

THE
 TWENTY-FIFTH LEGISLATURE
 STATE OF HAWAI'I
 REGULAR SESSION OF 2009
 JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 21, 2009

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawai'i, the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, was called to order at 10:07 a.m., by the Honorable Dwight Y. Takamine, Temporary Chair of the Senate.

The Ho'oumau Address was delivered by Pono Shim and the Pule was invoked by Daniel Akaka, Jr.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawai'i Pono'i," led by Eric Wahilani.

Nominations now being in order for a temporary clerk, Senator Kokubun nominated Carol Taniguchi, seconded by Senator Chun Oakland.

Senator Gabbard moved that the nominations be closed, seconded by Senator Tokuda and carried.

The Chair declared Carol Taniguchi as Temporary Clerk of the Senate.

Senator Taniguchi then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator Ihara and carried.

The Chair thereupon appointed Senators Kokubun, Sakamoto, and Hemmings to serve on such committee.

At 10:25 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:27 a.m.

SPECIAL COMMITTEE REPORT

Senator Kokubun, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 2) as follows:

"Honorable Dwight Y. Takamine
 Temporary Chair of the Senate
 Twenty-Fifth State Legislature
 Regular Session of 2009
 State of Hawai'i

Sir:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 6, 2012, are:

First Senatorial District

Dwight Y. Takamine

Third Senatorial District

Josh Green, M.D.

Fifth Senatorial District

Rosalyn H. Baker

Sixth Senatorial District

J. Kalani English

Seventh Senatorial District

Gary L. Hooser

Twelfth Senatorial District

Brickwood Galuteria

Sixteenth Senatorial District

David Y. Ige

Seventeenth Senatorial District

Michelle N. Kidani

Eighteenth Senatorial District

Clarence K. Nishihara

Twenty-First Senatorial District

Colleen Hanabusa

Twenty-Second Senatorial District

Robert Bunda

Twenty-Third Senatorial District

Clayton Hee

Respectfully submitted,

/s/Russell S. Kokubun
 /s/Norman Sakamoto
 /s/Fred Hemmings"

Senator Tsutsui moved that Special Committee Report No. 2 be adopted, seconded by Senator Espero and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair called upon Chief Justice Ronald T.Y. Moon of the Hawai'i State Supreme Court to the rostrum to administer the oath of office to the newly elected members of the Senate.

Chief Justice Moon administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

The Roll was then called by the Temporary Clerk showing all Senators present.

Nominations for officers of the Senate being next in order, Senator Kokubun placed in nomination the name of Senator Colleen Hanabusa for President of the Senate, seconded by Senator Hee.

Senator English moved that the nominations be closed, seconded by Senator Taniguchi.

The motion to close the nominations was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Colleen Hanabusa as President of the Senate.

The ballot having been so cast, Senator Colleen Hanabusa was declared unanimously elected President of the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009.

The Chair then appointed Senators Kokubun and Hemmings to escort the President to the rostrum and the President addressed the members of the Senate and guests as follows:

"Governor Lingle, Lt. Governor and Mrs. Aiona, Chief Justice Moon, former Governor and Mrs. Ariyoshi, former Governor and Mrs. Waihee, former Governor and Mrs. Cayetano, esteemed colleagues, honored guests, ladies and gentlemen: *Aloha*.

"Yesterday we witnessed a shining moment in American history, and a historic day for Hawai'i as well. Barack Obama—our nation's first African American President—is also the first President born, raised, and educated here in Hawai'i.

"Throughout his long campaign, he challenged us to ask who we are, what we stand for, and what our nation can truly be.

"And as he ascended to lead the greatest nation on Earth—as one chapter ended and another chapter began—our nation and the world saw that this son of Hawai'i has succeeded in drawing our people around him by giving them hope through the rallying cry: 'Yes, We Can.' That belief has defined the American spirit from the beginning, and kept our people steadfast through challenges of every kind. 'Yes, we can.'

