

THIRTEENTH DAY

Monday, February 8, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:48 a.m. with the President in the Chair.

The Divine Blessing was invoked by Rabbi Peter B. Schaktman, Temple Emanu-El, after which the Roll was called showing all Senators present with the exception of Senator Tokuda who was excused.

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

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

Senator Sakamoto, on behalf of himself and Senator Kim, introduced a group of 4th grade students from Moanalua Elementary School who were accompanied by teachers Doris Boushey, Robb Taone, Joseph Boll, and Colleen Diorec; and chaperones Mark Kido, Wendy Hadano, Jasmin Maeva, Kelley Tour, and Angelina Evangelista.

Senator Taniguchi also recognized Robb Taone, who had been his daughter's Summer Fun leader many years ago.

Senator Green recognized Ms. Dorothy Schaktman, Rabbi Schaktman's mother, who was visiting from Buffalo, New York.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 180 to 235) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 180, submitting for consideration and confirmation to the Contractors License Board, the nomination of GERALD YAMADA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of MELANIE BILBAENO VALLEJOS DDS, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of LINDSEY JOHN KIMURA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of NORMAN G.Y. HONG, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of HOWARD K.C. LAU, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of RHONDA C. SCOTT, term to expire June 30, 2014, was

referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Hawaii Medical Board, the nomination of FEREYDOUN DON PARSA MD, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Hawaii Medical Board, the nomination of DANNY MORITO TAKANISHI JR., term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 188, submitting for consideration and confirmation to the State Board of Nursing, the nomination of MATTHEW J. BISHOP, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 189, submitting for consideration and confirmation to the State Board of Nursing, the nomination of STEPHEN A. KULA PHD, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 190, submitting for consideration and confirmation to the State Board of Nursing, the nomination of CECILIA P.S. MUKAI PHD, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Psychology, the nomination of FRANCES PAULETTE HACKBARTH, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of CARLITO P. CALIBOSO, term to expire June 30, 2016, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Real Estate Commission, the nomination of FRANCES ALLISON TORRE GENDRANO, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of JENNY C. WELLS, term to expire June 30, 2013, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of ELWOOD ICHIRO KITA, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Board of Directors of the Hawaii Housing Finance and Development Corporation (HFD), the nomination of ALLAN LOS BANOS JR., term to expire June 30, 2014, was referred to the Committee on Education and Housing.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the

nomination of JULIE M.E. TAOMIA, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 198, submitting for consideration and confirmation to the Stadium Authority, the nomination of ALAN S. TAMAYOSE, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 199, submitting for consideration and confirmation to the Stadium Authority, the nomination of KENNETH B. MARCUS ESQ., term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Stadium Authority, the nomination of KATHRYN WHANG INOUYE, term to expire June 30, 2014, was referred to the Committee on Economic Development and Technology.

Gov. Msg. No. 201, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of NATHAN E. SAY, term to expire June 30, 2011, was referred to the Committee on Human Services.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of NATHAN E. SAY, term to expire June 30, 2014, was referred to the Committee on Human Services.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of FLORDELINA B. VILA, term to expire June 30, 2013, was referred to the Committee on Higher Education.

Gov. Msg. No. 204, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOAN M. BELLARD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 205, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANNEMARIE L. KALAMA, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 206, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANNEMARIE L. KALAMA, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 207, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOSEPH CURTIS TYLER III, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 208, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOANN W.L. YUEN, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 209, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOANN W.L. YUEN, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of TAMAH-LANI S.K. NOH, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of MARCIANO D. AQUINO, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 212, submitting for consideration and confirmation to the Board of Health, the nomination of KEVIN D. CASSEL, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, the nomination of KATHLEEN A. CLARK, term to expire June 30, 2010, was referred to the Committee on Health.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Health Planning Council, Kaua'i Subarea, the nomination of KATHLEEN A. CLARK, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of CRYSTAL LEE AGUINALDO, term to expire June 30, 2013, was referred to the Committee on Health.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of THOMAS E. DORSEY PHD, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of BRENDA K. VIADO CRC, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 218, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of GORDON M. DURANT, term to expire June 30, 2014, was referred to the Committee on Health.

Gov. Msg. No. 219, submitting for consideration and confirmation to the Language Access Advisory Council, the nomination of TIN MYAING THEIN, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of ELIZABETH KENT, term to expire June 30, 2014, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of JAMES LEE WEANDER, term to expire June 30, 2010, was referred to the Committee on Labor.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of JAMES LEE WEANDER, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, the nomination of GUY SEICHI MORIGUCHI, term to expire June 30, 2014, was referred to the Committee on Labor.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of THOMAS T. WATTS, term to expire

June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of DANE K. ODA, term to expire June 30, 2014, was referred to the Committee on Public Safety and Military Affairs.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Harbors Modernization Group, the nomination of EDWARD W. ENOS JR., term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Commission on Transportation, the nomination of PETE G. PASCUA JR., term to expire June 30, 2014, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Commission on Transportation, the nomination of LESTER H. FUKUDA, term to expire June 30, 2013, was referred to the Committee on Transportation, International and Intergovernmental Affairs.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of KELVIN M. BLOOM, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of PATRICIA ANN EWING, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of CHARLENE "CHA" MAE KU'UPUAALA THOMPSON, term to expire June 30, 2014, was referred to the Committee on Tourism.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of JOHN S. K. HOAG ESQ., term to expire June 30, 2013, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of SUE ANN M.M. HASEGAWA, term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of WILLIAM D. BALFOUR JR., term to expire June 30, 2010, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of WILLIAM D. BALFOUR JR., term to expire June 30, 2014, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 10 to 12) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 10, returning S.B. No. 1311, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

By unanimous consent, action on S.B. No. 1311, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, February 9, 2010.

