

## SEVENTEENTH DAY

**Monday, February 13, 2012**

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2012, convened at 11:34 a.m. with the Vice President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Chun Oakland, Shimabukuro, and Tsutsui who were excused.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 629 to 641) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 629, submitting for consideration and confirmation as Comptroller of the Department of Accounting and General Services, the nomination of DEAN SEKI, term to expire December 1, 2014, was referred to the Committee on Public Safety, Government Operations, and Military Affairs.

Gov. Msg. No. 630, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of BEVERLY JEAN WITHINGTON, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 631, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of SARAH AHINA, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 632, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of BEN DALAUIDAO, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 633, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of SOL RAY DUNCAN, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 634, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of MELISSA GIBO, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 635, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of LOUISE IWAISHI, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 636, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of APRIL MIRA, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 637, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of PATRICIA NISHIMOTO, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 638, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of THERESA OCTAVIO, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 639, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of PAMELA RICE, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 640, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOSHUA SMALLEY-BOWER, term to expire June 30, 2016, was referred to the Committee on Human Services.

Gov. Msg. No. 641, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of CHRISTOPHER TOYAMA, term to expire June 30, 2016, was referred to the Committee on Human Services.

**STANDING COMMITTEE REPORTS**

Senators Gabbard and Baker, for the Committee on Energy and Environment and the majority of the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2105) recommending that S.B. No. 2339, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Baker, for the majority of the Committee on Energy and Environment and the majority of the Committee on Commerce and Consumer Protection, presented a joint report (Stand. Com. Rep. No. 2106) recommending that S.B. No. 2785, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2107) recommending that S.B. No. 2174 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2174, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2108) recommending that S.B.

No. 2338 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2338, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ADMINISTRATIVE PROCEDURES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2109) recommending that S.B. No. 2566 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2566, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2110) recommending that S.B. No. 2898 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2898, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY, COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2111) recommending that S.B. No. 2970 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2970, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID FOR THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2112) recommending that S.B. No. 2582, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2582, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Tokuda, for the Committee on Economic Development and Technology and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 2113) recommending that S.B. No. 2110 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the Committees was adopted and S.B. No. 2110, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2114) recommending that S.B. No. 2737 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2737, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Fukunaga, for the majority of the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 2115) recommending that S.B. No. 2226, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Economic Development and Technology and the Committee on Public Safety, Government Operations, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2116) recommending that S.B. No. 2239 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the Committees was adopted and S.B. No. 2239, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2117) recommending that S.B. No. 2960, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2960, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2118) recommending that S.B. No. 2977, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2977, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2119) recommending that S.B. No. 2874, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2120) recommending that S.B. No. 2946, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2946, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2121) recommending that S.B. No. 3040, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 3040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2122) recommending that S.B. No. 2337, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the majority of the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2123) recommending that S.B. No. 2060, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the majority of the Committee was adopted and S.B. No. 2060, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2124) recommending that S.B. No. 2508, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2508, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 15, 2012.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2125) recommending that S.B. No. 2704, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted

and S.B. No. 2704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 2126) recommending that S.B. No. 2700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2700, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2127) recommending that S.B. No. 2651, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2651, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2128) recommending that S.B. No. 2527, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 2129) recommending that S.B. No. 2620, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the majority of the Committee was adopted and S.B. No. 2620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 2130) recommending that S.B. No. 2005, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the majority of the Committee was adopted and S.B. No. 2005, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Tokuda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2131) recommending that S.B.

No. 2546, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Dela Cruz, for the Committee on Public Safety, Government Operations, and Military Affairs and the Committee on Water, Land, and Housing, presented a joint report (Stand. Com. Rep. No. 2132) recommending that S.B. No. 2355 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the Committees was adopted and S.B. No. 2355, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 2133) recommending that S.B. No. 2771 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2771, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR REIMBURSEMENT OF COSTS RELATED TO THE ASIA-PACIFIC ECONOMIC COOPERATION MEETINGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Gabbard, for the Committee on Public Safety, Government Operations, and Military Affairs and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 2134) recommending that S.B. No. 2302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the Committees was adopted and S.B. No. 2302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2135) recommending that S.B. No. 2354 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2354, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Nishihara and English, for the Committee on Agriculture and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 2136) recommending that S.B. No. 2331, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the joint report of the Committees was adopted and S.B. No. 2331, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS

DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2137) recommending that S.B. No. 2646 pass Second Reading and be referred to the Committee on Public Safety, Government Operations, and Military Affairs.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2646, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," passed Second Reading and was referred to the Committee on Public Safety, Government Operations, and Military Affairs.

Senator Nishihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2138) recommending that S.B. No. 2460 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2460, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2139) recommending that S.B. No. 2798, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2798, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2140) recommending that S.B. No. 2093, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2093, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2141) recommending that S.B. No. 2092, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2142) recommending that S.B. No. 2412, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the majority of the Committee was adopted and S.B. No. 2412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2143) recommending that S.B. No. 2764 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Galuteria and carried, the report of the Committee was adopted and S.B. No. 2764, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:37 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:37 a.m.

### ORDER OF THE DAY

#### THIRD READING

S.B. No. 2759, S.D. 1:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, S.B. No. 2759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Chun Oakland, Green, Hee, Shimabukuro, Slom, Tsutsui).

S.B. No. 2061, S.D. 1:

On motion by Senator Gabbard, seconded by Senator Ihara and carried, S.B. No. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Chun Oakland, Green, Hee, Shimabukuro, Slom, Tsutsui).

H.B. No. 2002, H.D. 1:

On motion by Senator Ige, seconded by Senator Kidani and carried, H.B. No. 2002, 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, THE OMBUDSMAN, AND THE ETHICS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Chun Oakland, Green, Hee, Shimabukuro, Tsutsui).

At this time, the Chair made the following announcement:

"Re-referrals are made in accordance with the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices this afternoon."

#### RE-REFERRAL OF A SENATE BILL

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

S.B. No.:	Re-referred to:
S.B. No. 2926	Committee on Water, Land, and Housing, then to the Committee on Judiciary and Labor

Senator Fukunaga, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 3047.

Senator Fukunaga noted:

"This bill is one that has a more appropriate title to address some of the concerns raised in other bills previously heard by the Economic Development Committee."

The Chair granted the waiver.

#### ADJOURNMENT

At 11:41 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, February 14, 2012.