"He assumes the leadership of our nation facing one of the greatest challenges any new President has had to address. Still, America expresses confidence in his ability to see us through these difficult times not because of decades of experience or a celebrated lineage, but because he embodies hope, courage, and the opportunity for change.

"Here at home, where we felt the pride of accomplishment in the example of a young President whose life foundation was laid just a few miles from this building, we face our own challenges.

"Hawai'i has not been spared the crisis facing the rest of this nation. We cringed when the Council on Revenues said the deficit for the upcoming biennium will be \$1.8 billion. A twenty-five percent reduction in general fund revenues.

"The State's revenue crisis is just another indicator of what our people are enduring. Unemployment is up two points since a year ago, when our rate was the lowest in the nation. Homelessness is growing and the safety net, which people rely upon the government to provide, is full of *pukas*.

"Governor, members of the executive branch and my colleagues, these are the times when we show the people what we are made of.

"These are the times when we ask the hard question of what the role of government is.

"These are the times when we must say what we can do and what we will do.

"These are the times when we can no longer afford partisanship or politics as usual. Times when our obligation is to bring the service, vision, and leadership we were elected to provide. Times when we stop looking for political points and start looking for solutions.

"As President of the Senate, I am here to pledge this body's unflinching commitment to putting the needs of Hawai'i's people before all other considerations. During my ten years in office, I do not recall my colleagues working as diligently as they have in the past weeks, assembling a majority package to place before all of you for public discussion.

"Let there be no mistake: Yes, the projections with which we must frame our budget are down. But there is a budget and we must not lose sight of the fact that how we appropriate these resources must be guided by what matters most to the people we represent: their jobs, their economic security, their future. Senator Donna Mercado Kim will tackle this formidable challenge.

"The federal government can help stimulate our national economy through the extremely helpful ability to print more money. We can't. Like every family in Hawai'i, we can only rely on the money we bring home. That means that to get our economy moving again, we must be creative with what we have.

"We in the Senate propose that a special oversight committee be formed to meet on a weekly basis to oversee and have input into the capital improvement projects that need to be released. Our representative on that committee will be Senator Shan Tsutsui. I am confident that the Governor will welcome the participation of the Legislature to ensure public confidence that we are doing all we can to keep our construction industry on the job.

"For all businesses, we propose that the Unemployment Insurance Fund be used in the short term to keep your employees as part of your work force. We are asking that Senator Dwight Takamine, our Labor chair, look creatively at the UI Fund and redefine eligibility so that we can truly partner with those employers who have made contributions to this fund for situations like this. If necessary, we stand ready to extend benefits.

"We are committed to examining tax credits to ensure that they are performing and enhancing the economy as they should. We also know that the time has come for us to follow the national trend in adopting the streamlined sales tax, ensuring that out-of-state sales are accounted for in the State's treasury. We must thank Senator Carol Fukunaga for her tenacity in calling upon this Legislature to recognize the lost revenues associated with Internet sales. She was truly a pioneer in this regard.

"At the same time, there are vital issues on which there is as yet no consensus, but where serious discussions must continue. Questions including executive, judicial and legislative pay; legalized gaming; and deferring the transit tax for a year or more to provide relief to Hawai'i tax payers. Everything is on the table for debate and discussion.

"As well, we know we must address the sense of betrayal that many in our Native Hawaiian community feel on the issue of ceded lands, and in particular the case now pending before the United States Supreme Court. We will not turn a deaf ear to these questions, as difficult as they may be. We have heard the call of the people and we must respond.

“Government has always played a vital role in ensuring that those who are less fortunate and in need of temporary assistance are provided for. This is our social safety net. Senators David Ige and Suzanne Chun Oakland will take on the challenge of looking at how we will prioritize the issues of health, food and social service programs with limited funds and growing needs. They are also ready to address changes in the structure of health care, and help ensure that families and children who rely on us do not face locked doors.

“We have a unique opportunity to ask for assistance from Congress and the Obama administration in the form of increased Medicaid assistance through the Federal Medical Assistance Percentage Program. We are prepared to act within days on a Senate Concurrent Resolution asking President Obama and our congressional delegation—particularly Senator Inouye—to appropriate these funds. This will assist us in closing one of those *pukas* in the safety net.