Hse. Com. No. 11, transmitting H.B. No. 1853, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1853, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed First Reading by title and was deferred.

Hse. Com. No. 12, transmitting H.B. No. 1900, which passed Third Reading in the House of Representatives on February 5, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1900, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 75 and 76) were read by the Clerk and were deferred:

S.C.R. No. 75 "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION."

Offered by: Senators Kim, Chun Oakland, Espero, Hooser, Kidani, Sakamoto, Bunda, Galuteria, Hee, Hemmings, Kokubun, Nishihara, Slom, Takamine.

S.C.R. No. 76 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS."

Offered by: Senator English.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 31 and 32) were read by the Clerk and were deferred:

S.R. No. 31 "SENATE RESOLUTION REQUESTING GOVERNOR LINDA LINGLE TO RECOGNIZE LOCAL KOREANS BY ALLOWING A COMMEMORATIVE PLAQUE TO BE PLACED ON MILLER STREET ADJACENT TO WASHINGTON PLACE, FORMER SITE OF THE KOREAN NATIONAL ASSOCIATION."

Offered by: Senators Kim, Chun Oakland, Espero, Hooser, Kidani, Sakamoto, Bunda, Galuteria, Hee, Hemmings, Kokubun, Nishihara, Slom, Takamine.

S.R. No. 32 "SENATE RESOLUTION REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT

MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS.”

Offered by: Senator English.

STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2041) recommending that S.B. No. 2332, 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. 2332, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY AND 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. 2042) recommending that S.B. No. 2147, 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. 2147, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE USE OF AIR CONDITIONERS,” passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators Gabbard and English, for the Committee on Energy and Environment and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2043) recommending that S.B. No. 2081, 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. 2081, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LITTER CONTROL,” 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. 2044) recommending that S.B. No. 2232, 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. 2232, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE FUELS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2045) recommending that S.B. No. 2383 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. 2383, entitled: “A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2046) recommending that S.B. No. 2626 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. 2626, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SERVICE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2047) recommending that S.B. No. 2107, 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. 2107, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” 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. 2048) recommending that S.B. No. 2755, 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. 2755, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 2757, 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. 2757, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2050) recommending that S.B. No. 2461, 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. 2461, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” 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. 2051) recommending that S.B. No. 2187, 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. 2187, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM 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. 2052)

recommending that S.B. No. 2119 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. 2119, 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. 2053) recommending that S.B. No. 2096, 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. 2096, 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. 2054) recommending that S.B. No. 2109, 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. 2109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME 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. 2055) recommending that S.B. No. 2117, 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. 2117, 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. 2056) recommending that S.B. No. 2130, 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. 2130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," 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. 2057) recommending that S.B. No. 2279, 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. 2279, 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.

Senators Sakamoto and Takamine, for the Committee on Education and Housing and the majority of the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2058) recommending that S.B. No. 2797, 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. 2797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," 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. 2059) recommending that S.B. No. 2205, 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. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," 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. 2060) recommending that S.B. No. 2025, 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. 2025, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," 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. 2061) recommending that S.B. No. 2139, 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. 2139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," 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. 2062) recommending that S.B. No. 2054, 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. 2054, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," 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. 2063) recommending that S.B. No. 2026, 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. 2026, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and English, for the majority of the Committee on Public Safety and Military Affairs and the Committee on Transportation, International and

Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2064) recommending that S.B. No. 2052, 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. 2052, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2065) recommending that S.B. No. 2387 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. 2387, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 2066) recommending that S.B. No. 2389 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. 2389, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 2286, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Ihara and carried, S.B. No. 2286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

S.B. No. 2449:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 2449, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Tokuda).

At 11:57 a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 a.m.

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2624 and S.B. No. 2955.

Senator Fukunaga noted:

"The purpose of the request is that we were unable to schedule these bills in time to meet the lateral deadline. A hearing is being scheduled for them on Wednesday afternoon at 1:30 p.m. in conference room 016."

The Chair granted the waiver.

