

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

SIXTY-SECOND DAY

MAY 8, 2009-FRIDAY-10:00 O'CLOCK A.M.

ORDER OF BUSINESS

Invocation by The Honorable Michelle N. Kidani
Hawaii State Senate

Roll Call

Approval of the Journal

Introductions

1. Messages from the Governor: Nos. 672-678

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
G.M. No. 672	Informing the Senate that on May 7, 2009, the Governor signed the following bill into law: SB301 SD2 HD1 (Act 055). "RELATING TO THE HAWAII REGISTERED AGENTS ACT."	FILE
G.M. No. 673	Informing the Senate that on May 7, 2009, the Governor signed the following bill into law: HB1175 HD3 SD2 CD1 (Act 056). "RELATING TO TAXATION."	FILE
G.M. No. 674	Informing the Senate that on May 7, 2009, the Governor returned the following bill without approval: SB1111 SD1 HD1 CD1 . "RELATING TO TAXATION."	FILE

[G.M. No. 675](#) Informing the Senate that on May 7, 2009, the Governor returned the following bill without approval: [HB1741 HD1 SD1 CD1](#) FILE

"RELATING TO THE CONVEYANCE TAX."

[G.M. No. 676](#) Informing the Senate that on May 7, 2009, the Governor returned the following bill without approval: [HB1747 HD1 SD1 CD1](#) FILE

"RELATING TO TAXATION."

[G.M. No. 677](#) Informing the Senate that on May 7, 2009, the Governor returned the following bill without approval: [HB895 HD2 SD2 CD1](#) FILE

"RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES."

[G.M. No. 678](#) Informing the Senate that on May 7, 2009, the following bill became law without the Governor's signature: [SB521 SD2 HD1](#) (Act 057). FILE

"RELATING TO REAL PROPERTY."

2. Departmental Communications: None
3. House Communication Nos. 730-731

Informing the Senate that on May 7, 2009, the following bills passed Final Reading in the House:

REFERRAL

730 [H.B. No. 34, S.D. 1, C.D. 1](#) FILE
"RELATING TO STATE BONDS."(General Obligation Bond Declaration)

[H.B. No. 36, H.D. 1, S.D. 2, C.D. 1](#)
"RELATING TO HEALTH."(Sanitation)

[H.B. No. 128, H.D. 1, S.D. 1, C.D. 2](#)

"RELATING TO ELECTIONS."(Elections;
Campaign Financing)

[H.B. No. 200, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO THE STATE BUDGET."(State
Budget)

[H.B. No. 300, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO THE JUDICIARY."(Judiciary;
Appropriations)

[H.B. No. 343, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO RURAL PRIMARY HEALTH
CARE TRAINING."(Primary Health Care; Rural
Areas)

[H.B. No. 381, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO THE STATE OF HAWAII
ENDOWMENT FUND."(Honolulu Symphony;
Endowment Fund; Unmatched Pledges)

[H.B. No. 427, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO SPECIAL PURPOSE
REVENUE BONDS TO ASSIST ONE PLANET
PACIFIC ENERGY, LLC, A PROCESSING
ENTERPRISE."(Special Purpose Revenue
Bonds; One Planet Pacific Energy, LLC)

[H.B. No. 690, H.D. 2, S.D. 2, C.D. 1](#)

"RELATING TO INSURANCE."(Group Health
Insurers; Small Business; Part-time Employees)

[H.B. No. 754, H.D. 1, S.D. 1, C.D. 2](#)

"RELATING TO THE HAWAII TOURISM
AUTHORITY."(Hawaii Tourism Authority;
Procurement; Tourism Emergency; TAT)

[H.B. No. 876, H.D. 1, S.D. 2, C.D. 2](#)

"RELATING TO
CONDOMINIUMS."(Condominiums; Aging in
Place)

[H.B. No. 899, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."(Office of Hawaiian Affairs; Revenue Bonds)

[H.B. No. 900, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."(OHA Budget)

[H.B. No. 982, H.D. 3, S.D. 1, C.D. 1](#)

"RELATING TO FAMILY LEAVE."(Family Leave)

[H.B. No. 989, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO CHILDREN'S HEALTH CARE."(Keiki Care)

[H.B. No. 994, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO TOURISM."(Tourism; Space Industry; Federal Aviation Administration; Spaceport License)

[H.B. No. 1016, H.D. 2, S.D. 1, C.D. 2](#)

"MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."(Appropriations; Claims Against the State)

[H.B. No. 1271, H.D. 3, S.D. 2, C.D. 1](#)

"RELATING TO GOVERNMENT."(Food and Energy Security)

[H.B. No. 1364, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO THE BUDGET."(American Recovery and Reinvestment Act of 2009)

[H.B. No. 1464, H.D. 3, S.D. 2, C.D. 1](#)

"RELATING TO ENERGY RESOURCES."(Renewable Energy; Energy Efficiency)

[H.B. No. 1471, H.D. 2, S.D. 1, C.D. 1](#)

"RELATING TO FARMS."(Safe Food Certification; Pilot Program)

[H.B. No. 1483, H.D. 1, S.D. 1, C.D. 1](#)

"RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC."(Energy; Better Place Hawaii, Inc.; Special Purpose Revenue Bonds)

[H.B. No. 1504, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO HEALTH."(Universal Health Care; Hawaii Health Authority)

[H.B. No. 1627, H.D. 2, S.D. 2, C.D. 1](#)

"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."(Special Purpose Revenue Bonds; Carbon Diversion Inc.)