“We face challenges, but we will overcome them. We have reason to be confident in our future, because we have seen that confidence reflected in others.

“Our visitor industry is still the main driver of our local economy, and that has been one of the factors leading the current downturn. We know that tourism is an industry that responds to outside factors. When rising oil costs drove up air fares, our visitor numbers dropped. Now, with oil prices and fares down, we find that individual uncertainty about the global economic picture prevents some from spending their money on trips to our state. And so the question becomes, how do we boost that confidence and rekindle interest in Hawai‘i vacations?

“Our answer lies in the fact that when industry leaders express their support for Hawaii as a visitor destination, others will follow. And a name that resonates around the world when it comes to travel is Disney.

“Less than a week ago, Disney Parks and Resorts awarded the first phase of the construction contract for their project at Ko Olina. That is an expression of their confidence in the long-term viability of Hawai‘i as a visitor destination. By reiterating their commitment to building and operating a landmark resort on our Leeward Coast, a world leader in the hospitality and visitor market has said, ‘We will put our money where our mouth is. Hawai‘i is the future.’ We can share that confidence. We can reclaim and keep our share of the global visitor market through the cooperation of industry leaders, through effective marketing of what is uniquely ours, and by building on our strengths and preserving our identity.

“In addition, many have looked upon the Disney project as an anchor to ensure the completion of the Second City of Kapolei. This project will help stimulate construction in the Kapolei region which, along with the release of pending state projects, will assist us in keeping our people employed.

“We must also continue investing in our future, despite the challenges we face today. We must take this opportunity to cut our dependence on fossil fuels, one of the root causes of the current economic crisis. It doesn’t matter what the initiative is called. What matters is that we all join hands in the construction of energy-efficient buildings, the production of renewable energy, and the move toward motor vehicles that do not run on petroleum products.

“In this light we need to recognize the military, which has led the way in energy-efficient construction and in the provision of jobs and opportunities for our community. They are and have long been one of the most stable forces in our economy. We must applaud the Department of Defense for projects such as the production of jet-grade fuel from algae which, when it

becomes reality, will address many of our concerns into the future.

“We in the Senate have dedicated so many years to our efforts at Sustainability 2050, and we are now beginning to see the fruits of that commitment. Senator Russell Kokubun is pleased with how far along these efforts have come. He sees the challenges that remain, preeminent among them the task of preserving lands for agriculture for future generations and how to balance our need for food with our need for energy. We are confident that we will be able to achieve both.

“I am confident that we will rise above these difficult times. Hawai‘i has always been a place of hope. Whether your family arrived by canoe fifteen hundred years ago or by plane just last week, they set out on their journey with visions of a new beginning. Laborers and businessmen. Asian and European. People of every color and from every social stratum. A family from Kansas by way of Seattle. A young man from Kenya planning to study at the University of Hawai‘i. All came because Hawai‘i offers hope.

“My hope continues today. Not just because of my faith in my colleagues and their individual and unique abilities, but because of my faith in the people of this state. We have come to learn to share and live together in a very special place, and we carry that with us everywhere. Many of us believe that President Obama was able to achieve greatness and carry his message of hope because he was shaped by this special place. General Eric Shinseki, who will be President Obama’s Secretary of Veterans’ Affairs, comes from this special place. Senator Daniel Inouye, chair of the most powerful committee in the United States Senate, comes from this special place. True sons of Hawai‘i, aligned like stars to aid us in meeting our challenge.

“The people of Hawai‘i: working a *lo‘i* in Hanalei, on a farm in Ka‘u, in a Bishop Street board room or a Ka‘anapali hotel. They are the foundation upon which we will build our efforts, and the reason we will not shy away from the task before us. *Mahalo.*”

At this time the Chair called on Senate Minority Leader Fred Hemmings.

Senator Hemmings then rose and stated:

“Thank you, Madam President; thank you for your inspiring words of *Aloha*. The future will bright. I request to yield the honor of the Minority response to the good Senator from Hawai‘i Kai, Senator Sam Slom.”

