

TWELFTH DAY

Monday, February 5, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ai Hironaka, Aiea Hongwanji, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Ihara who were excused.

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

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 261 to 279) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 261, dated February 2, 2007, transmitting the Report on TANF Funds, prepared by the Department of Human Services pursuant to Act 302, SLH 2006, was placed on file.

Gov. Msg. No. 262, dated January 17, 2007, transmitting the Aloha Tower Development Corporation's 2006 Annual Report, was placed on file.

Gov. Msg. No. 263, dated January 30, 2007, transmitting the Office of Youth Services' Progress Report, prepared by the Office of Youth Services, Hawaii Youth Correctional Facility, pursuant to Act 160, Section 38.4, SLH 2006, was placed on file.

Gov. Msg. No. 264, dated February 1, 2007, transmitting the Annual Report on Solid Waste Management, prepared by the Department of Health, Office of Solid Waste Management, pursuant to Section 342G-15, HRS, was placed on file.

Gov. Msg. No. 265, submitting for consideration and confirmation as Comptroller of the Department of Accounting and General Services, the nomination of RUSS K. SAITO, term to expire December 6, 2010, was referred to the Committee on Tourism and Government Operations.

Gov. Msg. No. 266, submitting for consideration and confirmation as Chairperson of the Board of Agriculture, the nomination of SANDRA LEE KUNIMOTO, term to expire December 31, 2010, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 267, submitting for consideration and confirmation as Attorney General of the State of Hawai'i, the nomination of MARK J. BENNETT, term to expire December 6, 2010, was referred to the Committee on Judiciary and Labor.

Gov. Msg. No. 268, submitting for consideration and confirmation as Director of the Department of Budget and Finance, the nomination of GEORGINA K. KAWAMURA, term to expire December 6, 2010, was referred to the Committee on Ways and Means.

Gov. Msg. No. 269, submitting for consideration and confirmation as Director of the Department of Business, Economic Development and Tourism, the nomination of THEODORE E. LIU, term to expire December 6, 2010, was referred jointly to the Committee on Economic Development and Taxation and the Committee on Tourism and Government Operations.

Gov. Msg. No. 270, submitting for consideration and confirmation as Director of the Department of Commerce and Consumer Affairs, the nomination of MARK E. RECKTENWALD, term to expire December 6, 2010, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 271, submitting for consideration and confirmation as Adjutant General and Director of Civil Defense, the nomination of MAJOR GENERAL ROBERT G. F. LEE, term to expire December 6, 2010, was referred to the Committee on Intergovernmental and Military Affairs.

Gov. Msg. No. 272, submitting for consideration and confirmation as Chairperson of the Hawaiian Homes Commission, the nomination of MICAHA A. KANE, term to expire December 31, 2010, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 273, submitting for consideration and confirmation as Director of the Department of Health, the nomination of CHIYOME L. FUKINO, M.D., term to expire December 6, 2010, was referred to the Committee on Health.

Gov. Msg. No. 274, submitting for consideration and confirmation as Director of the Department of Human Resources Development, the nomination of MARIE C. LADERTA, term to expire December 6, 2010, was referred to the Committee on Judiciary and Labor.

Gov. Msg. No. 275, submitting for consideration and confirmation as Director of the Department of Human Services, the nomination of LILLIAN B. KOLLER, term to expire December 6, 2010, was referred to the Committee on Human Services and Public Housing.

Gov. Msg. No. 276, submitting for consideration and confirmation as Chairperson of the Board of Land and Natural Resources, the nomination of PETER T. YOUNG, term to expire December 31, 2010, was referred to the Committee on Water, Land, Agriculture and Hawaiian Affairs.

Gov. Msg. No. 277, submitting for consideration and confirmation as Director of the Department of Public Safety, the nomination of IWALANI D. WHITE, term to expire December 6, 2010, was referred to the Committee on Public Safety.

Gov. Msg. No. 278, submitting for consideration and confirmation as Director of the Department of Taxation, the nomination of KURT K. KAWAFUCHI, term to expire December 6, 2010, was referred jointly to the Committee on Economic Development and Taxation and the Committee on Ways and Means.

Gov. Msg. No. 279, submitting for consideration and confirmation as Director of the Department of Transportation, the nomination of BARRY A. FUKUNAGA, term to expire December 6, 2010, was referred to the Committee on Transportation and International Affairs.

STANDING COMMITTEE REPORT

Senator Baker, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 139, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 10 and S.B. No. 139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," was deferred until Wednesday, February 7, 2007.

ORDER OF THE DAY**THIRD READING**

S.B. No. 6:

Senator Kokubun moved that S.B. No. 6, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

REMARKS

The motion was put by the Chair and carried, S.B. No. 6, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Bunda, Ihara).

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 1100	Jointly to the Committee on Human Services and Public Housing, the Committee on Health and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means
No. 1569	Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor
No. 1800	Jointly to the Committee on Transportation and International Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

Senator Kokubun, Chair of the Committee on Water, Land, Agriculture and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 1219;
S.B. No. 1532;
S.B. No. 1544;
S.B. No. 1596; and
S.B. No. 1603,

and the Chair granted the waiver.

ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Ige, seconded by Senator Gabbard and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 6, 2007.