

## NINETEENTH DAY

**Thursday, February 19, 2009**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by Reverend Bob Nakata, Kahaluu United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senators Ige, Ihara, and Taniguchi who were excused.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 415 to 440) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 415, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of WENDEE J. WILSON, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 416, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of ROY M. SASUGA, term to expire June 30, 2010, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 417, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Housing Finance and Development Corporation (HFD), the nomination of BETTY LOU LARSON, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 418, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority (HPHA), the nomination of CLARISSA P. HOSINO, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 419, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Public Housing Authority (HPHA), the nomination of KAULANA H.R. PARK, term to expire June 30, 2013, was referred to the Committee on Education and Housing.

Gov. Msg. No. 420, submitting for consideration and confirmation to the Board of Directors of the Aloha Tower Development Corporation, the nomination of JASON T. OKUHAMA, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 421, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of JACQUELINE L. ROSSETTI, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 422, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of CHARLES K.H. AU, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 423, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of SEAN D. IGNE, term to expire June 30, 2013, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 424, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of MARTIN E. ARTHUR II, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 425, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of PATRICK J. DUARTE, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 426, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs (PABEA), the nomination of GARY Y. FUJITANI, term to expire June 30, 2013, was referred to the Committee on Human Services.

Gov. Msg. No. 427, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of MICHAEL R. DIAS, term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 428, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of MYRNA B. MURDOCH, term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 429, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of JUNE S. LEE, term to expire June 30, 2012, was referred to the Committee on Higher Education.

Gov. Msg. No. 430, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of VENKATARAMAN BALARAMAN, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 431, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of EVAN K. CHING, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 432, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of CHARLES M. HIRATA, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 433, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of GEORGE L. KEKUNA, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 434, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of MITCHELL S. NAKAGAWA, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 435, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of PAULA J. HEGELE, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 436, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of JERRY EDLAO, term to expire June 30, 2013,

was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 437, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of SAMUEL M. GON III, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 438, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of WESLEY F. OTANI, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 439, submitting for consideration and consent, the nomination of MARK E. RECKTENWALD to the office of Associate Justice, Supreme Court, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 440, informing the Senate that on February 18, 2009, the Governor signed into law House Bill No. 302, H.D. 1 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 774, 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. 774, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 142) recommending that S.B. No. 478, 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 majority of the Committee was adopted and S.B. No. 478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 358, 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. 358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 144) recommending that S.B. No. 540, 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 majority of the Committee was

adopted and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 145) recommending that S.B. No. 546, 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. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 970, 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. 970, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS' ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 147) recommending that S.B. No. 1664, 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. 1664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the majority of the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 148) recommending that S.B. No. 208 pass Second Reading and be referred to the Committee on Labor.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Labor.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 149) recommending that S.B. No. 613 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. 613, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Takamine, for the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 150) recommending that S.B. No. 559, 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 majority of the Committees was adopted and S.B. No. 559, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO RECYCLING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Takamine, for the Committee on Energy and Environment and the Committee on Judiciary and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 151) recommending that S.B. No. 553, 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 majority of the Committees was adopted and S.B. No. 553, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY-EFFICIENT LIGHTING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Green and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 152) recommending that S.B. No. 821, 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. 821, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELDER CARE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Green and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 153) recommending that S.B. No. 818, 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 majority of the Committees was adopted and S.B. No. 818, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 154) recommending that S.B. No. 947, 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. 947, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 155) recommending that S.B. No. 1272, 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. 1272, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” 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. 156) recommending that S.B. No. 1313, 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. 1313, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 16, 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. 16, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 145, 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. 145, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 159) recommending that S.B. No. 439, 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. 439, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 445, 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. 445, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 497, 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 majority of the Committee was adopted and S.B. No. 497, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 162) recommending that S.B. No. 753, 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 majority of the Committee was adopted and S.B. No. 753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 163) recommending that S.B. No. 758, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, International and Intergovernmental Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 758, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 164) recommending that S.B. No. 1160, 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. 1160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 165) recommending that S.B. No. 1221, 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. 1221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Sakamoto and Espero, for the Committee on Education and Housing and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 166) recommending that S.B. No. 1164, 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. 1164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 535 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. 535, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was

referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 168) recommending that S.B. No. 734 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 majority of the Committee was adopted and S.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 746 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. 746, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 170) recommending that S.B. No. 797 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. 797, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE COURSES AT PUBLIC HIGH SCHOOLS STATEWIDE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 798 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. 798, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 799 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. 799, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CLARIFY THE SELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 173) recommending that S.B. No. 802 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. 802, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 1294 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. 1294, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 175) recommending that S.B. No. 1300 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. 1300, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Gabbard, for the Committee on Education and Housing and the Committee on Energy and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 176) recommending that S.B. No. 807 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 majority of the Committees was adopted and S.B. No. 807, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Takamine, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 177) recommending that S.C.R. No. 40 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 177 and S.C.R. No. 40, entitled: "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)," was deferred until Friday, February 20, 2009.

Senators Hee and Takamine, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Judiciary and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 178) recommending that S.R. No. 25, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 178 and S.R. No. 25, S.D. 1, entitled: "SENATE 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)," was deferred until Friday, February 20, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 426 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. 426, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 20, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 55, 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. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 23, 2009.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 34, 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. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 23, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 714, 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. 714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 23, 2009.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 183) recommending that S.B. No. 645, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 205, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO OWNER-BUILDERS,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 185) recommending that S.B. No. 1249, 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 majority of the Committee was adopted and S.B. No. 1249, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TEACHERS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 186) recommending that S.B. No. 747, 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. 747, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 187) recommending that S.B. No. 737, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 737, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senators English and Sakamoto, for the Committee on Transportation, International and Intergovernmental Affairs and the Committee on Education and Housing, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 188) recommending that S.B. No. 740, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 740, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 189) recommending that S.B. No. 584, 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. 584, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SOLID WASTE,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 190) recommending that S.B. No. 709, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 709, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 191) recommending that S.B. No. 1675, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1675, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 192) recommending that S.B. No. 1185, 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. 1185, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A TAX CREDIT FOR THE PURCHASE OF ELECTRIC VEHICLES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 193) recommending that S.B. No. 239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 239, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED PLANTS,” passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senator Takamine, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 194) recommending that S.B. No. 118, 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. 118, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 195) recommending that S.B. No. 1343, 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 majority of the Committee was adopted and S.B. No. 1343, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FEES AND OTHER ASSESSMENTS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 196) recommending that S.B. No. 1105, 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 majority of the Committee was adopted and S.B. No. 1105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Judiciary and Government Operations, presented a report (Stand. Com. Rep. No. 197) recommending that S.B. No. 1103, 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. 1103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EFFECTIVE LEGISLATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 198) recommending that S.B. No. 1181, 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. 1181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Takamine and Chun Oakland, for the Committee on Labor and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 199) recommending that S.B. No. 1203, 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 joint report of the majority of the Committees was adopted and S.B. No. 1203, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senators Takamine and English, for the Committee on Labor and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 200) recommending that S.B. No. 690, 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. 690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL MOVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Espero, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 201) recommending that S.B. No. 1315, 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. 1315, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM," 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. 202) recommending that S.B. No. 1116, 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. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," 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. 203) recommending that S.B. No. 1228, 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. 1228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hee, for the Committee on Education and Housing and the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 204) recommending that S.B. No. 729 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. 729, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 205) recommending that S.B. No. 1260 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. 1260, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 206) recommending that S.B. No. 1671 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1671, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 207) recommending that S.B. No. 1066, 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. 1066, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 208) recommending that S.B. No. 1303, 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. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDEPENDENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development and Technology, presented a joint report (Stand. Com. Rep. No. 209) recommending that S.B. No. 1065, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1065, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 210) recommending that S.B. No. 1678, 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 majority of the Committee was adopted and S.B. No. 1678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," 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. 211) recommending that S.B. No. 639, 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. 639, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on February 23, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 212) recommending that S.B. No. 1299, 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. 1299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Baker, for the Committee on Transportation, International and Intergovernmental Affairs and

the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 213) recommending that S.B. No. 1611, 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. 1611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading as was referred to the Committee on Ways and Means.

At this time, the Chair made the following announcement:

"The deadline for filing bills moving laterally to final committee that need to pass Second Reading is 10:00 p.m. tonight."

#### ORDER OF THE DAY

##### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

S.B. No.	Re-referred to:
S.B. No. 586	Committee on Transportation, International and Intergovernmental Affairs, then to the Committee on Ways and Means

##### ADJOURNMENT

At 11:46 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 20, 2009.