

## SECOND DAY

**Thursday, January 22, 2009**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:38 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn H. Baker, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the First Day.

At this time, the Chair made the following announcement:

"I'd like to thank the members for using your laptops in the Chamber today. The electronic Order of the Day includes links to the measures being considered and provides information to make it easy for you to view the bill status, testimony and other relevant information as we are proceeding. Members, you should access the electronic O.D. through the Senate portal.

"Data Systems staff will be available to assist anyone who needs help during the session; please signal one of them if you need assistance. Could the Data Systems staff raise their hands so everyone knows where you are? Thank you very much."

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 1 to 166, and 168 to 207) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, dated August 28, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

Gov. Msg. No. 2, dated August 29, 2008, transmitting a Report on the Descriptive Statistics on the Operations of Qualified High Technology Businesses from 2002 through 2007, prepared by the Department of Taxation pursuant to Act 206, SLH 2007.

Gov. Msg. No. 3, dated September 8, 2008, transmitting the 2007 Annual Report of the State of Hawaii Community-Based Economic Development Technical and Financial Assistance Program, prepared by the Department of Business, Economic Development, and Tourism pursuant to Chapter 210D, HRS.

Gov. Msg. No. 4, dated September 15, 2008, transmitting a report prepared by the Department of Health on its litigation against Waste Management of Hawaii, Inc. and the City and County of Honolulu, pursuant to H.C.R. No. 76 (2006).

Gov. Msg. No. 5, dated September 24, 2008, transmitting the Department of Accounting and General Services Interim Report on the Museum of Hawaiian Music and Dance Committee, pursuant to Act 230, SLH 2007, as amended by Act 48, SLH 2008.

Gov. Msg. No. 6, dated September 29, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

Gov. Msg. No. 7, dated October 22, 2008, transmitting a Report on the Status of the Kaho'olawe Rehabilitation Trust Fund, prepared by the Department of Land and Natural Resources, Kaho'olawe Island Reserve Commission, pursuant to Section 6K-9.5, HRS.

Gov. Msg. No. 8, dated October 22, 2008, transmitting the Report on Receipts and Expenditures of the Antitrust Trust

Fund, prepared by the Department of Attorney General pursuant to Section 28-13, HRS.

Gov. Msg. No. 9, dated October 22, 2008, transmitting the Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies, prepared by the Department of the Attorney General pursuant to Act 178, SLH 2002.

Gov. Msg. No. 10, dated October 22, 2008, transmitting the Report on Identification of Rivers and Streams Worthy of Protection, prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS.

Gov. Msg. No. 11, dated October 22, 2008, transmitting a Report on Budgetary and Other Issues Regarding Invasive Species, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 194-2, HRS, and Act 158, Section 28, SLH 2008.

Gov. Msg. No. 12, dated October 22, 2008, transmitting the Annual Report of the Stadium Authority for the Fiscal Year ended June 30, 2008, prepared by the Department of Accounting and General Services, pursuant to Section 109-3, HRS.

Gov. Msg. No. 13, dated October 24, 2008, transmitting a Report on the Operations of the Filing Office for Financing Statements Under the Uniform Commercial Code, Secured Transactions, prepared by the Department of Land and Natural Resources pursuant to Section 490:9-527, HRS.

Gov. Msg. No. 14, dated October 24, 2008, transmitting a Report on Expenditures to Fund Positions Used for Protection of Monk Seals and Turtle Population, prepared by the Department of Land and Natural Resources pursuant to Act 158, Section 27.1, SLH 2008.

Gov. Msg. No. 15, dated October 30, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

Gov. Msg. No. 16, dated November 6, 2008, transmitting the Disability and Communication Access Board's Annual Report for Fiscal Year 2007-2008, prepared by the Department of Health pursuant to Section 348F-4, HRS.

Gov. Msg. No. 17, dated November 6, 2008, transmitting the Annual Report Outlining the Status of the Office of Health Care Assurance Special Fund, Including the Amount of Monies Deposited Into and Expended From the Fund, and Sources of Receipts and Uses of Expenditures, prepared by the Department of Health pursuant to Section 321-1.4, HRS.

Gov. Msg. No. 18, dated November 6, 2008, transmitting a Report on Geothermal Royalties Dispositions and the Status of Geothermal and Cable System Development, prepared by the Department of Land and Natural Resources pursuant to Sections 182-18 and 196D-11, HRS.

Gov. Msg. No. 19, dated November 6, 2008, transmitting a Report on the Installation of Back Flow Preventers for Waiahole-Waikane Community Association Water System Users, prepared by the Department of Land and Natural Resources pursuant to Act 158, Section 15.1, SLH 2008.

Gov. Msg. No. 20, dated November 6, 2008, transmitting the Report on the Hawaii Dam and Reservoir Safety Program, prepared by the Department of Land and Natural Resources pursuant to Section 179D-29, HRS.

Gov. Msg. No. 21, dated November 7, 2008, transmitting a Report Relating to Claims Against the State, pursuant to Act 213, Section 187, SLH 2007.

Gov. Msg. No. 22, dated November 7, 2008, transmitting a Report on the Status of the Environmental Health Education Fund, prepared by the Department of Health pursuant to Section 321-27, HRS.

Gov. Msg. No. 23, dated November 7, 2008, transmitting a Report on the Number of Pen Register Orders and Orders for Trap and Trace Devices Applied for by Law Enforcement Agencies of the State, prepared by the Department of Attorney General pursuant to Section 803-47, HRS.

Gov. Msg. No. 24, dated November 7, 2008, transmitting a Report Relating to the Forest Stewardship Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 25, dated November 7, 2008, transmitting a Report Relating to Public Land Liability, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 82, Section 4, SLH 2003.

Gov. Msg. No. 26, dated November 7, 2008, transmitting a Report on Revenues Generated from General Administrative Penalties Imposed Under Chapter 183, Hawaii Revised Statutes, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183-5, HRS.

