

THE SENATE  
OF THE  
TWENTY-FIFTH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2009

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SIXTEENTH DAY

FEBRUARY 13, 2009-FRIDAY-11:30 O'CLOCK A.M.

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ORDER OF BUSINESS

Invocation by The Reverend D. Neal MacPherson  
Church of the Crossroads

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 405-407

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">G.M. No. 405</a>	Dated February 9, 2009, transmitting the 2008 Annual Report of the State of Hawaii Overseas Offices prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84, HRS.	FILE
<a href="#">G.M. No. 406</a>	Dated February 6, 2009 transmitting the 2008 Annual Report prepared by the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 227D, HRS.	FILE
<a href="#">G.M. No. 407</a>	Dated February 9, 2009, transmitting the Report of the Governor's Affordable Housing Regulatory Barriers Task Force on the National Call to Action for Affordable Housing Through Regulatory Reform, pursuant Executive Order No. 07-02 on August 22, 2007.	FILE

- 2. Departmental Communications: None
- 3. House Communication Nos. 7-10

Informing the Senate that on February 12, 2009,  
the following House Bills passed Third Reading  
in the House:

REFERRAL

- 7      [H.B. No. 293, H.D. 1](#)  
"RELATING TO PROTECTIVE  
PROCEEDINGS."(Protective Proceedings)
- 8      [H.B. No. 444, H.D. 1](#)  
"RELATING TO CIVIL UNIONS."(Civil  
Unions)
- 9      [H.B. No. 615, H.D. 1](#)  
"RELATING TO HARASSMENT."(Harassment)
- 10     [H.B. No. 622, H.D. 1](#)  
"RELATING TO HARASSMENT."(Harassment  
by Stalking; Electronic Communication)

- 4. Senate Communications: None
- 5. Judiciary Communications: None
- 6. Introduction of Measures:     Senate Concurrent Resolution No. 44  
  Senate Resolution No. 26
- 7. Standing Committee Report Nos. 50-64

50

(ENE)

[S.B. No. 1338, S.D. 1](#)  
"RELATING TO HOUSEHOLD ENERGY  
DEMAND."  
(Recommends passage on SECOND  
READING and referral to CPN)

- [51](#) (EDH) [S.B. No. 663, S.D. 1](#)  
"RELATING TO DISCRIMINATION IN  
REAL PROPERTY TRANSACTIONS."  
(Recommends passage on SECOND  
READING and referral to CPN)
- [52](#) (EDH) [S.B. No. 187, S.D. 1](#)  
"AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION BONDS AND  
MAKING AN APPROPRIATION FOR  
AFFORDABLE HOUSING."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [53](#) (EDH) [S.B. No. 863, S.D. 1](#)  
"RELATING TO THE HAWAII HOUSING  
FINANCE AND DEVELOPMENT  
CORPORATION."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [54](#) (EDH) [S.B. No. 752, S.D. 1](#)  
"RELATING TO SELF-HELP HOUSING."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [55](#) (HTH) [S.B. No. 51, S.D. 1](#)  
"RELATING TO DENTISTRY."  
(Recommends passage on SECOND  
READING and referral to CPN)
- [56](#) (TIA) [S.B. No. 716, S.D. 1](#)  
"RELATING TO HIGHWAY SAFETY."  
(Recommends passage on SECOND  
READING and referral to JGO)

- [57](#) (TSM) [S.B. No. 1226, S.D. 1](#)  
"RELATING TO THE TOURISM SPECIAL  
FUND."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [58](#) (EDH) [S.B. No. 1631](#)  
"RELATING TO TEACHER LICENSURE."  
(Recommends passage on SECOND  
READING and referral to JGO)
- [59](#) (EDH) [S.B. No. 754](#)  
"RELATING TO AFFORDABLE  
HOUSING."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [60](#) (HRE/HTH) [S.B. No. 39](#)  
"RELATING TO REPORTS ON THE  
HAWAII CANCER RESEARCH SPECIAL  
FUND."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [61](#) (JGO) [S.B. No. 111](#)  
"RELATING TO THE PENAL CODE."  
(Recommends passage on SECOND  
READING and referral to WAM)
- [62](#) (JGO) [S.B. No. 109, S.D. 1](#)  
"RELATING TO THE INTERSTATE  
COMPACT FOR JUVENILES."  
(Recommends passage on SECOND  
READING and referral to WAM)