Senator Slom, Minority Floor Leader of the Senate, then responded as follows:

“Thank you, Madam President. *Aloha*. This is truly a historic day; you can write this down in your book—this is a day that a Republican yields. Republicans never yield to anyone or any position!

“*Mahalo* Senate President Hanabusa, Governor Lingle, Lieutenant Governor, Chief Justice, former governors Ariyoshi, Waihe‘e and Cayetano, to all of our distinguished guests and to you, the overburdened taxpayers of the State of Hawai‘i. We, too, offer our congratulations to President Obama and all re-elected lawmakers. Some of you may know that I lived in the same apartment building with Barry Obama for many years and that I worked with his grandmother, the late Madelyn Dunham, at the Bank of Hawai‘i. So I echo the words of the Senate President—this truly is a special place that brings all of us together.

“Senate President, I also want to commend you on your words and pledge the continued support of the Minority to help enact positive legislation for ALL the people of Hawai‘i. And I

know that it's going to be a positive year because you're not wearing black, you're wearing your bright orange sunshine.

"You've heard from the Majority and now you're going to hear the rest of the story. Some may wonder what the Senate Minority stands for and how we can have any relevancy or impact on policy in Hawai'i, outnumbered as we are, twelve to one. (How would you like to make this speech today?) And yet, one person, one idea, one effort has always been extremely important. One person, just last week, U.S. Airways Captain Chesley B. 'Sully' Sullenberger saved the lives of more than 150 other people in what is described as the 'Miracle on the Hudson'. It shows what one person and good leadership can do for all others, and that's what we strive for today.

"In the opening prayer you heard the words 'stand firm'. This is extremely important and this is what we intend to do. Your Republican Minority, in number, may be just two of twenty-five state senators, but in actuality we represent more than 40 percent of all of the votes cast, many thousands more of the 'silent majority,' and we have a strong and consistent philosophy, an unwavering voice, and a vote. We also have good humor—a useful trait in this building, in good times and bad. We strive to work hard, do our legislative homework and support leadership when we believe they are right—and to tell them when they're not. We never forget who sent us here and what you expect of all of us.

"Have we had an impact? We shape legislation, we point out errors and omissions in proposals, we actively take part in committees and the advise and consent process, and, if we're lucky, some of our bills are so good that the Majority will take them for their own and enact them. Now, we don't care who gets the credit as long as Hawai'i gets good legislation.

"Now many people and the media have approached this 25th state legislative session with an outlook of gloom, doom, grim times and negative choices. Your Minority approaches this legislative session not with fear, but with enthusiasm for the opportunities that these tough times present to all of us.

"There is a two-party system here, or at least two distinct philosophies. Now, one party has been expert at winning elections and controlling the government for more than 45 years, and they have stressed taxation, spending and decision-making by government. Selective sacrifice has been their mantra. The buzz word of the recent election was—say it—'change,' but yet change seems to have escaped Hawai'i's government and our public education.

"Our philosophy emphasizes individual risk and accomplishment, lower taxes on families and businesses, transparency in government and more economic choices for everyone. We stand for individual rights superior to those of the federal or state government, and we want the government chained by the Constitution and the Bill of Rights. Recent events have shown us that too much reliance on government has resulted in government inaction, corruption, conflicts of interest, unwise redistribution of your wealth through subsidies, preferential treatment and ill-conceived bailouts. In short, government has not solved problems; it treats symptoms and creates unintended consequences.

"There has been widespread public discontent with legislative bodies—the Congress, City Councils, and even the State Legislature. Many believe we spend too much time on increasing our own salaries and our own benefits, exempting us from the laws that we passed for others, and for covering up questionable ethics. Your Minority has spoken out and introduced legislation to correct these abuses and we will continue to do so. I said months ago that we in government should not have a pay increase when so many people in our community are suffering and having a difficult time

economically. Instead of exempting us from laws, we should be held to a higher standard. I've got to tell you, for four years now I've attended sexual harassment training classes and mandated ethics training. What's wrong with this picture when you have to teach your elected officials not to sexually harass and to be ethical? Maybe what we should do instead, at least in the Senate, is install breathalyzers at every desk before we speak.