Gov. Msg. No. 27, dated November 7, 2008, transmitting a Report Relating to the Land Conservation Fund and the Legacy Land Conservation Program, prepared by the Department of Land and Natural Resources pursuant to Section 173A-5, HRS.

Gov. Msg. No. 28, dated November 7, 2008, transmitting a Report Relating to the Wildlife Revolving Fund for Fiscal Year 2007-2008, prepared by the Department of Land and Natural Resources pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 29, dated November 7, 2008, transmitting a Report on the Status of the Program for Environmentally-Themed Products to Support the Environment, prepared by the Department of Land and Natural Resources pursuant to Section 195D-5.5, HRS.

Gov. Msg. No. 30, dated November 7, 2008, transmitting a Report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund for the Period July 1, 2007-June 30, 2008, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 31, dated November 7, 2008, transmitting the Annual Report on All Moneys Deposited Into and Disbursed From the Pesticide Use Revolving Fund for Fiscal Year 2008, prepared by the Department of Agriculture pursuant to Section 149A-13.5, HRS.

Gov. Msg. No. 32, dated November 14, 2008, transmitting the Annual Report of the Tobacco Enforcement Unit, prepared by the Department of Attorney General pursuant to Section 28-15, HRS.

Gov. Msg. No. 33, dated November 20, 2008, transmitting the Hawaii State Public Library System's Annual Report for Fiscal Year Ending June 30, 2008, prepared by the Department of Education pursuant to Act 129, SLH 1989 and Act 327, SLH 1993, as amended by Act 45, SLH 1999.

Gov. Msg. No. 34, dated November 20, 2008, transmitting the Foreign-Trade Zone No. 9's Annual Report to the

Foreign-Trade Zones Board for Federal Fiscal Year Ending September 30, 2007.

Gov. Msg. No. 35, dated November 21, 2008, transmitting a Report on the Hawaii Statewide Trail and Access System, "Na Ala Hele," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9, HRS.

Gov. Msg. No. 36, dated November 24, 2008, transmitting a report prepared by the Department of Land and Natural Resources pursuant to Act 100, SLH 1999, Requiring All Departments and Agencies to Identify their Goals, Objectives, and Policies, to Provide a Basis for Determining Priorities and Allocating Limited Public Funds and Human Resources.

Gov. Msg. No. 37, dated November 24, 2008, transmitting a Report on Disaster Relief Expenditures Resulting from the October 15, 2006 Kiholo Bay Earthquake, prepared by the Department of Land and Natural Resources pursuant to Act 78, Section 5, SLH 2007.

Gov. Msg. No. 38, dated November 24, 2008, transmitting a report prepared by the Department of Business, Economic Development and Tourism pursuant to H.C.R. No. 258 (2008), Requesting the Office of Planning to Coordinate the City and State Agencies in Addressing the Overgrowth of Vegetation on Kahala Beach.

Gov. Msg. No. 39, dated November 26, 2008, transmitting the Annual Report on Administratively Established Appropriations, prepared by the Department of Agriculture pursuant to Act 178, SLH 2002.

Gov. Msg. No. 40, dated November 28, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

Gov. Msg. No. 41, dated December 2, 2008, transmitting the Annual Report of Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act, prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS.

Gov. Msg. No. 42, dated December 2, 2008, transmitting a Report on Administratively Established Accounts and Funds of the Department of Land and Natural Resources, prepared by the Department of Land and Natural Resources pursuant to Section 37-52.5, HRS.

Gov. Msg. No. 43, dated December 2, 2008, transmitting a Report Relating to the Natural Area Reserves System, Natural Area Partnership Program, and the Financial Condition of the Natural Area Reserve Fund, prepared by the Department of Land and Natural Resources pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 44, dated December 2, 2008, transmitting a Report on the Recommendations of the Task Force on Beach and Water Safety, prepared by the Department of Land and Natural Resources, Task Force on Beach and Water Safety, pursuant to Act 152, SLH 2007.

Gov. Msg. No. 45, dated December 3, 2008, transmitting the Report on the Case-Based Strategy Pilot Project of the Child Support Enforcement Agency, prepared by the Department of the Attorney General pursuant to Act 213, Section 63, SLH 2007.

Gov. Msg. No. 46, dated December 3, 2008, transmitting the Report of the Hawaii Anti-Trafficking Task Force, prepared by the Department of the Attorney General pursuant to Act 260, SLH 2006, as amended by Act 176, SLH 2008.

Gov. Msg. No. 47, dated December 4, 2008, transmitting a Report on the Activities of the Kaneohe Bay Regional Council

for 2008, prepared by the Department of Land and Natural Resources pursuant to Section 200D-5, HRS.

Gov. Msg. No. 48, dated December 5, 2008, transmitting the Report of the Task Force Established by Act 152, SLH 2007, prepared by the Department of the Attorney General.

Gov. Msg. No. 49, dated December 5, 2008, transmitting a Report on the Goals and Objectives of the Department of the Attorney General, pursuant to Act 100, SLH 1999, as amended by Act 154, SLH 2005.

Gov. Msg. No. 50, dated December 5, 2008, transmitting a Report on the Accomplishments, Recommendations for Changes in State Plan or Future Programs and an Account of all Income, Expenditures and Fund Balance of the Hawaii Historic Preservation Fund for Fiscal Year 2007-2008, prepared by the Department of Land and Natural Resources pursuant to Section 6E-3, HRS.

Gov. Msg. No. 51, dated December 8, 2008, transmitting a report prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-59.9, HRS.

Gov. Msg. No. 52, dated December 8, 2008, transmitting the Annual Report on the Enrollment and Financial Status of the State Pharmacy Assistance Program, prepared by the Department of Human Services, Med QUEST Division, pursuant to Section 346-347, HRS.

Gov. Msg. No. 53, dated December 8, 2008, transmitting a Report on Administrative Appeals for the Child Protective Services Program, Child Welfare Services Branch, and the Adult Protective Services Program, Adult and Community Care Services Branch, prepared by the Department of Human Services, Social Services Division, pursuant to Act 213, Sections 56 and 60, SLH 2007.