[63](#) (TSM)  
(One Day Notice)

[S.B. No. 264](#)  
"RELATING TO TOURISM."  
(Recommends passage on SECOND  
READING and placement on the calendar for  
Third Reading)

[64](#) (ENE)

[S.B. No. 1381, S.D. 1](#)  
"RELATING TO THE ENVIRONMENT."  
(Recommends recommittal to ENE)

ORDER OF THE DAY

8. Third Reading

[\(See Stand. Com. Rep. No. 25\)](#)  
[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 711, S.D. 1](#)  
"RELATING TO TRANSPORTATION." -  
(TIA)  
  
(Transportation; Public Transit; Articulated  
Buses)

[\(See Stand. Com. Rep. No. 26\)](#)  
[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 718, S.D. 1](#)  
"RELATING TO TRANSPORTATION." -  
(TIA)  
  
(Complete Streets; Roads and Highways)

[\(See Stand. Com. Rep. No. 27\)](#)  
[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 153, S.D. 1](#)  
"RELATING TO PUBLIC ACCESS." -  
(WTL/TIA)  
  
(Public Access)

[\(See Stand. Com. Rep. No. 28\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 468, S.D. 1](#)

"RELATING TO COASTAL ZONE  
MANAGEMENT." - (WTL/TIA)

(Shoreline Setback)

[\(See Stand. Com. Rep. No. 32\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 1, S.D. 1](#)

"RELATING TO OPIHI." - (WTL)

(Conservation and Resources; Resource  
Management; Opihi)

[\(See Stand. Com. Rep. No. 36\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 64](#)

"RELATING TO THE LABOR AND  
INDUSTRIAL RELATIONS APPEALS  
BOARD." - (LBR)

(Labor and Industrial Relations Appeals  
Board; Hearings Officer)

[\(See Stand. Com. Rep. No. 48\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 119](#)

"RELATING TO THE UNIFORM  
FOREIGN-COUNTRY MONEY  
JUDGMENTS RECOGNITION ACT." -  
(JGO)

(Uniform Foreign Country Money Judgments  
Recognition Act)

[\(See Stand. Com. Rep. No. 49\)](#)

[Testimony](#) [Prior Versions](#) [Status](#)

[S.B. No. 92](#)

"RELATING TO STATUTORY REVISION:  
AMENDING OR REPEALING VARIOUS  
PROVISIONS OF THE HAWAII REVISED  
STATUTES AND THE SESSION LAWS OF  
HAWAII FOR THE PURPOSE OF  
CORRECTING ERRORS AND  
REFERENCES, CLARIFYING  
LANGUAGE, AND DELETING  
OBSOLETE OR UNNECESSARY  
PROVISIONS." - (JGO)

(Revision Bill)

9. Referrals and Re-Referrals

REFERRALS FOR FRIDAY, FEBRUARY 13, 2009

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
<a href="#">S.C.R. 40</a>	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). (Native Hawaiians; Appeal; United States Supreme Court)	WTL/JGO

[S.C.R. 41](#)

REQUESTING THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES TO AMEND ITS CONSTITUTION TO REFLECT A MORE EQUITABLE GEOGRAPHIC REPRESENTATION AMONG THE TWENTY-SIX MEMBERS OF THE ACCREDITING COMMISSION FOR SCHOOLS.

(Western Association of Schools and Colleges; Commission Members)

HRE/EDH

[S.C.R. 42](#)

REQUESTING CONGRESS TO DESIGNATE THE AREA IN HONOLULU BETWEEN KALIHI AND PUNAHOU STREETS, AND THE PALI LOOKOUT AND THE PACIFIC OCEAN AS A NATIONAL HERITAGE AREA.

(National Heritage Area; Hawai'i Capital Heritage Area)

EDT

[S.R. 24](#)

REQUESTING THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES TO AMEND ITS CONSTITUTION TO REFLECT A MORE EQUITABLE GEOGRAPHIC REPRESENTATION AMONG THE TWENTY-SIX MEMBERS OF THE ACCREDITING COMMISSION FOR SCHOOLS.

