

THIRTY-FIFTH DAY

Tuesday, March 24, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:37 a.m. with the President in the Chair.

The Divine Blessing was invoked by Kumu Hula Manu Boyd, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Fourth Day.

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

Senator Sakamoto, with the assistance of Senators Kim, Baker, Ihara, and Tokuda, introduced the following educators and congratulated them on their accomplishments: Mr. Myron Monte of Dole Middle School, recipient of the 2008 Masayuki Tokioka Excellence in School Leadership Award; Ms. Lynn Kahoohalahala of Lahainaluna High School, 2008 State Assistant Principal of the Year; Ms. Ruth Silberstein of Palolo Elementary School, 2008 National Distinguished Principal; Mr. Meredith Maeda of James B. Castle High School, 2008 National Principal of the Year; and Ms. Lynn Shinsato of James B. Castle High School, for coordinating the Castle High School Speech Festival for 35 years.

Senator Galuteria, with the assistance of Senator Kidani, recognized the Hawaiian Civic Club of Honolulu on its 90th anniversary and the Association of Hawaiian Civic Clubs on its 50th anniversary. Both organizations were recognized for their outstanding contributions to culture and community and their commitment to perpetuating the vision of founder Prince Jonah Kūhiō Kalanianaʻole Piʻikoi. The Hawaiian Civic Club of Honolulu was represented by President Ms. Leatrice Kauahi, and the Association of Hawaiian Civic Clubs was represented by President Ms. Leimomi Khan.

At 12:00 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 518 to 535) were read by the Clerk and were referred to committee:

Gov. Msg. No. 518, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of RICHARD J.Y. LOUIS, term to expire June 30, 2012, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 519, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of LEONARD K. CHOW, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 520, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of JAMES C. JENNINGS, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 521, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of SHERYL B. SEAMAN AIA, ASID, LEED AP, term to expire June 30, 2013, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 522, submitting for consideration and confirmation to the Stadium Authority, the nomination of LAWRENCE K. W. TSEU, term to expire June 30, 2012, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 523, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of NORITA DE LIMA, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 524, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of GRETCHEN LAWSON, term to expire June 30, 2012, was referred to the Committee on Human Services.

Gov. Msg. No. 525, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, the nomination of ROBERT D. DEWITZ, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 526, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of ALVIN GOO, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 527, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of DENISE HOPKINS-CHADWICK, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 528, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of ARTHUR Y. NISHIDA, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 529, submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kahoʻolawe, the nomination of SUSAN PIRSCH, term to expire June 30, 2013, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 530, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of NORMAN S. STAHL, term to expire June 30, 2013, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 531, submitting for consideration and confirmation to the Kahoʻolawe Island Reserve Commission, the nomination of NOA EMMETT ALULI, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 532, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of LYNN P. DECOITE, term to expire June 30, 2012, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 533, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of ARLENE BUCHHOLZ, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 534, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of RONALD RAPANOT, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 535, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of JOHN SINTON, term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 349) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 349, transmitting H.C.R. No. 43, H.D. 2, which was adopted by the House of Representatives on March 23, 2009, was placed on file.

By unanimous consent, H.C.R. No. 43, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE HEALTH RISKS AND POTENTIAL ENERGY USES OF POLYSTYRENE FOOD CONTAINERS AND TO ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD CONTAINERS AND GROCERY BAGS," was referred jointly to the Committee on Health and the Committee on Energy and Environment.

STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 908) recommending that H.B. No. 1696, H.D. 2 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 H.B. No. 1696, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 909) recommending that H.B. No. 142, H.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 H.B. No. 142, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-STATE AVIATION," 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. 910) recommending that H.B. No. 425, H.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 H.B. No. 425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU," 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. 911) recommending that H.B. No. 1483, H.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 H.B. No. 1483, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS

FOR BETTER PLACE HAWAII, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 912) recommending that H.B. No. 271, 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 H.B. No. 271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 913) recommending that H.B. No. 1414, H.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 H.B. No. 1414, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1014, H.D. 3.

Senator Fukunaga noted:

"The bill is 'RELATING TO ENHANCED 911 SERVICES,' and it establishes a single entity to administer enhanced 911 services for the state. This is an administration measure, and the prior Senate bill was not heard."

The Chair granted the waiver.

Senator Espero, Chair of the Committee on Public Safety and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 990, H.D. 1.

Senator Espero noted:

"This measure is 'RELATING TO DISASTER PREPAREDNESS.' It establishes the Office of Disaster Preparedness and the Disaster Preparedness Commission to develop a disaster preparedness plan for Hawai'i. This is a joint referral and originally we were not intending to hear this measure, however the House has asked us to and we will accommodate them at this time, Madam President."

The Chair granted the waiver.

At this time, the Chair made the following announcement:

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

ADJOURNMENT

At 12:14 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Wednesday, March 25, 2009.