"Our opinion today is that our problems are not economic but they are political. And we can address these economic challenges through support of competitive private market capitalism which allows us more of the greatest amount of freedom and individual choice, unavailable under more government control. The market hasn't failed us; individuals and part of government has.

"We don't want to urge you to just hunker down, reduce your consumer spending and economic activity and further reduce your standard of living. We stress success and prosperity, not just survival, and we know this is possible even in these difficult times.

"We are positive and believe we have reason to be so. We need to get back to work, stop whining, not look for government handouts, and be more productive and creative. Successful businesses do just that—they reinvent themselves for changing times. We have numerous examples of that in Hawai'i, including Ko Olina, Hawaiian Airlines, City Mill, The Systemcenter, Oils of Aloha, CyberCom, and many others that we can cite.

"The good news is that we have the tools and resources despite slowing revenues, rising unemployment, business closures and home foreclosures. The recession is real but we do not have to be mesmerized or paralyzed by bad news. Everything in life is cyclical. And your Minority always has hope and faith in Hawai'i's talented and remarkable individual people.

"This year, Hawai'i is celebrating its 50th anniversary of statehood and we proudly proclaim the many blessings of citizenship as Americans. We are appreciative and respectful of our Native Hawaiian culture and its many contributions. And the best way to show that respect is to expand the rights of every citizen in the State of Hawai'i.

"We honor all of our men and women in uniform and are grateful for the military's many contributions, not just the financial part—the contributions in leadership they make every day to our community. We must not hesitate to stand up for them vocally, not just when it is convenient to do so, because every day they sacrifice a great deal and risk their lives to protect all of us.

"To those in law enforcement and our first responders who keep us safe, even during power blackouts and earthquakes—we thank you. We cherish our *kupuna* and the lessons that we learn from them. And hopefully I'm getting old enough that I can join them.

"But we are also invigorated by our youth who have unlimited potential. Moanalua grad turned golf pro Tadd Fujikawa made us all—and the nation—proud of us this past weekend, as do surfer Carissa Moore and football star Manti Te'o of Punahou, Castle High grad and Olympic gold medalist Bryan Clay. And right here with me, I'm so happy that we've got young people—Dylan Encarnacion, and we've got Aina Kay, Gordon Hemmings, and also Jake Taniguchi. These are the young faces and the future of Hawai'i; *mahalo*. But there's so much more. There are so many amazing people from Hawai'i who are talented in music, art, dance, acting, production, robotics, business, technology and much more. These are individuals with God-given talent.

“This session we pledge to the people of Hawai‘i, who look to all of us for leadership, to listen even more, to work even harder, to cooperate for the good of all of our people, and to passionately continue to stand up against bad laws, poor economics and loss of freedom and choice. Now, some have suggested that they want to jettison some values and positions just because they are old. We will retain and honor the permanent values which stand the test of time and should not be partisan.

“In the words of Winston Churchill, ‘We will never give up, never, never, never, never, never.’ Your Minority stands for the enforcement of existing laws rather than duplication with more legislation, and specifically (so you know where we stand):

