMMERCIAL GENERAL LIABILITY INSURERS TO SUBMIT PREMIUM INFORMATION TO THE LEGISLATURE," was deferred.

Hse. Com. No. 583, transmitting H.C.R. No. 286, H.D. 1, which was adopted by the House of Representatives on April 14, 2011, was placed on file.

By unanimous consent, H.C.R. No. 286, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO WORK COLLABORATIVELY TO FIND WAYS TO MORE EFFECTIVELY ENFORCE THE STATE'S CIVIL AND CRIMINAL LAWS THAT MAY APPLY TO UNLICENSED CONTRACTORS," was deferred.

**STANDING COMMITTEE REPORTS
AND
ADOPTION OF RESOLUTIONS**

Senators Gabbard and Espero, for the Committee on Energy and Environment and the Committee on Public Safety, Government Operations, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1278) recommending that S.C.R. No. 12, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UTILIZATION OF BEST MANAGEMENT PRACTICES IN IRRIGATION TO

CONSERVE OUTDOOR WATER USAGE WITHIN THE LANDSCAPE," was adopted.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1279) recommending that S.C.R. No. 44, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 44, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING FURTHER IMPLEMENTATION OF HOUSING FIRST PROGRAMS AND SERVICES TO COMBAT CHRONIC HOMELESSNESS," was adopted.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1280) recommending that S.C.R. No. 55, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT LEGISLATION THAT REDESIGNATES DISCOVERERS' DAY IN HAWAII AS INDIGENOUS PEOPLES DAY," was adopted with Senator Slom voting "No."

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1281) recommending that S.R. No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT LEGISLATION THAT REDESIGNATES DISCOVERERS' DAY IN HAWAII AS INDIGENOUS PEOPLES DAY," was adopted.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1282) recommending that S.C.R. No. 2, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES, RELATING TO RECLAMATION AND DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1283) recommending that S.C.R. No. 53, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL

AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1284) recommending that S.R. No. 27, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1285) recommending that S.C.R. No. 130, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 130, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER USING THE PROPERTY LOCATED ON YOUNG STREET, ADJACENT TO THE ACADEMY ART CENTER, AS AN ART RESOURCE CENTER FOR TEACHERS," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1286) recommending that S.C.R. No. 111, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF LARGE-SCALE DOG BREEDERS AND DOG BREEDING FACILITIES," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1287) recommending that S.C.R. No. 3, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 3, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was adopted with Senator Slom voting "No".

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1288) recommending that S.C.R. No. 23, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 23, 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 PHYSICAL THERAPY THAT IS PRESCRIBED BY A BOARD-CERTIFIED SURGEON FOR CHRONIC PAIN," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1289) recommending that S.C.R. No. 158 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 158, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FISCAL AND COMPLIANCE AUDIT OF THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1290) recommending that S.C.R. No. 10, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN IMPACT ASSESSMENT REPORT ON LEGISLATION MANDATING COVERAGE OF PALLIATIVE CARE," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1291) recommending that S.C.R. No. 11, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 11, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1292) recommending that S.C.R. No. 8, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 8, 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 NATUROPATHIC MEDICINE," was adopted with Senator Slom voting "No."

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1293) recommending that S.C.R. No. 159, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 159, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO RELEASE PASTORAL AND AGRICULTURAL LEASES TO ITS BENEFICIARIES AND REPORT STATISTICAL DATA RELATED TO IMPLEMENTATION OF ARTICLE XII, SECTION 1 OF THE HAWAII STATE CONSTITUTION," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1294) recommending that S.C.R. No. 124, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 124, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONVENING OF TASK FORCES TO DEVELOP COMMUNITY BENEFITS PACKAGES FOR THE NEIGHBORHOODS LOCATED NEAREST TO LANDFILLS," was adopted with Senator Slom voting "No."

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1295) recommending that S.C.R. No. 155, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING A POWERBALL STATE LOTTERY, MEGA MILLIONS LOTTERY, OR BOTH, IN THE STATE," was adopted with Senators Baker, Chun Oakland, English, Ihara, and Slom voting "No."

