

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

EIGHTEENTH DAY

FEBRUARY 18, 2009-WEDNESDAY-11:30 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by Kahu Curt Kekuna
Kawaiha'o Church

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 408-414

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 408	Dated January 30, 2009, transmitting a detailed financial plan for federal TANF funds prepared by the Department of Human Services pursuant to Act 213, Section 209, SLH 2007.	FILE
G.M. No. 409	Dated January 30, 2009, transmitting a report on the TANF program prepared by the Department of Human Services pursuant to Act 213, Section 210, SLH 2007.	FILE
G.M. No. 410	Dated February 3, 2009, transmitting a Report on the Spouse and Child Abuse Special Account, prepared by the Department of Human Services pursuant to section 346-7.5, HRS.	FILE

<u>G.M. No. 411</u>	Dated February 3, 2009, transmitting a report on federal TANF funds for fiscal year 2008-2009 to be expended to achieve any one or more of the TANF purposes through purchase of service contracts, prepared by the Department of Human Services pursuant to Act 158, Section 200.1, SLH 2008.	FILE
<u>G.M. No. 412</u>	Dated February 13, 2009, transmitting the 2008 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General pursuant to Section 93-16, HRS.	FILE
<u>G.M. No. 413</u>	Dated January 30, 2009, transmitting a report on the appropriations for Child Protective Services to improve the state's federally mandated program improvement plan (PIP) goals, prepared by the Department of Human Services pursuant to Act 213, Section 54, SLH 2007	FILE
<u>G.M. No. 414</u>	Informing the Senate that on February 13, 2009, the Governor has withdrawn DENNIS Y. EGUCHI, Gubernatorial Nominee to the Koke'e State Park Advisory Council from consideration by the Senate (GM379)	FILE

2. Departmental Communications: None
3. House Communications: None
4. Senate Communications: None
5. Judiciary Communications: None
6. Introduction of Measures: Senate Concurrent Resolution Nos. 48-49
Senate Resolution No. 29

7. Standing Committee Report Nos. 76-140

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| 76 | (EDH) | S.B. No. 1308, S.D. 1
"RELATING TO EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 77 | (HRE) | S.B. No. 505, S.D. 1
"RELATING TO THE UNIVERSITY OF HAWAII."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 78 | (LBR) | S.B. No. 201, S.D. 1
"MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 79 | (TIA) | S.B. No. 1052, S.D. 1
"RELATING TO HIGHWAY SAFETY."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 80 | (TIA/CPN) | S.B. No. 698, S.D. 1
"RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 81 | (HMS/HTH) | S.B. No. 419, S.D. 1
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |

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| 82 | (HMS/HTH) | S.B. No. 917, S.D. 1
"RELATING TO THIRD PARTY
LIABILITY FOR MEDICAID."
(Recommends passage on <u>SECOND
READING</u> and referral to CPN) |
| 83 | (HMS) | S.B. No. 1329, S.D. 1
"RELATING TO EARLY LEARNING."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 84 | (HMS) | S.B. No. 782, S.D. 1
"RELATING TO EMPLOYMENT
SECURITY."
(Recommends passage on <u>SECOND
READING</u> and referral to LBR) |
| 85 | (HMS) | S.B. No. 784, S.D. 1
"RELATING TO REAL PROPERTY."
(Recommends passage on <u>SECOND
READING</u> and referral to CPN) |
| 86 | (HMS) | S.B. No. 809, S.D. 1
"RELATING TO CHILDREN."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 87 | (HMS) | S.B. No. 914, S.D. 1
"RELATING TO PUBLIC ASSISTANCE."
(Recommends passage on <u>SECOND
READING</u> and referral to WAM) |
| 88 | (HMS) | S.B. No. 134, S.D. 1
"RELATING TO CHILDREN."
(Recommends passage on <u>SECOND
READING</u> and referral to JGO) |

- [89](#) (HMS) [S.B. No. 851, S.D. 1](#)
"RELATING TO CHILD SUPPORT ENFORCEMENT."
(Recommends passage on SECOND READING and referral to JGO)
- [90](#) (TSM) [S.B. No. 271, S.D. 1](#)
"RELATING TO TOURISM EMERGENCY."
(Recommends passage on SECOND READING and referral to WAM)
- [91](#) (EDT) [S.B. No. 523, S.D. 1](#)
"RELATING TO HIGH TECHNOLOGY."
(Recommends passage on SECOND READING and referral to WAM)
- [92](#) (EDH/LBR) [S.B. No. 165, S.D. 1](#)
"RELATING TO PUBLIC SCHOOL CAFETERIA WORKERS."
(Recommends passage on SECOND READING and referral to WAM)
- [93](#) (CPN) [S.B. No. 850, S.D. 1](#)
"RELATING TO NOTARY PUBLIC SEALS."
(Recommends passage on SECOND READING and referral to JGO)
- [94](#) (CPN) [S.B. No. 203, S.D. 1](#)
"RELATING TO CONTRACTORS."
(Recommends passage on SECOND READING and referral to JGO)