- **No more taxes.** Hawai‘i residents are taxed too much; we are among the top four taxed states in the nation. The best economic stimulus is money left with you so that you can spend it on your own family and your own business in the ways that you think best. We support a tax holiday for general excise taxation and elimination of excessive taxes and fees.
- As the Senate President talked about the budget, it will be difficult. We must honestly balance the budget—as every individual, family and small business must do every day. We’ve got to stop raiding the ‘special funds’ such as the Hurricane Relief Fund, or be honest, do the right thing and abolish all those funds. We need to eliminate those non-productive programs and expenditures; among them: tax credits given without proper oversight, grants to ‘special’ friends of lawmakers, costly mandates and projects such as outside, that \$1 million ‘bounce-about’ which is covering up the tile restoration. One million bucks for that. We can do better than that.
- Let me talk about gambling. It may be on the table, but we will continue to oppose gambling as neither an economic nor social benefit, especially since no tax reduction give-back has been proposed with gambling, only more money for the government to spend.
- Education. We all say we want better education. We in the Minority support more educators in the school, less money for questionable programs with no outcome accountability, less money for a bloated bureaucracy, and a full audit of the Department of Education. We also support small community schools. Now, it’s strange to me; for years we pump money into reducing the teacher-pupil ratio. Now that we’ve achieved it, we want to close those schools which mean so much to various communities. We will oppose that. We also support strongly more charter schools, substitute teachers and home schooling parity.
- Energy. The two of us have got a great deal of energy here and you’ll see that during this legislative session. We continue to support voluntary, incentivized alternative energy, including wind, solar, geothermal, OTEC and nuclear. My colleague Senator Hemmings has proposed a bold nuclear option incorporating a nuclear commission exploring possibilities. Now for those of you that are frightened by the word ‘nuclear,’ let’s remember that we already host nuclear activities on our submarines, and in some of its darkest days, the island of Kaua‘i was saved by a nuclear power plant generated by that military submarine.
- Environment. Republicans understand we can’t have a viable economy without a protected environment. It’s not ‘either/or,’ but certain mandates, regulations and invasive species prohibitions need to be examined adequately and

objectively for their important impact and unintended consequences.

- Turning to health, we must now stop the cause of losing those in the medical profession by saving our doctors with a real change in tort reform, equitable fee reimbursement, the abolition of state SHPDA, and by embracing private, non-tax investment in medical facilities on all the neighbor islands.
- I was enthused by the President’s remarks about the tax surcharge, which is damaging so many individuals and businesses. We can’t afford billions of dollars for ego steel-on-steel transit when congestion relief and new design is what will help O‘ahu residents and taxpayers the most. We need to speed alternative transportation construction and alternatives.
- And turning to law enforcement, we fully support the law enforcement coalition initiatives. But instead of giving lip service to justice, we support tougher judges, more choices, protection and services for victims, and swift, equal enforcement for those who break our laws and harm our residents.
- Finally, on the sanctity of life: we will continue for protection of the unborn and oppose so-called partial birth abortions. If we cannot stand up for life at its beginning, than all of the other basic laws are useless.

“Your Minority has many other ideas for diversifying our economy and reducing dependence on the visitor industry. We don’t want just one egg producer, one dairy, one electric company and fewer farmers. We propose expanded private-public partnerships, targeted tax incentives for job creation, and state water and land policy reform to help the farmers and ranchers insure agriculture sustainability. We also see that we can better use our resources and facilities such as Senator Hemmings’ idea of making the Ke‘ehi Private Boat Harbor both more accessible to the public and a great marina. We need to cease class warfare between those with wealth and those without. Hawai‘i is short of venture capital and we support an improved business climate to clearly signal that we are serious about business investment and new jobs here and now.

“While we may appear small in number, we are large in the willingness and capacity to think and act outside this square building. We have considerable ideas, tremendous dreams on how wonderful Hawai‘i can be if its people aren’t hampered by poor government choices. And we have the energy to make it all a reality. That’s our stand.

“Hawai‘i honored Dr. Martin Luther King, Jr. this week. He once said, ‘Almost always, the creative dedicated minority has made the world better.’ That’s what we pledge to do. We are compassionate, but not at the expense of complacency of our fiscal responsibilities.

“Can we make a difference? Help bring true change to Hawai‘i? Yes, we can—more importantly, yes, we will, with your support.

“As Edward Everett Hale said more than 200 years ago, ‘I am only one, but still I am one. I can’t do everything, yet I can do something. And just because I can’t do everything, I won’t refuse to do the something I can do.’ Aloha, mahalo and God bless Hawai‘i.”

At 11:15 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 a.m.

At this time, the members of the Senate and their guests were entertained by the Honolulu Boy Choir, under the direction of Mr. Kale Chang.