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1296) recommending that S.C.R. No. 28, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PROMPT PAYMENT TASK FORCE TO EXAMINE AND RESOLVE ISSUES THAT PREVENT STATE AGENCIES FROM MAKING PROMPT PAYMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, PARTICULARLY HUMAN SERVICE NONPROFIT ORGANIZATIONS, THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, AND COMMUNITIES," was adopted.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1297) recommending that S.C.R. No. 26, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A HAWAII STATE FALL PREVENTION AND EARLY DETECTION TASK FORCE TO DEVELOP A STATEWIDE APPROACH TO REDUCING FALLS AMONG OLDER ADULTS," was adopted.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1298) recommending that S.C.R. No. 113, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT STANDING COMMITTEE ON THE RULES OF EVIDENCE TO STUDY AND REPORT ON THE IMPLEMENTATION OF THE HAWAII UNIFORM COLLABORATIVE LAW ACT," was adopted.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1299) recommending that S.C.R. No. 73, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ENSURE THAT THE CHIEF PROCUREMENT OFFICERS COMPLY WITH THE HAWAII PUBLIC PROCUREMENT CODE PREFERENCES FOR HAWAII PRODUCTS TO PROMOTE GROWTH OF THE STATE'S AGRICULTURE INDUSTRY AND THEREBY ASSURE FOOD SECURITY FOR HAWAII'S CITIZENS," was adopted.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1300) recommending that S.C.R. No. 149, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE STATE ATTORNEY GENERAL AND STATE AND COUNTY LAW ENFORCEMENT AGENCIES TO ADOPT NEW EYEWITNESS IDENTIFICATION PROCEDURES TO DECREASE THE RATE OF ERRONEOUS EYEWITNESS IDENTIFICATIONS AND TO CONDUCT CRIMINAL INVESTIGATIONS IN ACCORDANCE WITH THE NEWEST AND BEST PRACTICES AVAILABLE FOR EYEWITNESS IDENTIFICATIONS," was adopted.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 1301) recommending that S.C.R. No. 84, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO REPORT ON STRATEGIES AND RESOURCES TO REDUCE RECIDIVISM AMONG NATIVE HAWAIIANS," was adopted.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 1302) recommending that S.R. No. 18, S.D. 1 be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 18, S.D. 1, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO EXPEND MONIES ALREADY DEDICATED IN ITS 2010-2011 EXECUTIVE OPERATING BUDGET TO CONDUCT A STUDY TO MAP AND DETERMINE IMPORTANT AGRICULTURAL LANDS ON OAHU, FOR THAT PURPOSE," was adopted.

Senators Green and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1303) recommending that S.C.R. No. 60, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO ADOPT POLICIES THAT LIMIT THE IMPACT OF TOBACCO MARKETING AND ADVERTISING ON THE RESIDENTS OF THE STATE," was adopted with Senator Slom voting "No".

Senators Green and Baker, for the Committee on Health and the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 1304) recommending that S.C.R. No. 93, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DISCOURAGING THE PRACTICE OF CREATING AND USING SPECIALTY TIERS FOR PRESCRIPTION DRUGS IN HEALTH PLANS," was adopted.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1305) recommending that S.C.R. No. 127, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 127, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A LEGISLATIVE WORKING GROUP TO EVALUATE AND MAKE RECOMMENDATIONS REGARDING THE POLICIES AND PROCEDURES OF THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY AND PREPARATION OF AND AMENDMENTS TO THE STATE HEALTH SERVICES AND FACILITIES PLAN," was adopted.

Senators Espero and Dela Cruz, for the Committee on Public Safety, Government Operations, and Military Affairs and the Committee on Water, Land, and Housing, presented a joint report (Stand. Com. Rep. No. 1306) recommending that S.C.R. No. 153, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPERS AND HOMEBUILDERS TO CONSIDER EITHER THE INSTALLATION OF AUTOMATIC SPRINKLERS OR APPLICATION OF CERTIFIED FIRE-RETARDANT COATINGS IN NEWLY CONSTRUCTED ONE- AND TWO-FAMILY RESIDENTIAL DWELLINGS, DEPENDING ON THE PREFERENCE OF THE HOMEOWNER," was adopted.

