



State Senator Sam Slom



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Hawaii Kai Neighborhood Board #1 • Hahaione Elementary School • 7:00 PM • Tuesday, July 27, 2010.

Governor Lingle Nominates Katherine G. Leonard as Chief Justice - Senate to Meet in Special Session for Judicial Confirmations

Governor Linda Lingle nominated Intermediate Court of Appeals Associate Judge **Katherine Grace Leonard** to serve as Chief Justice of the Hawaii State Supreme Court on Thursday, July 22nd.



If confirmed by the State Senate, she would succeed Chief Justice **Ronald Moon** to become Hawaii's fifth Chief Justice since statehood. **The Senate is scheduled to meet in special session on August 5 and 6** for confirmation votes on Judge Leonard as well as 7 others nominated to the bench in the First Circuit Court as well as District Court.

The Senate Judiciary and Government Operations (JGO) Committee of which I am a member, will be holding a confirmation hearing for Judge Leonard on **Tuesday, August 3 at 9:30 am** in State Capitol Room 229.

Judge Leonard would be the first graduate of the University of Hawaii William S. Richardson School of Law to be appointed to the Supreme Court and the first woman in Hawaii's history to be named Chief Justice. She would be the third woman to serve on the Supreme Court. Ms. Leonard would also be among 22 women nationwide who currently serve as chief justice of a state supreme court. She would serve an initial 10-year term as the head of the State's highest court and top administrator of the Hawaii Judiciary.

Ms. Leonard, who turns 51 next month, joined the Intermediate Court of Appeals after Governor Lingle nominated her in November 2007 to fill a vacancy created by the death of Associate Judge John Lim. She was confirmed unanimously (23-0) by the Senate and took her seat in January 2008. Prior to becoming a judge, Ms. Leonard was a partner with the law office of Carlsmith Ball LLP. She is a 1991 graduate of the University of Hawaii William S. Richardson School of Law, where she served as editor-in-chief of the U.H. Law Review. She earned her undergraduate degree from the University of Wisconsin, Parkside (1982).

Governor Lingle nominated three individuals to serve as Circuit Court judges on July 14. They are District Court Judge **Fa'auuga L. To'oto'o**, Pier Diem District Court Judge **Jeannette H. Castagnetti** and District Court Judge **Colette Y. Garibaldi**. The Senate JGO committee hearing for the circuit court nominees will be held on Monday, August 2 at 1:30 pm in State Capitol conference room 229.

Current Chief Justice **Ronald Moon** appointed 4 individuals to Honolulu District Court on July 14. They are **Sherri Ann Iha**, **Steven Nakashima**, **Michael Tanigawa** and **Matthew Viola**. The Senate JGO committee hearing for these individuals will be on Tuesday, August 3 at 1:30 pm in State Capitol conference room 229.

Vetoed Bills Allowed to Stand

Governor Linda Lingle vetoed 32 bills by the July 6 deadline that would have adversely impacted Hawaii residents and businesses. Many of the vetoed bills are those that I voted against while they were in the legislature. I would have voted to sustain the Governor's veto on many of these bills had the legislature met for a special veto override session.

Fortunately for the Governor and the State, the legislature did not go into special session for veto overrides for the first time since Governor Lingle took office in 2002. The State House majority leadership decided to not call back their members for a special session as it is an election year and that they did not have the votes to override a veto of **HB 444 "Relating to Civil Unions"** (passed in the House by a 31 to 20 margin; 3 votes short of making it veto proof).

The Senate majority would have called the Senate into spe-

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The Lost Heroes Art Quilt which was created by artist Julie Chaleff Feingold honors soldiers who were killed in the Iraq and Afghanistan wars since September 11, 2001. The quilt (shown above) is on a national tour that is stopping at each state. A ceremony for Hawaii's fallen heroes was held at the State Capitol on July 21. The quilt is in Hawaii until July 28.

Vetoed Bills Continued from front page.

cial session to override all of the Governor's vetoes had the House done the same. Instead, the vetoed bills are dead this year. A total of 212 bills became law of which a majority were signed by the Governor. 26 bills became law without her signature and 11 others became law after the legislature overrode the first group of Governor Lingle's vetoes on the last day of the regular session April 29.

On June 21, the Governor submitted to the Legislature a list of 39 bills she was considering vetoing.

Of the 39 bills on the Governor's potential veto list, three bills had been vetoed earlier. **SB2001** would have retroactively eliminated previously promised high technology investment tax credits. **HB1907** would have resulted in tax increases totaling more than \$140 million over the next five years and discouraged charitable contributions. **HB415** would have required an expensive and unnecessary audit of the Department of Public Safety. The House and Senate majority leadership recently sent out a letter of request to the State Auditor to conduct the audit even though **HB 415** was vetoed.