Gov. Msg. No. 54, dated December 8, 2008, transmitting a Report on the Statewide Interpreter Referral Service for Public and Private Agencies and for Persons who are Deaf, Hard of Hearing, or Deaf-Blind, prepared by the Department of Human Services, Vocational Rehabilitation and Services for the Blind Division, pursuant to Act 213, Section 16, SLH 2007.

Gov. Msg. No. 55, dated December 15, 2008, transmitting the Institutional Network ("INET") Report, prepared by the Department of Commerce and Consumer Affairs, Cable Television Division, pursuant to Act 213, Section 111, SLH 2007.

Gov. Msg. No. 56, dated December 15, 2008, transmitting the Annual Report of the Medical Claims Conciliation Panel and the Design Claims Conciliation Panel, prepared by the Department of Commerce and Consumer Affairs pursuant to Sections 671-20 and 672B-17, HRS.

Gov. Msg. No. 57, dated December 15, 2008, transmitting the Loss Mitigation Grant Program Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 431:22-102, HRS.

Gov. Msg. No. 58, dated December 15, 2008, transmitting the Annual External Review Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 432E-13, HRS.

Gov. Msg. No. 59, dated December 15, 2008, transmitting the Report on the Hawaii Council on Economic Education Economics Cadre Program, prepared by the Department of Commerce and Consumer Affairs, Business Registration Division, pursuant to Act 158, Section 4, SLH 2008.

Gov. Msg. No. 60, dated December 15, 2008, transmitting a Report on the Use of Remote Dispensing Machines by a Licensed Pharmacy or Pharmacist, prepared by the Department

of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Board of Pharmacy, pursuant to Act 212, SLH 2008.

Gov. Msg. No. 61, dated December 15, 2008, transmitting a Report on the Conversion of Exempt Positions to Civil Service, prepared by the Department of Commerce and Consumer Affairs, pursuant to S.C.R. No. 222 (2008).

Gov. Msg. No. 62, dated December 15, 2008, transmitting a Report on Money Transmitters, prepared by the Department of Commerce and Consumer Affairs pursuant to Act 158, Section 4, SLH 2008.

Gov. Msg. No. 63, dated December 15, 2008, transmitting the 2008 Annual Compliance Resolution Fund Report, prepared by the Department of Commerce and Consumer Affairs.

Gov. Msg. No. 64, dated December 15, 2008, transmitting the 2008 Annual Report of the Hawaii Real Estate Commission, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Real Estate Branch.

Gov. Msg. No. 65, dated December 15, 2008, transmitting the 2008 Report of the Insurance Commissioner of Hawaii, prepared by the Department of Commerce and Consumer Affairs.

Gov. Msg. No. 66, dated December 15, 2008, transmitting a Report on the TANF-funded After School Hours Programs, prepared by the Department of Human Services pursuant to Act 158, Section 204.2, SLH 2008.

Gov. Msg. No. 67, dated December 15, 2008, transmitting a Report on the State Children's Health Insurance Program's Enrollment for the Months January-September 2008, prepared by the Department of Human Services pursuant to Act 158, SLH 2008.

Gov. Msg. No. 68, dated December 15, 2008, transmitting a Report on the Number of Exempt Positions Converted to Civil Service Positions During the Previous Twelve Months, prepared by the Department of Human Resources Development pursuant to Act 300, SLH 2006.

Gov. Msg. No. 69, dated December 16, 2008, transmitting a Report on the Status on the Effort to Acquire Turtle Bay, prepared by the Office of the Governor pursuant to Act 140, SLH 2008.

Gov. Msg. No. 70, dated December 17, 2008, transmitting the Department of Budget and Finance's Plan of Action for Implementation of Goals and Objections, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 71, dated December 17, 2008, transmitting a Report on the Hawaii Venture Capital Investment Program, prepared by the Employees' Retirement System pursuant to Act 260, SLH 2007.

Gov. Msg. No. 72, dated December 17, 2008, transmitting a Report on Direct Holdings in Sudan Scrutinized Companies, prepared by the Employees' Retirement System pursuant to Act 192, SLH 2007.

Gov. Msg. No. 73, dated December 18, 2008, transmitting the Department of Labor and Industrial Relations' Hawaii Labor Relations Board's Annual Report, pursuant to Section 89-5, HRS.

Gov. Msg. No. 74, dated December 18, 2008, transmitting the Hawaii Occupational Safety and Health Report of Contested Cases for fiscal year ending June 30, 2008, prepared by the Department of Labor and Industrial Relations pursuant to Section 396-11, HRS.

Gov. Msg. No. 75, dated December 18, 2008, transmitting a Report on the Impact of the High Technology Business Investment Tax Credit on Hawaii's Economy for Calendar Year 2007, prepared by the Department of Taxation pursuant to Act 206, SLH 2007.

Gov. Msg. No. 76, dated December 18, 2008, transmitting the Report on the Employment and Training Fund Program for fiscal year ending June 30, 2008, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 77, dated December 19, 2008, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2008, pursuant to Section 269-5, HRS, and the Report on Net Energy Metering, pursuant to Act 150, SLH 2008.

Gov. Msg. No. 78, dated December 19, 2008, transmitting a Report on the State's Progress Toward Meeting the Milestones and Objectives of the Energy Feedstock Program, prepared by the Department of Agriculture pursuant to Section 141-9, HRS.

Gov. Msg. No. 79, dated December 19, 2008, transmitting the Final Report on the Assessment of the State of Hawaii's Ability to Achieve 2010 Renewable Portfolio Standards, prepared by the University of Hawaii, Hawaii Natural Energy Institute, School of Ocean and Earth Science Technology, pursuant to Section 269-95, HRS.

Gov. Msg. No. 80, dated December 19, 2008, transmitting a Report on the Status of Hiring the Positions Authorized by Act 213, Section 112, and on the Progress Made Towards Implementation of the Restructuring Plan Resulting from the Organizational Review Conducted Pursuant to Act 143, SLH 2006, prepared by the Public Utilities Commission pursuant to Act 213, Section 112, SLH 2007.