- [95](#) (WTL) [S.B. No. 1316, S.D. 1](#)
"RELATING TO THE ALOHA TOWER
DEVELOPMENT CORPORATION."
(Recommends passage on SECOND
READING and referral to WAM)
- [96](#) (WTL) [S.B. No. 1088, S.D. 1](#)
"RELATING TO PUBLIC ACCESS."
(Recommends passage on SECOND
READING and referral to JGO)
- [97](#) (WTL) [S.B. No. 579, S.D. 1](#)
"RELATING TO THE HAWAIIAN
LANGUAGE."
(Recommends passage on SECOND
READING and referral to WAM)
- [98](#) (WTL) [S.B. No. 1141, S.D. 1](#)
"RELATING TO PUBLIC LANDS."
(Recommends passage on SECOND
READING and referral to WAM)
- [99](#) (WTL) [S.B. No. 643, S.D. 1](#)
"RELATING TO PUBLIC LANDS."
(Recommends passage on SECOND
READING and referral to WAM)
- [100](#) (WTL) [S.B. No. 638, S.D. 1](#)
"RELATING TO PUBLIC LANDS."
(Recommends passage on SECOND
READING and referral to WAM)
- [101](#) (WTL) [S.B. No. 1317, S.D. 1](#)
"RELATING TO THE AGRIBUSINESS
DEVELOPMENT CORPORATION."
(Recommends passage on SECOND
READING and referral to WAM)

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| <u>102</u> | (WTL) | <u>S.B. No. 582, S.D. 1</u>
"RELATING TO KULEANA LANDS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JGO) |
| <u>103</u> | (HMS/LBR) | <u>S.B. No. 1183, S.D. 1</u>
"RELATING TO DISCRIMINATORY
PRACTICES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JGO) |
| <u>104</u> | (TIA/CPN) | <u>S.B. No. 101, S.D. 1</u>
"RELATING TO CRIMINAL HISTORY
RECORD CHECKS BY COUNTIES."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to JGO) |
| <u>105</u> | (EDH) | <u>S.B. No. 1669, S.D. 1</u>
"RELATING TO EDUCATION."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |
| <u>106</u> | (EDH) | <u>S.B. No. 139, S.D. 1</u>
"PROPOSING AMENDMENTS TO THE
HAWAII STATE CONSTITUTION
RELATING TO ISSUANCE OF SPECIAL
PURPOSE REVENUE BONDS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM/JGO) |
| <u>107</u> | (EDH) | <u>S.B. No. 140, S.D. 1</u>
"RELATING TO SPECIAL PURPOSE
REVENUE BONDS."
(Recommends passage on <u>SECOND</u>
<u>READING</u> and referral to WAM) |

- [108](#) (EDH) [S.B. No. 1278, S.D. 1](#)
"RELATING TO EDUCATION."
(Recommends passage on SECOND READING and referral to WAM)
- [109](#) (EDH) [S.B. No. 1118, S.D. 1](#)
"RELATING TO LOW-INCOME HOUSING."
(Recommends passage on SECOND READING and referral to WAM)
- [110](#) (EDH) [S.B. No. 1119, S.D. 1](#)
"RELATING TO AFFORDABLE HOUSING."
(Recommends passage on SECOND READING and referral to WTL)
- [111](#) (EDH) [S.B. No. 100, S.D. 1](#)
"RELATING TO HOUSING."
(Recommends passage on SECOND READING and referral to TIA)
- [112](#) (EDH) [S.B. No. 757, S.D. 1](#)
"RELATING TO HOUSING."
(Recommends passage on SECOND READING and referral to WAM)
- [113](#) (EDH) [S.B. No. 862, S.D. 1](#)
"RELATING TO HOUSING."
(Recommends passage on SECOND READING and referral to WAM)
- [114](#) (EDH) [S.B. No. 440, S.D. 1](#)
"RELATING TO COUNTIES."
(Recommends passage on SECOND READING and referral to TIA)

- [115](#) (EDH) [S.B. No. 755, S.D. 1](#)
"RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT
AUTHORITY."
(Recommends passage on SECOND
READING and referral to WTL)
- [116](#) (HRE/WTL) [S.B. No. 502, S.D. 1](#)
"RELATING TO THE UNIVERSITY OF
HAWAII."
(Recommends passage on SECOND
READING and referral to WAM)
- [117](#) (HRE/WTL) [S.B. No. 1179, S.D. 1](#)
"RELATING TO EDUCATION."
(Recommends passage on SECOND
READING and referral to WAM)
- [118](#) (WTL/HRE) [S.B. No. 1311, S.D. 1](#)
"RELATING TO AQUATIC RESOURCES."
(Recommends passage on SECOND
READING and referral to JGO)
- [119](#) (WTL/EDH) [S.B. No. 1268, S.D. 1](#)
"RELATING TO AFFORDABLE
HOUSING."
(Recommends passage on SECOND
READING and referral to TIA)
- [120](#) (WTL/PSM) [S.B. No. 560, S.D. 1](#)
"RELATING TO PUBLIC SAFETY."
(Recommends passage on SECOND
READING and referral to WAM)
- [121](#) (WTL/PSM) [S.B. No. 218, S.D. 1](#)
"RELATING TO IOLANI PALACE."
(Recommends passage on SECOND
READING and referral to JGO)

