

NINETEENTH DAY

Wednesday, February 14, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2007, convened at 11:47 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Norman Sakamoto, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senators Kim and Nishihara who were excused.

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

STANDING COMMITTEE REPORTS

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 264) recommending that S.B. No. 711 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 265) recommending that S.B. No. 663, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 266) recommending that S.B. No. 659, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 659, 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 Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No. 662, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 662, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 268) recommending that S.B. No. 837, as

amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 837, 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 Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 269) recommending that S.B. No. 934, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 934, 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 Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 939, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 939, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 271) recommending that S.B. No. 940, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 272) recommending that S.B. No. 1853, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1853, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 273) recommending that S.B. No. 1925, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO SUSTAINABILITY,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 274) recommending that S.B. No. 1053, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1053, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMINENT DOMAIN,” passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 275) recommending that S.B. No. 1602, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1602, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 276) recommending that S.B. No. 1641 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1641, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 277) recommending that S.B. No. 769 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 769, entitled: “A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 278) recommending that S.B. No. 997 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 997, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CITIZENS POLICE TRAINING PROGRAM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 279) recommending that S.B. No. 1044 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1044, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND

MAKING AN APPROPRIATION FOR A VETERANS CENTER ON THE ISLAND OF MOLOKAI,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 280) recommending that S.B. No. 1597 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1597, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PUNA DISTRICT POLICE STATION IN KEA‘AU, HAWAII,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 281) recommending that S.B. No. 84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 84, 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 Hee, for the Committee on Education and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 282) recommending that S.B. No. 608, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 608, 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 Hee, for the Committee on Education and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 283) recommending that S.B. No. 887, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 887, 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 Espero, for the Committee on Education and the Committee on Public Safety, presented a joint report (Stand. Com. Rep. No. 284) recommending that S.B. No. 1140, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 1140, 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, presented a report (Stand. Com. Rep. No. 285) recommending that S.B. No. 1146, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No.

1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 286) recommending that S.B. No. 1515, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1515, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 287) recommending that S.B. No. 1238, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 288) recommending that S.B. No. 1522 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1522, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACTS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 289) recommending that S.B. No. 1528 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1528, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 290) recommending that S.B. No. 1529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 291) recommending that S.B. No. 1569 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No.

1569, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 292) recommending that S.B. No. 1422 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 293) recommending that S.B. No. 1414, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 294) recommending that S.B. No. 66, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 66, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the majority of the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 295) recommending that S.B. No. 1016 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 1016, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 296) recommending that S.B. No. 1397 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1397, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 297) recommending that S.B. No. 1398 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1398, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 298) recommending that S.B. No. 1399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 299) recommending that S.B. No. 1424 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1424, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 300) recommending that S.B. No. 1402 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1402, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 301) recommending that S.B. No. 1408 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1408, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 302) recommending that S.B. No. 1409 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO

CAPTIVE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 303) recommending that S.B. No. 1420, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 304) recommending that S.B. No. 1712, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1712, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 305) recommending that S.B. No. 1352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 306) recommending that S.B. No. 1859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the majority of the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 307) recommending that S.B. No. 1987, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 1987, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 308) recommending that S.B. No. 838, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Intergovernmental and Military Affairs.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Intergovernmental and Military Affairs.

Senator Kokubun, for the majority of the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 309) recommending that S.B. No. 1723 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 310) recommending that S.B. No. 1891 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1891, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 311) recommending that S.B. No. 1094 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1094, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the majority of the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 312) recommending that S.B. No. 1644, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 1644, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 313) recommending that S.B. No. 1716 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1716, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS AND MAKING AN APPROPRIATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the majority of the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 314) recommending that S.B. No. 1221, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development and Taxation.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 1221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION," passed Second Reading and was referred to the Committee on Economic Development and Taxation.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 315) recommending that S.B. No. 1923, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 1923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 1073 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 15, 2007.

ORDER OF THE DAY

THIRD READING

S.B. No. 650, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Tokuda and carried, S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kim, Nishihara).

S.B. No. 1956:

Senator Hee moved that S.B. No. 1956, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Whalen rose in opposition to the measure and said:

"Madam President, I rise in opposition to the bill.

"Our forefathers actually had a great idea with the Electoral College. It was to prevent large populated states from just running roughshod over the smaller states, and I'm surprised that we're headed in this direction being that we're one of the states that benefit from the Electoral College.

"Another example when we headed down this road and we ended up getting bit in the rear from it was when we changed our U.S. Constitution to allow the U.S. Senators to be elected

by popular vote. Since 1913, we've seen the federal government explode and reach all proportions, totally dwarfing state's rights – giving what many would call unfunded mandates to let the states control our educational systems. You name it – 'No Child Left Behind' is an example of what's caused great concern to many states.

“Going down this road, I think, would be another example of missing the boat and missing the vision that our forefathers had for this country and how to keep us truly all equal.”

The motion was put by the Chair and carried, S.B. No. 1956, entitled: “A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 2 (Kim, Nishihara).

S.B. No. 1486:

On motion by Senator Espero, seconded by Senator Sakamoto and carried, S.B. No. 1486, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kim, Nishihara).

S.B. No. 776:

On motion by Senator English, seconded by Senator Inouye and carried, S.B. No. 776, entitled: “A BILL FOR AN ACT RELATING TO FIRE PROTECTION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kim, Nishihara).

S.B. No. 1513:

On motion by Senator English, seconded by Senator Inouye and carried, S.B. No. 1513, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kim, Nishihara).

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 619	Committee on Ways and Means
No. 1221, S.D. 1	Committee on Water, Land, Agriculture and Hawaiian Affairs, then jointly to the Committee on Economic Development and Taxation and the Committee on Ways and Means
No. 1228	Committee on Economic Development and Taxation, then to the Committee on Ways and Means

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

STANDING COMMITTEE REPORT

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 317) recommending that S.B. No. 14, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 14, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,” passed Second Reading and was placed on the calendar for Third Reading on Friday, February 16, 2007.

Senator Kokubun, Chair of the Committee on Water, Land, Agriculture and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 138 and 1356, and the Chair granted the waiver.

Senator Fukunaga, Chair of the Committee on Economic Development and Taxation, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 731;
S.B. No. 1228; and
S.B. No. 1686,

and the Chair granted the waiver.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

Senator Chun Oakland, Chair of the Committee on Human Services and Public Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 1861 and 1986, and the Chair granted the waiver.

At this time, the President, on behalf of the Senate, extended happy birthday wishes to the Clerk of the Senate, Carol T. Taniguchi.

ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Ige, seconded by Senator Gabbard and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 15, 2007.