Gov. Msg. No. 81, dated December 19, 2008, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2008, pursuant to Section 269-33, HRS.

Gov. Msg. No. 82, dated December 19, 2008, transmitting the 2008 Report on the Hawaii Petroleum Market under the Petroleum Industry Monitoring, Analysis and Reporting Program, prepared by ICF International for the Public Utilities Commission pursuant to Act 78, SLH 2006.

Gov. Msg. No. 83, dated December 19, 2008, transmitting a Report on the Drinking Water Treatment Revolving Loan Fund, prepared by the Department of Health pursuant to Section 340E-33, HRS.

Gov. Msg. No. 84, dated December 19, 2008, transmitting a Report on the State Water Pollution Control Revolving Fund, prepared by the Department of Health pursuant to Section 342D-82, HRS.

Gov. Msg. No. 85, dated December 19, 2008, transmitting a Report on Decabromodiphenylether and Feasible Flame Retardant Alternatives, prepared by the Department of Health pursuant to H.C.R. No. 84 (2006).

Gov. Msg. No. 86, dated December 19, 2008, transmitting a Report to Assess the Advantages and Disadvantages of Requiring Cervical Cancer Vaccinations for Girls Before they Enter the Seventh Grade, prepared by the Department of Health pursuant to H.C.R. 51 (2008).

Gov. Msg. No. 87, dated December 22, 2008, transmitting the Hawaii Civil Rights Commission's 2007-2008 Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 368-3, HRS.

Gov. Msg. No. 88, dated December 19, 2008, transmitting a Report on Purchasing Equipment for the State Laboratory, prepared by the Department of Health, State Laboratories Division, pursuant to Act 231, Section 51, SLH 2007.

Gov. Msg. No. 89, dated December 22, 2008, transmitting a Report on the Hybrid Plan Communications Campaign, prepared by the Employees' Retirement System pursuant to Act 158, Section 124.1, SLH 2008.

Gov. Msg. No. 90, dated December 22, 2008, transmitting the Sanitation Branch Annual Audit, prepared by the Department of Health pursuant to Section 321-27.5, HRS.

Gov. Msg. No. 91, dated December 22, 2008, transmitting a Report Relating to Activities of the Division of Conservation and Resources Enforcement and Improvements Made Due to Increased Funding for Equipment Upgrades, Additional DOCARE Officers, Clerical Staff and Data Collection, prepared by the Department of Land and Natural Resources pursuant to Act 213, SLH 2007 and Act 158, SLH 2008.

Gov. Msg. No. 92, dated December 22, 2008, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Fund, prepared by the Department of Labor and Industrial Relations pursuant to section 383-126.5, HRS.

Gov. Msg. No. 93, dated December 22, 2008, transmitting a Report on the Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing, prepared by the Department of Agriculture and the Department of Land and Natural Resources pursuant to Act 176, Section 12, SLH 1999.

Gov. Msg. No. 94, dated December 22, 2008, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2009-15, pursuant to Sections 37-69 and 37-71, HRS; the Variance Report for FYs 2008-09, pursuant to Section 37-75, HRS; and the Budget in Brief for FB 2009-2011, prepared by the Department of Budget and Finance.

Gov. Msg. No. 95, dated December 23, 2008, transmitting the Report of the Adam Walsh Act Compliance Working Group, prepared by the Department of the Attorney General pursuant to Act 80, SLH 2008.

Gov. Msg. No. 96, dated December 23, 2008, transmitting the Department of Taxation's Annual Report on Appropriations Used for Contracting with Specialized Experts to Support Income, General Excise, and other Tax Audits, pursuant to Act 213, Section 119, SLH 2007.

Gov. Msg. No. 97, dated December 23, 2008, transmitting the Department of Taxation's Electronic Funds Transfer Report, pursuant to Act 177, SLH 1997.

Gov. Msg. No. 98, dated December 23, 2008, transmitting a Report on Student Transportation Services, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 99, dated December 23, 2008, transmitting a Report on Federal and Trust Funds, prepared by the Department of Education pursuant to Section 29-25, HRS.

Gov. Msg. No. 100, dated December 23, 2008, transmitting a Report on the Carryover of Funds, prepared by the Department of Education pursuant to Section 37-41.5, HRS.

Gov. Msg. No. 101, dated December 23, 2008, transmitting a Report on School-Level Minor Repairs and Maintenance Accounts, prepared by the Department of Education pursuant to Section 302A-1504, HRS.

Gov. Msg. No. 102, dated December 23, 2008, transmitting a Report on the Detailed Services Provided and Costs Incurred for the McKinney-Vento Homeless Education Assistance Act,

prepared by the Department of Education pursuant to Act 158, SLH 2008.

Gov. Msg. No. 103, dated December 23, 2008, transmitting a Report on the Transfers of Appropriated Funds and Positions, prepared by the Department of Education pursuant to Section 37-74(d), HRS.

Gov. Msg. No. 104, dated December 23, 2008, transmitting a Report on Various Energy Efficiency Projects and Change in Energy Usage, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 105, dated December 23, 2008, transmitting a Report on Activities Toward Implementation of the Agriculture Education Program, prepared by the Department of Education pursuant to Act 111, SLH 2007.

Gov. Msg. No. 106, dated December 23, 2008, transmitting the Annual Report on the Teacher Education Coordinating Committee, prepared by the Department of Education pursuant to Section 304-20, HRS.

Gov. Msg. No. 107, dated December 23, 2008, transmitting the Progress and Status Report on the Implementation of the Electronic Student Information System, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 108, dated December 23, 2008, transmitting the October, 2008 Report on the Medicaid School-based Claiming Program, prepared by the Department of Education pursuant to Act 141, SLH 2005.

Gov. Msg. No. 109, dated December 23, 2008, transmitting a Report on the Superintendent's Fund, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 110, dated December 23, 2008, transmitting the Report on Requests for a Due Process Hearing, prepared by the Department of Education pursuant to Act 179, SLH 2008.