A detailed list of all bills passed and vetoed can be found on the Hawaii State Legislature's website at this URL: <http://www.capitol.hawaii.gov/session2010/> - Look under "Acts" for those bills that became law. A list of vetoed bills appear below this story.

LIST OF VETOED BILLS

HB 415	Public Safety Dept. Audit
HB 444	Relating to Civil Unions; marriage benefits
HB 865	Transfer Dept. of Transportation functions to counties
HB 921	999 year homestead leases
HB 1212	Makes non-public DCCA record of complaints
HB 1907	Taxes: Itemized Deductions, Capitol Goods Excise Tax Credit
HB 2083	Relating to Milk Labeling
HB 2133	Procurement; multi-state resellers / local resellers
HB 2152	Construction plan fees
HB 2239	Beverage container tax applied to dietary supplements
HB 2377	Appointed Board of Education
HB 2441	Procurement; 30 day contract award deadline; gifts to state
HB 2497	SPRB: Carbon Bio-Engineers
HB 2546	Forfeited professional and vocational licenses—restore
HB 2583	Impounded vessels; shark tour operators penalties
HB 2644	Tax on solid waste shipped out of state
HB 2708	DOT transportation plan—public involvement process
SB 771	Relating to appraisals
SB 1105	Reports submitted to legislature—public hearings
SB 1311	Aquatic resources; UH use of DLNR facilities, staff
SB 2001	Repeal high tech business investment tax credits
SB 2020	Extends repeal date of Act 189—Mapunapuna leases
SB 2045	Sexual human trafficking
SB 2324	U.I. benefits; disqualification; part-time work
SB 2401	Suspension of high tech tax credits
SB 2434	Dept. of Education salary adjustments
SB 2473	Elderly housing; Kupuna—grandchildren
SB 2491	Tele-health study; Medicaid QUEST
SB 2534	Bail at jails; \$60 fee
SB 2547	Small boat harbor permits
SB 2566	Medical & rehabilitation benefits; physician diagnostic testing
SB 2610	Tax Dept image requirement for county cert. of conveyances
SB 2849	EUTF allotment; trust fund benefits; trustee, vote
SB 2883	Employment practices; use of sick leave, withhold of pay, etc.
SB 2919	Security of the Hawaii State Hospital
SB 2951	Fair compensation—leased public land; pastoral uses

News in Brief

- Governor **Linda Lingle** has sent a letter out to all U.S. Senators asking that they support the latest version of the Hawaiian Government Reorganization Act (**HR 2314**) or Akaka Bill for short. She along with Hawaii U.S. Senators **Dan Inouye** and **Dan Akaka** reached an agreement on the substance of the bill earlier this month. I continue to oppose the Akaka Bill because it creates yet another government within the State and will cost taxpayers more money.
- The new fiscal year began on July 1 and several cost items have increased. Among those are higher hotel room taxes (**Act 61; 2009 Session Laws**), increased cigarette tax (**Act 59**), traffic abstract fees from \$7 to \$20 (**Act 64**); certain types of agriculture inspection fees (**Act 173**); and a "permitted transfers" tax of 1% (**Act 182**). **Act 172** adds new fees for the importation of certain agricultural products. Most onerous is the increase in the barrel tax from 5¢ to \$1.05 per barrel (**Act 73**) which will hit consumers at the gas pump, their electric bills and applied to the cost of goods sold/consumed. On the City level, taxes for non-occupant homes will increase impacting renters and the price for a Bus ride will go up to from \$2.25 to \$2.50. Bus passes also increase.
- Governor Lingle appointed **Caroline S. Wong** to the State Board of Education to fill a vacant seat. Ms. Wong will be a temporary member until a new board member is elected this coming November.
- A report filed with the **CNBC cable TV** network ranked Hawaii as one of the worst places to do business in the United States. In its survey, Hawaii ranked 48th overall in the nation as a place to do business. The state ranked 42nd for business friendliness, 49th for cost of living and the cost of doing business.
- The **Senate Ways & Means Committee** is investigating a taxation department software contract, and several airport contracts. A hearing on budget and finance investments is next. I am filling a slot on WAM.
- **Hawaii consumers have the highest credit card debt** in the nation with an average credit card balance of \$9,296 per person. The national average is \$7,917 as reported by Credit Karma, Inc. The high credit card debt reflects the high cost of living in Hawaii, where many people have lost jobs. Hawaii residents are also #2 in the nation in mortgage debt.

SENATE COMMITTEES

Judiciary and Government Relations (JGO) • Labor (LBR)
 Economic Development & Technology (EDT)
 Higher Education (HRE) • Tourism (TSM)
 Transportation, International Affairs & Intergov. Affairs (TIA)
 Ways & Means Committee (WAM) interim

DATES TO REMEMBER

August 2 & 3—Senate JGO Hearings
August 5 & 6—Senate Special Session for Judicial Nominees
Friday, August 20—Statehood Day Holiday