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| 122 | (LBR) | S.B. No. 1126, S.D. 1
"RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 123 | (LBR) | S.B. No. 876, S.D. 1
"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 124 | (CPN) | S.B. No. 1128
"RELATING TO METAL."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 125 | (EDH) | S.B. No. 360
"RELATING TO EXTRACURRICULAR ACTIVITIES."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 126 | (EDH/LBR) | S.B. No. 161
"RELATING TO EDUCATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 127 | (EDH) | S.B. No. 1120
"RELATING TO CHARTER SCHOOLS."
(Recommends passage on <u>SECOND READING</u> and referral to LBR) |

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| 128 | (EDH) | S.B. No. 748
"RELATING TO TEACHERS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 129 | (HMS/HTH) | S.B. No. 1344
"RELATING TO HEALTH CARE."
(Recommends passage on <u>SECOND READING</u> and referral to CPN) |
| 130 | (HMS/HTH) | S.B. No. 417
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 131 | (HMS/HTH) | S.B. No. 423
"RELATING TO HEALTH."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 132 | (HMS) | S.B. No. 789
"RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 133 | (HMS) | S.B. No. 197
"RELATING TO TAXATION."
(Recommends passage on <u>SECOND READING</u> and referral to WAM) |
| 134 | (HMS) | S.B. No. 1006
"RELATING TO CHILD WELFARE SERVICES."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |

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| 135 | (HMS) | S.B. No. 838
"RELATING TO THE PENAL CODE."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 136 | (HMS) | S.B. No. 839
"RELATING TO CHILD ABUSE."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 137 | (WTL) | S.B. No. 1152
"RELATING TO AGRICULTURAL LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 138 | (WTL/TIA) | S.B. No. 1022
"RELATING TO GOVERNMENT LIABILITY."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 139 | (WTL) | S.B. No. 1085, S.D. 1
"RELATING TO CEDED LANDS."
(Recommends passage on <u>SECOND READING</u> and referral to JGO) |
| 140
(48 Hrs. Notice) | (WTL/JGO) | S.B. No. 1677, S.D. 1
"RELATING TO LANDS CONTROLLED BY THE STATE."
(Recommends passage on <u>SECOND READING</u> and placement on the calendar for Third Reading) |

ORDER OF THE DAY

8. Referrals and Re-Referrals

RE-REFERRALS FOR WEDNESDAY, FEBRUARY 18, 2009

<u>MEASURE</u>	<u>TITLE</u>	<u>RE-REFERRAL</u>
G.M. 254	Submitting for consideration and confirmation to the Advisory Committee on Pesticides, Gubernatorial Nominee, ROBERT D. HAUFF, for a term to expire 6-30-2013. (Advisory Committee on Pesticides) (CPN)	WTL

9. Miscellaneous Communications: None

10. Miscellaneous Business

11. Announcements

• Committee Hearing Schedule:

<u>COMMITTEE</u>	<u>DATE & TIME</u>	<u>ROOM</u>
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
EDT/JGO	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
TIA	2/18/2009 1:20 PM	224
TIA	2/18/2009 1:30 PM	224
HTH	2/18/2009 2:40 PM	016
HTH/LBR	2/18/2009 2:40 PM	016
LBR/HTH	2/18/2009 2:40 PM	016
EDT/WTL	2/18/2009 2:45 PM	229
HTH-TIA	2/18/2009 2:45 PM	016

WTL/EDT	2/18/2009 2:45 PM	229
HTH	2/18/2009 3:15 PM	016
WTL	2/18/2009 3:30 PM	229
WAM	2/19/2009 9:00 AM	211
PSM/HMS	2/19/2009 1:00 PM	229
ENE/HMS	2/19/2009 1:15 PM	016
HMS	2/19/2009 1:15 PM	016
LBR/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
ENE	2/19/2009 2:45 PM	225
ENE/TIA	2/19/2009 2:45 PM	225
LBR	2/19/2009 2:45 PM	224
LBR/HMS	2/19/2009 2:45 PM	224
TSM	2/19/2009 2:45 PM	229
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
WTL	2/23/2009 2:45 PM	229
TIA	2/25/2009 1:15 PM	224

- Senate Session will convene at 11:30 a.m. on Thursday, February 19, 2009.

12. Adjournment