Gov. Msg. No. 111, dated December 23, 2008, transmitting a Report on the Progress of the Study for DOE Anger Management Programs, prepared by the Department of Education pursuant to H.C.R. No. 126 (2008) and H.R. No. 108 (2008).

Gov. Msg. No. 112, dated December 23, 2008, transmitting a Report on "No Child Left Behind" Restructured Schools, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 113, dated December 23, 2008, transmitting the Annual Report for Repair and Maintenance, prepared by the Department of Education pursuant to Sections 36-35, 36-36 and 302A-1312, HRS.

Gov. Msg. No. 114, dated December 23, 2008, transmitting a Report on School Impact Fees, prepared by the Department of Education pursuant to Act 245, SLH 2007.

Gov. Msg. No. 115, dated December 23, 2008, transmitting the Feasibility Study to Examine Various Impacts of a Longer School Day and Increasing the Number of Days in the School Year on Kindergarten through Grade Twelve Students, prepared by the Department of Education pursuant to S.C.R. No. 72 (2008).

Gov. Msg. No. 116, dated December 23, 2008, transmitting a Report on the Development of Prototype Models or Guidelines When Installing or Creating Shaded Play Areas at Public Schools, prepared by the Department of Education pursuant to S.C.R. No. 88 (2008).

Gov. Msg. No. 117, dated December 23, 2008, transmitting a Report on Preparing Curricular Materials that Reflect the

Hawaii Standards to Assist a Teacher who Temporarily Teaches in an Area of Not Highly Qualified, prepared by the Department of Education pursuant to S.C.R. No. 111 (2008).

Gov. Msg. No. 118, dated December 23, 2008, transmitting the Secondary School Student Conference Report, prepared by the Department of Education pursuant to Section 317-6, HRS.

Gov. Msg. No. 119, dated December 23, 2008, transmitting a Report on the Mandatory Expulsion Policy for Possession of a Firearm for School Year 2007-08, prepared by the Department of Education pursuant to Section 302A-1134, HRS.

Gov. Msg. No. 120, dated December 23, 2008, transmitting a Report on Continuing Project Graduation Training Through Driver Education Underwriters' Fees as Part of Traffic Safety Education, prepared by the Department of Education pursuant to S.C.R. No. 220 (2008).

Gov. Msg. No. 121, dated December 23, 2008, transmitting the Interim Report on Guidelines Regarding Truancy Reduction and Increase in Academic Success, prepared by the Department of Education pursuant to S.C.R. No. 74 (2008).

Gov. Msg. No. 122, dated December 23, 2008, transmitting the Incentive and Innovation Grant Trust Fund Report, prepared by the Department of Education pursuant to Section 302A-301, HRS.

Gov. Msg. No. 123, dated December 23, 2008, transmitting the Annual Reports on Educational Assessment and Accountability, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 124, dated December 24, 2008, transmitting the Annual Report of the Narcotics Enforcement Division for Fiscal Year 2008, prepared by the Department of Public Safety pursuant to Section 329-11, HRS.

Gov. Msg. No. 125, dated December 24, 2008, transmitting a Report on the Hawaii Employer-Union Health Benefits Trust Fund, pursuant to Act 158, SLH 2008.

Gov. Msg. No. 126, dated December 24, 2008, transmitting a Report on the Number of Individuals with Developmental Disabilities or Mental Retardation Who Choose to Live Independently, the Financial Impact on the State, and the Findings, Recommendations, and the Financial Impact of Act 303, SLH, 2006, prepared by the Department of Health pursuant to Act 40, SLH, 2007.

Gov. Msg. No. 127, dated December 24, 2008, transmitting a Report on the Activities to Support a Statewide Self-Advocacy Network, prepared by the Department of Health pursuant to Act 213, Section 53, SLH, 2007.

Gov. Msg. No. 128, dated December 24, 2008, transmitting the Annual Report on the Receipts and Expenditures from the Emergency Medical Services Special Fund, prepared by the Department of Health pursuant to Section 321-234, HRS.

Gov. Msg. No. 129, dated December 24, 2008, transmitting a Report on the Establishment and Implementation of a Suicide Early Intervention and Prevention Program, prepared by the Department of Health pursuant to Act 213, SLH 2007.

Gov. Msg. No. 130, dated December 27, 2008, transmitting the Small Business Regulatory Review Board's Review of Agency Submitted Administrative Rules, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201M-7, HRS.

Gov. Msg. No. 131, dated December 29, 2008, transmitting the Annual Report on the Building Code Council, prepared by the Department of Accounting and General Services pursuant to Act 82, SLH 2007.

Gov. Msg. No. 132, dated December 29, 2008, transmitting the Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2007 through June 30, 2008, prepared by the Department of Accounting and General Services pursuant to Section 138-6, HRS.

Gov. Msg. No. 133, dated December 29, 2008, transmitting the Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 2007-2008, prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 134, dated December 29, 2008, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for fiscal year ending June 30, 2008, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 135, dated December 30, 2008, transmitting the Department of Transportation's Annual Report on Goals and Objectives, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 136, letter dated December 30, 2008, informing the Senate that pursuant to Act 156, SLH 2008, the Department of Human Resources Development reports that there was no employment of retirants in civil service positions under this authority in the executive branch for the 2008 calendar year.

Gov. Msg. No. 137, letter dated December 30, 2008, informing the Senate that pursuant to Act 253, SLH 2000, the Department of Human Resources Development reports that there was no selection of Separation of Incentives by any employee as there was no Reduction-in-Force (RIF) in the Executive Branch for the 2008 calendar.

Gov. Msg. No. 138, dated December 30, 2008, transmitting a Report on Parental Preferences in Government Contracts, Programs, and Services, prepared by the Department of Human Resources Development pursuant to Act 162, SLH 2002.