Senator Dela Cruz, for the Committee on Water, Land, and Housing, presented a report (Stand. Com. Rep. No. 1307) recommending that S.C.R. No. 178, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A WORKING GROUP TO DISCUSS MIXED USE DEVELOPMENT IN THE URBAN CORE AND MAIN STREETS, WAYS OF CONSTRUCTING DENSITY IN THE URBAN CORE TO MINIMIZE SPRAWL, AND MIXED USE DEVELOPMENT REGARDING TRANSIT STATIONS," was adopted with Senator Slom voting "No."

Senator Dela Cruz, for the Committee on Water, Land, and Housing, presented a report (Stand. Com. Rep. No. 1308) recommending that S.R. No. 59, as amended in S.D. 1, be adopted.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION ESTABLISHING A WORKING GROUP TO DISCUSS MIXED USE DEVELOPMENT IN THE URBAN CORE AND MAIN STREETS, WAYS OF CONSTRUCTING DENSITY IN THE URBAN CORE TO MINIMIZE SPRAWL, AND MIXED USE DEVELOPMENT REGARDING TRANSIT STATIONS," was adopted with Senator Slom voting "No".

STANDING COMMITTEE REPORTS

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1309) recommending that the Senate advise and consent to the nominations to the Board of Certification of Operation Personnel in Wastewater Treatment Plants of the following:

ROGER BABCOCK, in accordance with Gov. Msg. No. 586;

AUDREY K. UYEMA PAK, in accordance with Gov. Msg. No. 587; and

LOREN S. TANIGAWA, in accordance with Gov. Msg. No. 588.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1309 and Gov. Msg. Nos. 586, 587 and 588 was deferred until Monday, April 18, 2011.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1310) recommending that the Senate advise and consent to the nominations as the Director of the State Health Planning and Development Agency of the following:

ROMALA RADCLIFFE, in accordance with Gov. Msg. No. 649; and

ROMALA RADCLIFFE, in accordance with Gov. Msg. No. 650.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1310 and Gov. Msg. Nos. 649 and 650 was deferred until Monday, April 18, 2011.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 1311) recommending that H.C.R. No. 134 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1311 and H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL ACTIVE, RESERVE, AND GUARD COMPONENTS OF THE UNITED STATES MILITARY AND THE ACTIVE AND RESERVE COMPONENTS OF THE UNITED STATES COAST GUARD TO MAKE RESOURCES AVAILABLE TO IMPROVE THE OPPORTUNITIES FOR CONTINUAL CARE FOR THE DOMESTIC ANIMALS OWNED BY MEMBERS OF THE UNITED STATES MILITARY AND UNITED STATES COAST GUARD WHO ARE REQUIRED TO DEPLOY OR RELOCATE," was deferred until Monday, April 18, 2011.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1266 (Gov. Msg. Nos. 580 and 581):

Senator Baker moved that Stand. Com. Rep. No. 1266 be received and placed on file, seconded by Senator Galuteria and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Dental Examiners of the following:

CANDACE WADA, term to expire June 30, 2015 (Gov. Msg. No. 580); and

MARILYN R. NONAKA, term to expire June 30, 2015 (Gov. Msg. No. 581),

seconded by Senator Galuteria.

Senator Baker requested that remarks in support of the nominees be entered into the Journal, and the Chair so ordered.

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

"Mr. President, I rise in strong support of the nominees for Governor's Messages 580 and 581 the nominations of Candace Wada, a dentist member, and Marilyn R. Nonaka, a dental hygienist member, to the Board of Dental Examiners. Both have served as interim members and have demonstrated their dedication to the profession they represent and to guarding the public's safety. The Board of Dental Examiners will certainly benefit from Dr. Wada's and Ms. Nonaka's expertise and

diligence. On behalf of the public, I appreciate their willingness to serve in this capacity and am pleased to encourage a unanimous vote by my colleagues to confirm them. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

Stand. Com. Rep. No. 1267 (Gov. Msg. No. 600 and 601):

Senator Baker moved that Stand. Com. Rep. No. 1267 be received and placed on file, seconded by Senator Galuteria and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Examiners in Optometry of the following:

GAYLE CHANG, term to expire June 30, 2015 (Gov. Msg. No. 600); and

KEVIN K. LUI, term to expire June 30, 2015 (Gov. Msg. No. 601),

seconded by Senator Galuteria.