[H.B. No. 1628, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC."(Energy; BioEnergy Hawaii, LLC; Special Purpose Revenue Bonds)

[H.B. No. 1678, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."(Special Purpose Revenue Bonds; LifeGrid Solutions, LLC)

[H.B. No. 1807, H.D. 1, S.D. 2, C.D. 1](#)

"RELATING TO WATER QUALITY."(Water Quality)

[S.B. No. 21, S.D. 1, H.D. 1, C.D. 1](#)

"RELATING TO GOVERNMENT."(American Recovery and Reinvestment Act of 2009; Expedite Implementation; Oversight Commission)

[S.B. No. 43, S.D. 2, H.D. 2, C.D. 1](#)

"RELATING TO PHYSICIAN WORKFORCE ASSESSMENT."(Physician Workforce Assessment and Planning)

[S.B. No. 109, S.D. 2, H.D. 3, C.D. 1](#)

"RELATING TO THE INTERSTATE COMPACT FOR JUVENILES."(Juvenile Interstate Compact; Appropriation)

[S.B. No. 266, S.D. 2, H.D. 2, C.D. 1](#)

"RELATING TO GLOBAL WARMING."(Climate Change Task Force)

[S.B. No. 387, S.D. 1, H.D. 1, C.D. 2](#)

"RELATING TO THE STATE BUDGET."(State Budget; Reports)

[S.B. No. 423, S.D. 1, H.D. 2, C.D. 1](#)

"RELATING TO HEALTH."(Medicaid; Federal Funds; Disproportionate Share Hospital Allowance Appropriation)

[S.B. No. 464, S.D. 2, H.D. 2, C.D. 2](#)

"RELATING TO TAXATION."(Renewable Energy Technologies Income Tax Credit)

[S.B. No. 884, S.D. 2, H.D. 1, C.D. 1](#)

"RELATING TO NON-GENERAL FUNDS."(Transfer and reallocation of Non-General Funds)

[S.B. No. 892, S.D. 1, H.D. 2, C.D. 2](#)

"RELATING TO INSURANCE."(Insurance Code; Updates; Continuing Education; Criminal History Checks)

[S.B. No. 1107, S.D. 2, H.D. 2, C.D. 1](#)

"RELATING TO CONDOMINIUMS."(Condominium Management Education Fund; Condominium Education Trust Fund)

[S.B. No. 1202, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO TRANSPORTATION
ENERGY INITIATIVES."(Transportation;
Energy Efficient Vehicles)

[S.B. No. 1206, S.D. 1, H.D. 1, C.D. 1](#)
"RELATING TO COUNTIES."(Counties;
Revenue Bonds)

[S.B. No. 1218, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO MORTGAGE LOAN
ORIGINATORS."(Mortgage Brokers; Mortgage
Loan Originator)

[S.B. No. 1222, S.D. 1, H.D. 1, C.D. 2](#)
"RELATING TO THE HUMANE
TREATMENT OF PET ANIMALS."(Humane
Treatment of Pet Animals)

[S.B. No. 1352, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO BUREAU OF
CONVEYANCES."(Bureau of Conveyances;
Electronic Recording; Fee Time Share Interest)

[S.B. No. 1461, S.D. 2, H.D. 1, C.D. 2](#)
"RELATING TO TAXATION."(General Excise
Tax, Earlier Monthly Filing; Tax Returns,
Electronic Filing; Withheld Taxes; Semi-weekly
Schedule)

[S.B. No. 1665, S.D. 2, H.D. 1, C.D. 1](#)
"RELATING TO HIGHER
EDUCATION."(Workforce Development;
University of Hawaii Community Colleges; Reed
Act Funds; Appropriation)

[S.B. No. 1673, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO THE HAWAII HEALTH
SYSTEMS CORPORATION."(Hawaii Health
Systems Corporation; Regional Systems; New
Entity)

[S.B. No. 1674, S.D. 2, H.D. 2, C.D. 1](#)
"RELATING TO THE UNIVERSITY OF
HAWAII."(UH; CIP; Revenue Bonds;
Appropriation)

Informing the Senate that on May 7, 2009, the
House agreed to the amendments proposed by the
Senate and that said bill passed Final Reading in
the House:

731	H.B. No. 426, H.D. 1, S.D. 1 "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU."(Special Purpose Revenue Bonds; Honolulu Seawater Air Conditioning, LLC)	FILE
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4. Senate Communications: None
5. Judiciary Communications: None

ORDER OF THE DAY

6. Miscellaneous Communication No. 5

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
M.C. No. 5	From the Hawaii Family Forum and the Hawaii Catholic Conference, dated May 6, 2009, submitting the signatures of over 10,000 Hawaii citizens requesting that HB444, HD1, be held in committee for the 2009-2010 Legislative Session.	FILE

7. Miscellaneous Business

Usual and Customary Resolutions: Senate Resolution Nos. 134-138

<u>MEASURE</u>	<u>TITLE</u>	<u>REFERRAL</u>
S.R. No. 134	"AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-SECOND DAY."	ADOPT
S.R. No. 135	"RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE."	ADOPT
S.R. No. 136	"AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT."	ADOPT
S.R. No. 137	"REGARDING COMPLETION OF THE WORK OF THE TWENTY-FIFTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF."	ADOPT
S.R. No. 138	"INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE."	ADOPT

8. Announcements

9. Adjournment Sine Die