Gov. Msg. No. 139, dated December 30, 2008, transmitting a Report on Land Dispositions Made of Public Lands for Calendar Year 2008, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 140, dated December 30, 2008, transmitting the Final Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

Gov. Msg. No. 141, dated December 30, 2008, transmitting the 50th Anniversary of Statehood Commission's Preliminary Report pursuant to Act 140, SLH 2007.

Gov. Msg. No. 142, dated December 31, 2008, transmitting a Report on Security Breach of Personal Information, prepared by the Department of Land and Natural Resources pursuant to Section 487N-4, HRS.

Gov. Msg. No. 143, dated December 31, 2008, transmitting a Report on the Effectiveness of the Graduated Provisional Licensing Program in Reducing Traffic Fatalities and Accidents in the State, prepared by the Department of Health and the Department of Transportation pursuant to Act 72, SLH 2005.

Gov. Msg. No. 144, dated December 31, 2008, transmitting the Annual Report on the Transportation Improvement Special Fund from Act 370, SLH 1997, prepared by the Department of Transportation pursuant to Section 264-19, HRS.

Gov. Msg. No. 145, dated December 31, 2008, transmitting a Report Relating to Pedestrian Safety, prepared by the Department of Transportation pursuant to Act 10, Special Session of 2007.

Gov. Msg. No. 146, dated December 31, 2008, transmitting the Annual Report on Bikeway Projects and Expenditures, prepared by the Department of Transportation pursuant to Section 264-18, HRS.

Gov. Msg. No. 147, dated December 31, 2008, transmitting Report on Pedestrian Safety, prepared by the Department of Transportation pursuant to Act 232, SLH 2008.

Gov. Msg. No. 148, dated December 31, 2008, transmitting a Report on Special Repair and Maintenance Appropriations, prepared by the Department of Transportation pursuant to Act 158, SLH 2008.

Gov. Msg. No. 149, dated December 31, 2008, transmitting a Report on Security Appropriations, prepared by the Department of Transportation pursuant to Act 158, SLH 2008.

Gov. Msg. No. 150, dated December 31, 2008, transmitting a Report on Expenditures of Security Appropriations for Marsec II or Higher, prepared by the Department of Transportation pursuant to Act 158, SLH 2008.

Gov. Msg. No. 151, dated December 31, 2008, transmitting a Report on Routine Repair and Maintenance Appropriations, prepared by the Department of Transportation pursuant to Act 158, SLH 2008.

Gov. Msg. No. 152, dated December 31, 2008, transmitting a Report Relating to Health Insurance, prepared by the Department of Health pursuant to Act 221, SLH 2008.

Gov. Msg. No. 153, dated December 31, 2008, transmitting the Annual Report of the Office of Information Practices for fiscal year ending June 30, 2008, pursuant to Chapter 92F, HRS.

Gov. Msg. No. 154, dated December 31, 2008, transmitting a Report on the Status of the Federal Grants Search, Development, and Application Revolving Fund, prepared by the Department of Education pursuant to Section 302A-1405, HRS.

Gov. Msg. No. 155, dated December 31, 2008, transmitting the Annual Report of the State Educational Facilities Improvement Special Fund, prepared by the Department of Education pursuant to Section 36-32, HRS.

Gov. Msg. No. 156, dated December 31, 2008, transmitting a Report on the Comprehensive Accountability System, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 157, dated December 31, 2008, transmitting the Even-numbered Year's Report of the Classification/Compensation Appeals Board's Educational Officer/Classification/Compensation Plan and Related Cost, prepared by the Department of Education pursuant to Section 302A-620, HRS.

Gov. Msg. No. 158, dated December 31, 2008, transmitting the FY 2009 Expenditure Report on the Department of Education's Mentor and Para-Educator Programs, prepared by the Department of Education pursuant to Act 158, SLH 2008.

Gov. Msg. No. 159, dated December 31, 2008, transmitting a Report Relating to Early Learning, prepared by the Department of Education pursuant to Act 14, SLH 2008.

Gov. Msg. No. 160, dated December 31, 2008, transmitting the a Report on Seat Belts in School Buses, prepared by the Department of Education pursuant to H.C.R. No. 71 (2008) and H.R. No. 62 (2008).

Gov. Msg. No. 161, dated December 31, 2008, transmitting a Report to Develop Nutritionally-Sound Public School Menu

Plans that Include Vegetarian and Vegan Meals, prepared by the Department of Education pursuant to S.C.R. No. 84 (2008).

Gov. Msg. No. 162, dated December 31, 2008, transmitting a Report to Re-Engineer the Department of Education's Office of Human Resources, prepared by the Department of Education pursuant to S.C.R. No. 114 (2008).

Gov. Msg. No. 163, dated December 31, 2008, transmitting the School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 164, dated December 31, 2008, transmitting a Report on Cost Saving Measures for School Food Services, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 165, dated December 31, 2008, transmitting a Report on the Current and Projected Usage and Costs of Electricity, Sewer, and Water Services, prepared by the Department of Education pursuant to Act 213, SLH 2007.

Gov. Msg. No. 166, dated January 6, 2009, transmitting the Final Report of the Compacts of Free Association Task Force, prepared by the Department of Attorney General pursuant to S.R. No. 142 (2007).

Gov. Msg. No. 168, informing the Senate that on January 14, 2009, in accordance with the provisions of Chapter 17, Section 4 of the Hawaii Revised Statutes, the Governor has appointed Gilbert Keith-Agaran to fill the remaining term of the late Robert Nakasone as the member from the Ninth Representative District, House of Representatives, Twenty-Fifth Legislature, State of Hawaii.

Gov. Msg. No. 169, dated December 22, 2008, transmitting the Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, prepared by the Department of Health pursuant to Section 340B-12, HRS.

Gov. Msg. No. 170, dated December 23, 2008, transmitting Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for Fiscal Year 2007- 2008, pursuant to Chapter 87A.

Gov. Msg. No. 171, dated December 27, 2008, transmitting the Annual Report Summary of the Small Business Regulatory Review Board, prepared by the Department of Business, Economic Development, and Tourism pursuant to Chapter 201M, HRS.

