

## FOURTEENTH DAY

**Wednesday, February 11, 2009**

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:33 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Gary L. Hooser, Hawai'i State Senate, after which the Roll was called showing all Senators present with the exception of Senator Kim who was excused.

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

**SENATE CONCURRENT RESOLUTION**

The following concurrent resolution (S.C.R. No. 42) was read by the Clerk and was deferred:

S.C.R. No. 42 "SENATE CONCURRENT RESOLUTION 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."

Offered by: Senators Fukunaga, Baker, Hee, Ige, Slom.

**STANDING COMMITTEE REPORTS**

Senator Tsutsui, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 302, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 302, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on February 12, 2009.

Senator English, for the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 697 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 697, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 12, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 715 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 12, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 711, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 2009.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 718, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 718, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 2009.

Senators Hee and English, for the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 27) recommending that S.B. No. 153, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 2009.

Senators Hee and English, for the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 28) recommending that S.B. No. 468, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 2009.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 1525, as amended in S.D. 1, be recommitted to the Committee on Economic Development and Technology.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1525, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was recommitted to the Committee on Economic Development and Technology.

Senator Takamine, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 1568, as amended in S.D. 1, be recommitted to the Committee on Labor.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1568, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO UNEMPLOYMENT INSURANCE,” was recommitted to the Committee on Labor.

Senator Takamine, for the committee on Labor presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 1571, as amended in S.D. 1, be recommitted to the Committee on Labor.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1571, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT,” was recommitted to the Committee on Labor.

Senator Hee, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO OPIHI,” passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 2009.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 281:

On motion by Senator English, seconded by Senator Gabbard and carried, S.B. No. 281, entitled: “A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

S.B. No. 412:

On motion by Senator Hee, seconded by Senator Gabbard and carried, S.B. No. 412, entitled: “A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,” passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

**RE-REFERRAL OF SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

S.B. No.	Re-referred to:
S.B. No. 1571, S.D. 1	Committee on Labor then to the Committee on Ways and Means

At this time, Senator Slom rose on a point of personal privilege and said:

“This is a historic day. We just passed our first two bills of the session, and in my thirteen years, this is the first time that I remember that we didn’t pass our own bill first: to pay for the costs of the Legislature and pay for the costs of the legislators. So, congratulations! We’re moving ahead. Thank you.”

At this time, Senator Ige extended happy birthday wishes to Senator Green.

At this time, Senator Hemmings rose on a point of personal privilege and extended happy birthday wishes to Senator Green.

**ADJOURNMENT**

At 11:45 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, February 12, 2009.