(Western Association of Schools and Colleges; Commission Members)

HRE/EDH

[S.R. 25](#)

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).

(Native Hawaiians; Appeal; United States Supreme Court)

WTL/JGO



10. Miscellaneous Communications: None

11. Miscellaneous Business

12. Announcements

- Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE &amp; TIME</u>	<u>ROOM</u>
EDT	2/13/2009 1:00 PM	016
EDT-HRE-EDH	2/13/2009 1:00 PM	016
EDH	2/13/2009 1:15 PM	225
EDT	2/13/2009 1:15 PM	016
EDT/CPN	2/13/2009 1:15 PM	016
ENE/EDT	2/13/2009 1:15 PM	016
HMS/EDH	2/13/2009 1:15 PM	225
EDH-WTL	2/13/2009 1:30 PM	225
EDT	2/13/2009 1:30 PM	016
EDH	2/13/2009 2:30 PM	225
LBR/HMS	2/13/2009 2:30 PM	225
HTH	2/13/2009 2:40 PM	016
HTH/EDT	2/13/2009 2:40 PM	016
HTH-LBR	2/13/2009 2:45 PM	016
WTL/PSM	2/13/2009 2:45 PM	229
EDH-ENE	2/13/2009 3:00 PM	225
ENE/WTL	2/13/2009 3:30 PM	229
ENE/WTL/CPN	2/13/2009 3:30 PM	229
HRE/WTL	2/13/2009 3:30 PM	229
WTL	2/13/2009 3:30 PM	229
HTH	2/13/2009 3:45 PM	016
WTL	2/16/2009 11:00 AM	229
EDT	2/16/2009 1:15 PM	016
EDT/CPN	2/16/2009 1:15 PM	016
EDT/TSM	2/16/2009 1:15 PM	016
HTH/JGO	2/17/2009 9:00 AM	016
CPN/JGO	2/17/2009 9:30 AM	229
JGO/CPN	2/17/2009 9:30 AM	229
CPN/PSM	2/17/2009 10:30 AM	229
CPN	2/17/2009 11:00 AM	229
HMS	2/17/2009 1:15 PM	016
HMS-CPN	2/17/2009 1:15 PM	016
HRE-HTH	2/17/2009 1:15 PM	225
ENE/HMS	2/17/2009 2:00 PM	016
PSM/HRE	2/17/2009 2:30 PM	229

ENE	2/17/2009 2:45 PM	225
ENE/CPN	2/17/2009 2:45 PM	225
ENE/TIA	2/17/2009 2:45 PM	225
ENE/WTL	2/17/2009 2:45 PM	225
LBR	2/17/2009 2:45 PM	224
TIA/ENE	2/17/2009 2:45 PM	225
HTH/PSM	2/17/2009 3:30 PM	229
CPN/EDT	2/18/2009 10:00 AM	229
EDH	2/18/2009 1:15 PM	225
EDH/LBR	2/18/2009 1:15 PM	225
EDH/TIA	2/18/2009 1:15 PM	224
EDT	2/18/2009 1:15 PM	016
ENE/TIA	2/18/2009 1:15 PM	224
TIA	2/18/2009 1:15 PM	224
TIA/EDH	2/18/2009 1:15 PM	224
TIA/ENE	2/18/2009 1:15 PM	224
TIA/HMS	2/18/2009 1:15 PM	224
EDT/WTL	2/18/2009 2:45 PM	229
HTH-TIA	2/18/2009 2:45 PM	016
HTH	2/18/2009 3:15 PM	016
HMS	2/19/2009 1:15 PM	016
PSM	2/19/2009 1:15 PM	229
EDH/LBR	2/19/2009 2:45 PM	224
EDH/HTH	2/23/2009 1:15 PM	225
EDH/HMS	2/23/2009 1:30 PM	225
EDH	2/23/2009 1:35 PM	225
HTH/ENE	2/23/2009 2:45 PM	016

- Senate Session will convene at 11:30 a.m. on Tuesday, February 17, 2009.

### 13. Adjournment