Gov. Msg. No. 172, letter dated December 29, 2008, fulfilling the reporting requirements of Act 213, SLH 2008.

Gov. Msg. No. 173, dated December 29, 2008, transmitting the following reports prepared by the Department of Labor and Industrial Relations: Employment and Training Fund, pursuant to Section 383-128, HRS; Premium Supplementation Fund (PHC), pursuant to Section 393-41, HRS; Special Compensation Fund, pursuant to Section 386-151, HRS; Special Fund for Temporary Disability Benefits, pursuant to Section 392-61, HRS; Unemployment Insurance Trust Fund, pursuant to Section 383-121, HRS; and Special Unemployment Insurance Administration Fund, pursuant to Section 383-127, HRS.

Gov. Msg. No. 174, dated December 29, 2008, transmitting a Report on the Enrollment and Financial Status of the Hawaii RX Plus Program, prepared by the Department of Human Services pursuant to Section 346-319, HRS.

Gov. Msg. No. 175, dated December 29, 2008, transmitting a report pursuant to Act 213, Section 200, SLH 2007, prepared by the Department of Human Services, Benefit, Employment, and Support Services Division.

Gov. Msg. No. 176, dated December 30, 2008, transmitting the Energy Resources Coordinator's 2008 Annual Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 196-4, HRS.

Gov. Msg. No. 177, dated December 31, 2008, transmitting the Interim Report Relating to the West Maui Transportation Access Plan, prepared by the Department of Transportation, pursuant to Act 214, SLH 2008.

Gov. Msg. No. 178, dated December 31, 2008, transmitting the Department of Land and Natural Resources' Report on the Accounting of All Receipts From Lands Described in Section 5(f) of the Admission Act for Fiscal Year 2007-2008, pursuant to Act 178, SLH 2006.

Gov. Msg. No. 179, dated December 31, 2008, transmitting the Annual Report of the Hawaii Project EAST (Environmental and Spatial Technology) Program, prepared by the Department of Business, Economic Development and Tourism pursuant to Chapter 302A-1314, HRS.

Gov. Msg. No. 180, dated January 2, 2009, transmitting the 2008 Annual Report of the Office of Language Access, prepared by the Department of Labor and Industrial Relations pursuant to Act 290, SLH 2006.

Gov. Msg. No. 181, dated January 6, 2009, transmitting the 2007-2008 Annual Report of the Hoisting Machine Operator's Advisory Board, prepared by the Department of Labor and Industrial Relations pursuant to Section 396-20, HRS.

Gov. Msg. No. 182, dated January 7, 2009, transmitting the Department of Taxation's Report on the Department's Goals and Objectives, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 183, dated January 7, 2009, transmitting the following reports prepared by the Department of Public Safety pursuant to Act 213, SLH 2007: Mason Apprenticeship Program, Comprehensive Offender Reentry Plan, Inmate Transitional Work Furlough Substance Abuse Treatment Services, and Inmate Transition and Job Development Program.

Gov. Msg. No. 184, dated January 7, 2009, transmitting a Report on Capital Improvement Program Appropriations, prepared by the Department of Public Safety pursuant to Act 213, SLH 2007.

Gov. Msg. No. 185, dated January 7, 2009, transmitting a Report on Overtime Costs, prepared by the Department of Public Safety pursuant to Act 158, SLH 2008.

Gov. Msg. No. 186, dated January 7, 2009, transmitting a Report on Inmates Mental Health Services at Oahu Community Correctional Center, Halawa Correctional Facility, and the Women's Community Correctional Center, prepared by the Department of Public Safety pursuant to Act 213, SLH 2007.

Gov. Msg. No. 187, dated January 7, 2009, transmitting the Annual Report on Strategic Plan, Timetable and Performance Measures, prepared by the Department of Public Safety pursuant to Act 100, SLH 1999.

Gov. Msg. No. 188, dated January 7, 2009, transmitting the following reports prepared by the Department of Public Safety pursuant to Act 8, Special Session of 2007: Return of Out-of-State Inmates, Inmate Transition and Reentry Into the Community, and Inmate Reentry into the Community.

Gov. Msg. No. 189, dated January 7, 2009, transmitting a Report on Gender Responsive Community Based Programs for Women, prepared by the Department of Public Safety pursuant to Section 367D-8, HRS.

Gov. Msg. No. 190, dated January 7, 2009, transmitting the Annual Report of the Hawaii Correctional Industries, prepared

by the Department of Public Safety pursuant to Section 354D-3.5, HRS.

Gov. Msg. No. 191, dated January 7, 2009, transmitting a Report on the Criminal Offender Treatment Act, prepared by the Department of Public Safety pursuant to Chapter 353G, HRS.

Gov. Msg. No. 192, dated January 7, 2009, transmitting the Annual Report on the Status of the Federal Reimbursement Maximization Special Fund, prepared by the Department of Public Safety pursuant to Section 353C-7, HRS.

Gov. Msg. No. 193, dated January 7, 2009, transmitting a Report on Services for Children of Incarcerated Parents, prepared by the Department of Public Safety pursuant to Act 240, SLH 2008.

Gov. Msg. No. 194, dated January 7, 2009, transmitting a Report on the Strategic Plan to Provide Services to Female Offenders Returning from the Mainland, prepared by the Department of Public Safety pursuant to Act 219, SLH 2008.

Gov. Msg. No. 195, dated January 7, 2009, transmitting the Annual Report on Dental Health Activities, Expenditures, and Recommendations, prepared by the Department of Health pursuant to Section 321-63, HRS.

Gov. Msg. No. 196, dated January 7, 2009, transmitting the 2008 Bioenergy Master Plan Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 253, SLH 2007.

Gov. Msg. No. 197, dated January 7, 2009, transmitting a Report on the Early Intervention Services Program's Purchase of Service and Fee-for-Service Contracts, prepared by the Department of Health, Early Intervention Section pursuant to Act 213, SLH 2007.