The President then announced that nominations were in order for the office of Vice President of the Senate.

Senator Taniguchi placed in nomination the name of Senator Russell S. Kokubun for Vice President of the Senate, seconded by Senator Tokuda.

Senator Hee moved that the nominations be closed, seconded by Senator Green.

The motion was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Russell S. Kokubun as Vice President of the Senate.

The ballot having been so cast, Senator Russell S. Kokubun was declared unanimously elected as Vice President of the Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

S.R. No. 1, entitled: "ELECTING OFFICERS OF THE TWENTY-FIFTH LEGISLATURE," was offered by Senators Hooser and Hemmings.

On motion by Senator Hooser, seconded by Senator Hemmings and carried, S.R. No. 1 was adopted

The President thereupon administered the oath of office to the newly elected officers of the Senate: Clerk Carol T. Taniguchi, Assistant Clerk Laurel A. Johnston, Sergeant-at-Arms Bienvenido C. Villaflor and Assistant Sergeant-at-Arms Jayson M. Watts.

At 11:49 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 a.m.

At this time, the members of the Senate and their guests were entertained by renowned singer and songwriter, Willie K.

INTRODUCTION OF SENATE BILLS

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the following bills passed First Reading by title and were deferred:

S.B. No. 1. "A BILL FOR AN ACT RELATING TO OPIHI."

Introduced by: Senator Hee.

S.B. No. 2 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Hee, by request.

S.B. No. 3 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Hee.

S.B. No. 4 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Hee.

S.B. No. 5 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senator Hee.

S.B. No. 6 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Senator Hee.

S.B. No. 7 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senator Nishihara, by request.

S.B. No. 8 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Nishihara.

S.B. No. 9 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Nishihara.

S.B. No. 10 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senator Nishihara.

S.B. No. 11 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Nishihara.

S.B. No. 12 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Nishihara.

S.B. No. 13 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Taniguchi.

S.B. No. 14 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Taniguchi.

S.B. No. 15 "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST."

Introduced by: Senator Taniguchi.

S.B. No. 16 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Introduced by: Senator Taniguchi.

S.B. No. 17 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Taniguchi.

S.B. No. 18 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Taniguchi.

S.B. No. 19 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Taniguchi.

S.B. No. 20 "A BILL FOR AN ACT RELATING TO CRIMES."

Introduced by: Senator Taniguchi.

S.B. No. 21 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Taniguchi.

S.B. No. 22 “A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII.”

Introduced by: Senator Taniguchi.

S.B. No. 23 “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING.”

Introduced by: Senator Taniguchi.

S.B. No. 24 “A BILL FOR AN ACT RELATING TO ELECTIONS.”

Introduced by: Senator Taniguchi.

S.B. No. 25 “A BILL FOR AN ACT RELATING TO HAWAII REVISED STATUTES.”

Introduced by: Senator Taniguchi.

S.B. No. 26 “A BILL FOR AN ACT RELATING TO JUSTICE.”

Introduced by: Senator Taniguchi.

S.B. No. 27 “A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL.”

Introduced by: Senator Taniguchi.

S.B. No. 28 “A BILL FOR AN ACT RELATING TO ATTORNEYS.”

Introduced by: Senator Taniguchi.

S.B. No. 29 “A BILL FOR AN ACT RELATING TO SENTENCING.”

Introduced by: Senator Taniguchi, by request.

S.B. No. 30 “A BILL FOR AN ACT RELATING TO ANIMALS.”

Introduced by: Senator Taniguchi, by request.

S.B. No. 31 “A BILL FOR AN ACT RELATING TO LAND USE.”

Introduced by: Senator Taniguchi, by request.

At this time, the following 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

The President also announced the following standing committees of the Senate, their respective chairs and members:

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 Jill N. Tokuda, Chair
Senator Norman Sakamoto, Vice Chair
Senator Rosalyn H. Baker
Senator Russell S. Kokubun
Senator Dwight Y. Takamine
Senator Brian T. Taniguchi
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 12:17 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, January 22, 2009.