Senator Baker requested that remarks in support of the nominees be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of the nominees for Governor’s Messages 600 and 601 the nominations of Gayle Chang, a public member, and Kevin K. Lui, a practitioner member, to the Board of Examiners in Optometry. Dr. Lui, a licensed optometrist since 1984, is being reappointed. He currently serves as the chair of the board. Dr. Lui has demonstrated his leadership and diligence to the profession of optometry as well as work of the Board. In addition, he takes responsibility to keep the local industry informed of current trends in the practice of optometry to ensure the public’s safety. Ms. Chang previously served on the Board of Dental Examiners and is familiar with board procedures. She is a conscientious member and takes responsibility to understand the issues that come before the board. Colleagues, these nominees are well-qualified and I commend their willingness to continue to offer their time and expertise to assist the work of the Board of Examiners in Optometry. I urge a unanimous vote for their confirmation. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

Stand. Com. Rep. No. 1268 (Gov. Msg. Nos. 582 and 583):

Senator Baker moved that Stand. Com. Rep. No. 1268 be received and placed on file, seconded by Senator Galuteria and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Elevator Mechanics Licensing Board of the following:

MARC K.M. YAMANE, term to expire June 30, 2015 (Gov. Msg. No. 582); and

LAWRENCE T. MORINAGA, term to expire June 30, 2015 (Gov. Msg. No. 583),

seconded by Senator Galuteria.

Senator Baker requested that remarks in support of the nominees be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of the nominees for Governor’s Messages 582 and 583 the reappointment of Marc Yamane, a licensee member, and nomination of Lawrence Morinaga, also a licensee member, to the Elevator Mechanics Licensing Board. Mr. Yamane is a very diligent board member who has perfect attendance since being appointed to the Board in 2007. He brings sixteen years of industry knowledge to his board service and has demonstrated his ability to be objective in evaluating the issues before the Board and to effectively balance the interests of consumers and licensees. Mr. Morinaga is equally well-qualified to serve on this licensing board. He brings 22 years of experience as a licensee. In addition to his industry and union experience, Mr. Morinaga teaches classes at the Honolulu Community College’s Elevator Apprenticeship Program, has served as a member on the Joint Apprenticeship Committee and has been certified as a qualified elevator inspector. As will the other nominees your Committee on Commerce and Consumer Protection has forwarded to the full Senate, these gentlemen bring a wealth of knowledge, experience and dedication to professionalism and public safety. I commend them for their willingness to serve on the Elevator Mechanics Licensing Board and ask my colleagues to give them their vote of confidence in a unanimous vote to confirm the nominees in Governor’s Messages 582 and 583. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

Stand. Com. Rep. No. 1269 (Gov. Msg. No. 646):

Senator English moved that Stand. Com. Rep. No. 1269 be received and placed on file, seconded by Senator Espero and carried.

Senator English then moved that the Senate advise and consent to the nomination of CHAD K. TANIGUCHI to the State Highway Safety Council, term to expire June 30, 2015, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

Stand. Com. Rep. No. 1276 (Gov. Msg. Nos. 547, 548, 550, 573, 609, 610 and 638):

Senator Gabbard moved that Stand. Com. Rep. No. 1276 be received and placed on file, seconded by Senator English and carried.

Senator Gabbard then moved that the Senate advise and consent to the nominations to the Environmental Council of the following:

DAVID ATKIN, term to expire June 30, 2015 (Gov. Msg. No. 547);

SCOTT GLENN, term to expire June 30, 2015 (Gov. Msg. No. 548);

MARY STEINER, term to expire June 30, 2015 (Gov. Msg. No. 550);

MARJORIE F.Y. ZIEGLER, term to expire June 30, 2015 (Gov. Msg. No. 573);

MALIA AKUTAGAWA, term to expire June 30, 2014 (Gov. Msg. No. 609);

SHANNON D. MEARS, term to expire June 30, 2014 (Gov. Msg. No. 610); and

IRIS TERASHIMA, term to expire June 30, 2014 (Gov. Msg. No. 638),

seconded by Senator English.