Gov. Msg. No. 198, dated January 7, 2009, transmitting the Annual Report on the Domestic Violence and Sexual Assault Special Fund, prepared by the Department of Health pursuant to Section 321-1.3, HRS.

Gov. Msg. No. 199, dated January 7, 2009, transmitting a Report on the Primary Care Incentive Program, prepared by the Department of Health pursuant to Section 321-1.5, HRS.

Gov. Msg. No. 200, dated January 8, 2009, transmitting a Report on the Purchase of Family Planning Services for Women's Health for FY 2008, prepared by the Department of Health pursuant to Act 213, Section 41, SLH 2007.

Gov. Msg. No. 201, dated January 8, 2009, transmitting the Executive Office on Aging's Annual Evaluation Report on Elder Programs, prepared by the Department of Health, pursuant to Section 349-5, HRS.

Gov. Msg. No. 202, dated January 8, 2009, transmitting a Report on the Environmental Response Law and the Hawaii Emergency Planning and Community Right to Know Act Financial and Environmental Site Information for FY 2008, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS.

Gov. Msg. No. 203, dated January 8, 2009, transmitting a Report on the Collection, Transportation, and Recycling of Televisions Sold in the State of Hawaii, prepared by the Department of Health and the Television Temporary Working Group pursuant to Act 13, First Special Session of 2008.

Gov. Msg. No. 204, dated January 8, 2009, transmitting a Report with the Breakdown of Emergency Ambulance Services by Contracts, Cost Categories, and Expenditure Amounts and on Expenditures for an Emergency Medical Technician

Training Stipend Program, prepared by the Department of Health that, pursuant to Act 213, SLH 2007.

Gov. Msg. No. 205, dated January 8, 2009, transmitting an Expenditure Report on the \$100,000 General Fund Appropriation for Additional or Continued HIV/AIDS Services in the Community on Oahu for FY 2008-09, prepared by the Department of Health pursuant to Act 158, SLH 2008.

Gov. Msg. No. 206, dated January 8, 2009, transmitting a Report on the Hawaii Small Business Regulatory Review Board Working Group's Findings and Recommendations, prepared by the Department of Business, Economic Development, and Tourism pursuant to ACT 230, SLH 2008.

Gov. Msg. No. 207, dated January 13, 2009, transmitting a Report on the Progress for the Adoption of Rules to Regulate the Ornamental Reef Fishery Industry in South Maui and Kaneohe Bay, Oahu, to Confer with Geographical Stakeholders and to Propose Appropriate Legislation, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 347 (2008).

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

The Senate reconvened at 11:44 a.m.

#### HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 1) was read by the Clerk and was placed on file:

Hse. Com. No. 1, transmitting H.R. No. 5, entitled "HOUSE RESOLUTION SENDING MESSAGES THAT THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE HAS ASSEMBLED AND IS READY TO TRANSACT BUSINESS," which was adopted by the House of Representatives on January 21, 2009.

#### JUDICIARY COMMUNICATION

The following communication from the Judiciary (Jud. Com. No. 1) was read by the Clerk and was placed on file:

Jud. Com. No. 1, informing the Senate of the postponement of the 2009 State of Judiciary address by Chief Justice Ronald T. Y. Moon.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were deferred:

S.B. No. 32 "A BILL FOR AN ACT RELATING TO FUEL."

Introduced by: Senators Baker, English.

S.B. No. 33 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators Baker, Espero, Fukunaga, Hee, Tsutsui.

S.B. No. 34 "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT."

Introduced by: Senators Baker, Green, Espero, Galuteria, Hemmings, Ige, Ihara, Sakamoto.

S.B. No. 35 "A BILL FOR AN ACT RELATING TO MORTGAGES."

Introduced by: Senators Baker, English, Espero, Fukunaga, Ige, Ihara, Nishihara.



S.B. No. 36 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Senator Baker, by request.

S.B. No. 37 "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE."

Introduced by: Senators Baker, English, Tsutsui.

S.B. No. 38 "A BILL FOR AN ACT RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES."

Introduced by: Senators Baker, English, Green, Hemmings, Ige.

S.B. No. 39 "A BILL FOR AN ACT RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND."

Introduced by: Senators Baker, Green, Espero, Hemmings, Ige, Nishihara.

S.B. No. 40 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Baker, Ihara, Sakamoto, Fukunaga, Ige.

S.B. No. 41 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Baker, English, Green, Ige, Tsutsui, Espero, Nishihara.

S.B. No. 42 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX LAW."

Introduced by: Senators Baker, Green, Ige.

S.B. No. 43 "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT."

Introduced by: Senators Baker, Green, Ige.

S.B. No. 44 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Baker, English, Green, Ige, Tsutsui, Espero, Nishihara.

S.B. No. 45 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAMPBELL HIGH SCHOOL"

Introduced by: Senator Espero.

S.B. No. 46 "A BILL FOR AN ACT RELATING TO FAMILY COURT JURISDICTION OVER MINORS."

Introduced by: Senator Espero.

S.B. No. 47 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Espero.

S.B. No. 48 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES."

Introduced by: Senator Espero.

S.B. No. 49 "A BILL FOR AN ACT RELATING TO SERIOUS OFFENSES COMMITTED BY MINORS."

Introduced by: Senator Espero.

S.B. No. 50 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY PRODUCERS."

Introduced by: Senators Hee, Kokubun, Takamine.

#### SENATE RESOLUTION

The following resolution (S.R. No. 2) was read by the Clerk and was disposed of as follows:

S.R. No. 2, entitled: "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE OF THE TWENTY-FIFTH LEGISLATURE," was offered by Senators Hooser and Hemmings.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, S.R. No. 2 was adopted.

At 11:46 a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 p.m.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 1) recommending that the Senate consent to the nomination of ROM A. TRADER to the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 167.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Gov. Msg. No. 167 was deferred until Friday, January 23, 2009.

#### ADJOURNMENT

At 12:00 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, January 23, 2009.