

## THIRTEENTH DAY

## Tuesday, February 10, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:35 a.m. with the President in the Chair.

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

The President announced that she had read and approved the Journal of the Twelfth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 403 to 404) were read by the Clerk and were placed on file:

Gov. Msg. No. 403, dated February 2, 2009, transmitting the Hawaii Housing Finance and Development Corporation's 2008 Annual Report.

Gov. Msg. No. 404, dated February 6, 2009, transmitting the Department of Agriculture's Annual Report pursuant to Act 100, SLH 1999.

## DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 60) was read by the Clerk and was placed on file:

Dept. Com. No. 60, from the Department of Education, dated February 6, 2009, transmitting the Superintendent's 19th Annual Report for 2007-2008.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 40 to 41) were read by the Clerk and were deferred:

S.C.R. No. 40 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE ATTORNEY GENERAL TO WITHDRAW THE APPEAL TO THE UNITED STATES SUPREME COURT OF THE HAWAII STATE SUPREME COURT DECISION, OFFICE OF HAWAIIAN AFFAIRS V. HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII, 117 HAWAII 174 (2008)."

Offered by: Senator Hee.

S.C.R. No. 41 "SENATE CONCURRENT RESOLUTION REQUESTING THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES TO AMEND ITS CONSTITUTION TO REFLECT A MORE EQUITABLE GEOGRAPHIC REPRESENTATION AMONG THE TWENTY-SIX MEMBERS OF THE ACCREDITING COMMISSION FOR SCHOOLS."

Offered by: Senator Hee.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 112 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S JUSTICE PROGRAM," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 186 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 186, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 312 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 312, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 15) recommending that S.B. No. 30, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 30, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 86, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 167, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 167, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION CORPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and English, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs presented a joint report (Stand. Com. Rep. No. 18) recommending that S.B. No. 37, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 123, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 12, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 281 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 281, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 11, 2009.

Senators Hee and Gabbard, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 21) recommending that S.B. No. 412 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 412, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 11, 2009.

#### ADJOURNMENT

At 11:39 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 11, 2009.