Senator Gabbard rose in support of the nominees as follows:

“The Environmental Council is made up of dedicated volunteers from a wide range of professions who come together to do the critical work to protect our environment and the fiscal health of our state. However, in recent years, the Environmental Council had been dysfunctional, not because of its members, but because of a lack of support from the previous administration. The Environmental Council had been plagued with inadequate meeting space, lack of staff support, and problems meeting quorum due to unfilled seats. So I commend our current governor for acting quickly and appointing these eight members who I’m sure will be dedicated and do a great job in their new roles. I’m also heartened that our former colleague, Gary Hooser, now leading the Office of Environmental Quality Control, will work hand in hand with these appointees to improve our environmental review system. So, I ask you to join me, colleagues, in supporting the adoption of Standing Committee Reports No. 1276 and 1277. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

Stand. Com. Rep. No. 1277 (Gov. Msg. No. 549):

Senator Gabbard moved that Stand. Com. Rep. No. 1277 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 CHARLES A. PRENTISS to the Environmental Council, term to expire June 30, 2015, seconded by Senator English.

Senator Gabbard rose in support of the nominee as follows:

“The Environmental Council is made up of dedicated volunteers from a wide range of professions who come together to do the critical work to protect our environment and the fiscal health of our state. However, in recent years, the Environmental Council had been dysfunctional, not because of its members, but because of a lack of support from the previous administration. The Environmental Council had been plagued with inadequate meeting space, lack of staff support, and problems meeting quorum due to unfilled seats. So I commend our current governor for acting quickly and appointing these eight members who I’m sure will be dedicated and do a great job in their new roles. I’m also heartened that our former colleague, Gary Hooser, now leading the Office of Environmental Quality Control, will work hand in hand with these appointees to improve our environmental review system. So, I ask you to join me, colleagues, in supporting the adoption of Standing Committee Reports No. 1276 and 1277. Mahalo.”

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

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

At this time, Senator Gabbard introduced newly confirmed members of the Environmental Council who were seated in the gallery including Scott Glenn, who was accompanied by his wife Tomomi; Shannon Mears; Chuck Prentiss; and Iris Terashima.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 14, 2011

Stand. Com. Rep. No. 1270 (S.C.R. No. 64, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN EARNED TIME PROGRAM,” was adopted.

Stand. Com. Rep. No. 1271 (S.R. No. 37, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 37, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN EARNED TIME PROGRAM,” was adopted.

Stand. Com. Rep. No. 1272 (S.C.R. No. 175, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 175, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM APRIL 30, 2011, AS “VIETNAM VETERANS APPRECIATION DAY”,” was adopted.

Stand. Com. Rep. No. 1273 (S.R. No. 111, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 111, S.D. 1, entitled: “SENATE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM APRIL 30, 2011, AS “VIETNAM VETERANS APPRECIATION DAY”,” was adopted.

Stand. Com. Rep. No. 1274 (S.C.R. No. 171, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 171, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO WITHDRAW CERTAIN EXECUTIVE ORDERS SETTING ASIDE PUBLIC LANDS WHERE THE RECEIVING AGENCY HAS FAILED TO USE OR HAS UNDERUTILIZED THE LANDS FOR THE PURPOSE SPECIFIED,” was adopted.

Stand. Com. Rep. No. 1275 (S.C.R. No. 117, S.D. 1):

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 117, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE, NO LATER THAN DECEMBER 15, 2011, ON THE PROGRESS OF THE KOKE‘E STATE PARK ADVISORY COUNCIL,” was adopted.

ADOPTION OF RESOLUTIONS

S.C.R. No. 72, S.D. 1:

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 72, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RETURN HAWAII PRISONERS HELD IN MAINLAND FACILITIES AND TO CONSIDER CONSTRUCTION OF A NEW PRISON, RE-ENTRY CENTER, OR OTHER CORRECTIONAL FACILITY ON THE BIG ISLAND,” was adopted.

S.C.R. No. 85, S.D. 1:

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 85, S.D. 1, entitled: “SENATE

CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT RELATING TO GEOTHERMAL RESOURCES," was adopted.

S.C.R. No. 136, S.D. 1:

On motion by Senator Espero, seconded by Senator Slom and carried, S.C.R. No. 136, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW EARLY CHILDHOOD DEVELOPMENTAL SCREENING PILOT PROJECTS AND MAKE RECOMMENDATIONS FOR THE DEVELOPMENT OF AN EARLY CHILDHOOD DEVELOPMENTAL SCREENING SYSTEM IN HAWAII," was adopted.