Senator Hee rose on a point of personal privilege and said:

"Over the weekend and I believe this morning, there's been misinformation by the media on a bill that moved out of the

Water, Land, Agriculture, and Hawaiian Affairs Committee last week. It's on foie gras, which evidently involves the method of force feeding ducks and geese by inserting a metal tube and stuffing their livers with food to mimic overfeeding before migration. The Committee passed a bill relating to force feeding—evidently the article's title and in one case the article indicated that the bill proposes a total ban on the sale of goose liver. Well, that's not true. What it does is—in fact, the bill itself in its description says it does ban the sale of the goose's liver if in fact it was produced through an inhumane method. There are farms that evidently produce foie gras in a more humane way, and I guess the Department of Agriculture (DOA), in their infinite wisdom, couldn't figure out how to enforce such a provision, but it became clear during the Committee that what they (DOA) needed to do was get a certified receipt from the farm. It does not ban the consumption of the goose or duck liver for those who choose to eat it, but it does ensure that the product is produced through a humane and acceptable way in a civilized society. Thank you."

At this time, the Chair made the following announcements:

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

"For the members' information, as indicated in the memo sent to your offices this morning, a revised list of Senate Leadership and Standing Committee assignments will be distributed to all offices and will be posted on the Legislature's website. The Clerk is directed to place the same in the Journal."

The following revised Senate leadership assignments were announced by Senate President Hanabusa:

Majority Leader:

Senator Gary L. Hooser

Majority Floor Leader:

Senator Norman Sakamoto

Majority Caucus Leader:

Senator Shan S. Tsutsui

Majority Technology Leader:

Senator David Y. Ige

Majority Policy Leader:

Senator Les Ihara, Jr.

Majority Whips:

Senator Suzanne Chun Oakland

Senator Jill N. Tokuda

President Emeritus:

Senator Robert Bunda

Minority Leader:

Senator Fred Hemmings

Minority Floor Leader:

Senator Sam Slom

COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair

Senator David Y. Ige, Vice Chair

Senator Will Espero

Senator Josh Green, M.D.

Senator Les Ihara, Jr.

Senator Norman Sakamoto

Senator Fred Hemmings

ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Carol Fukunaga, Chair

Senator Rosalyn H. Baker, Vice Chair

Senator Clayton Hee
 Senator David Y. Ige
 Senator Sam Slom

EDUCATION AND HOUSING

Senator Norman Sakamoto, Chair
 Senator Michelle N. Kidani, Vice Chair
 Senator Suzanne Chun Oakland
 Senator Brickwood Galuteria
 Senator Shan S. Tsutsui
 Senator Fred Hemmings

ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair
 Senator J. Kalani English, Vice Chair
 Senator Josh Green, M.D.
 Senator Gary L. Hooser
 Senator Les Ihara, Jr.
 Senator Russell S. Kokubun
 Senator Fred Hemmings

HEALTH

Senator David Y. Ige, Chair
 Senator Josh Green, M.D., Vice Chair
 Senator Rosalyn H. Baker
 Senator Will Espero
 Senator Clarence K. Nishihara
 Senator Fred Hemmings

HIGHER EDUCATION

Senator Russell S. Kokubun, Chair
 Senator Norman Sakamoto, Vice Chair
 Senator Rosalyn H. Baker
 Senator Dwight Y. Takamine
 Senator Brian T. Taniguchi
 Senator Jill N. Tokuda
 Senator Sam Slom

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair
 Senator Les Ihara, Jr., Vice Chair
 Senator Josh Green, M.D.
 Senator Fred Hemmings

JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
 Senator Dwight Y. Takamine, Vice Chair
 Senator Robert Bunda
 Senator Mike Gabbard
 Senator Clarence K. Nishihara
 Senator Sam Slom

LABOR

Senator Dwight Y. Takamine, Chair
 Senator Brian T. Taniguchi, Vice Chair
 Senator Robert Bunda
 Senator Clayton Hee
 Senator Sam Slom

PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Will Espero, Chair
 Senator Robert Bunda, Vice Chair
 Senator J. Kalani English
 Senator Mike Gabbard
 Senator Brickwood Galuteria
 Senator Michelle N. Kidani
 Senator Fred Hemmings

TOURISM

Senator Clarence K. Nishihara, Chair
 Senator Brickwood Galuteria, Vice Chair
 Senator Michelle N. Kidani
 Senator Shan S. Tsutsui
 Senator Sam Slom

TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS

Senator J. Kalani English, Chair
 Senator Mike Gabbard, Vice Chair
 Senator Will Espero
 Senator Clarence K. Nishihara
 Senator Sam Slom

WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Senator Clayton Hee, Chair
 Senator Jill N. Tokuda, Vice Chair
 Senator Robert Bunda
 Senator Carol Fukunaga
 Senator Russell S. Kokubun
 Senator Dwight Y. Takamine
 Senator Fred Hemmings

WAYS AND MEANS

Senator Donna Mercado Kim, Chair
 Senator Shan S. Tsutsui, Vice Chair
 Senator Suzanne Chun Oakland
 Senator J. Kalani English
 Senator Carol Fukunaga
 Senator Brickwood Galuteria
 Senator Clayton Hee
 Senator Gary L. Hooser
 Senator Michelle N. Kidani
 Senator Russell S. Kokubun
 Senator Jill N. Tokuda
 Senator Fred Hemmings

ADJOURNMENT

At 12:01 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 9, 2010.