FINAL READING

S.B. No. 1301, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Galuteria and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1301, S.D. 1, and S.B. No. 1301, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING EXEMPTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

S.B. No. 1484, S.D. 1, H.D. 2:

On motion by Senator Baker, seconded by Senator Galuteria and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1484, S.D. 1, and S.B. No. 1484, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Taniguchi, Tsutsui).

MISCELLANEOUS BUSINESS

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 698, S.D. 2 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 698, S.D. 2, seconded by Senator Espero and carried.

Senator English then moved that the Senate agree to the amendments made by the House to S.B. No. 698, S.D. 2, seconded by Senator Espero.

Senator English noted:

"Yes, like I said earlier, the dates are all perfected 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. 698, S.D. 2, and S.B. No. 698, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROADWAY MATERIALS," was placed on the calendar for Final Reading on Monday, April 18, 2011.

S.B. No. 1327, S.D. 2 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 1327, S.D. 2, seconded by Senator Espero and carried.

Senator English then moved that the Senate agree to the amendments made by the House to S.B. No. 1327, S.D. 2, seconded by Senator Espero.

Senator English noted:

"Yes, like I said earlier, the dates are all perfected 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. 1327, S.D. 2, and S.B. No. 1327, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PASSENGER FACILITY CHARGES," was placed on the calendar for Final Reading on Monday, April 18, 2011.

S.B. No. 1416, S.D. 1 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 1416, S.D. 1, seconded by Senator Espero and carried.

Senator English then moved that the Senate agree to the amendments made by the House to S.B. No. 1416, S.D. 1, seconded by Senator Espero.

Senator English noted:

"Yes, like I said earlier, the dates are all perfected 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. 1416, S.D. 1, and S.B. No. 1416, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was placed on the calendar for Final Reading on Monday, April 18, 2011.

S.B. No. 1233, S.D. 2 (H.D. 2):

Senator Baker moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 1233, S.D. 2, seconded by Senator Espero and carried.

Senator Baker noted:

"This is solicitation of funds. It's housekeeping amendments with regard to service of process filing and other matters that nonprofits or charitable organizations need to do with the attorney general."

Senator Baker then moved that the Senate agree to the amendments made by the House to S.B. No. 1233, S.D. 2, seconded by Senator Espero.

Senator Baker noted:

"The House merely made some technical, nonsubstantive amendments and they are all in keeping with the original versions of the Senate draft."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1233, S.D. 2, and S.B. No. 1233, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC," was placed on the calendar for Final Reading on Monday, April 18, 2011.

S.B. No. 1349, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 1349, S.D. 1, seconded by Senator Espero and carried.

Senator Baker noted:

“This has to do with updating and allowing our nonprofit corporations to use electronic means of voting, meeting via teleconference, and utilizing electronic notice.”

Senator Baker then moved that the Senate agree to the amendments made by the House to S.B. No. 1349, S.D. 1, seconded by Senator Espero.

Senator Baker noted:

“The House merely made some technical, nonsubstantive amendments and they are all in keeping with the original versions of the Senate draft.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1349, S.D. 1, and S.B. No. 1349, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS,” was placed on the calendar for Final Reading on Monday, April 18, 2011.

S.B. No. 81 (H.D. 2):

Senator Fukunaga moved that the Senate reconsider its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to S.B. No. 81, seconded by Senator Wakai and carried.

Senator Fukunaga then moved that the Senate agree to the amendments made by the House to S.B. No. 81, seconded by Senator Wakai.

Senator Fukunaga noted:

“The House corrected the effective date, so it is now a clean bill and it’s in the same form as it left the Senate.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 81, and S.B. No. 81, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE,” was placed on the calendar for Final Reading on Monday, April 18, 2011.

At this time, Senator Kidani asked the members of the Senate to join her in wishing a happy birthday to Senator Ryan.

Senator Kouchi, on behalf of his mother who is a Honoka’a High School alumna, extended congratulations from his family to the Honoka’a Jazz Band; and also asked the members of the Senate to join him in wishing Senator Slom a happy belated birthday.

At this time, the Chair made the following announcement:

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

ADJOURNMENT

At 11:57 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Monday, April 18, 2011.