

THIRTEENTH DAY

Tuesday, February 5, 2008

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2008, convened at 11:42 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Hiroyasu Hosoyama, Risho Kosei-Kai Buddhist Church of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Menor who was excused.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 5 and 6) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 5, returning S.C.R. No. 49, which was adopted in the House of Representatives on February 4, 2008, was placed on file.

Hse. Com. No. 6, transmitting H.C.R. No. 61, which was adopted by the House of Representatives on February 4, 2008, was placed on file.

By unanimous consent, action on H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was deferred.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 51) was read by the Clerk and was deferred:

Senate Concurrent Resolution

S.C.R. No. 51 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT."

Offered by: Senators Kim, Espero, Fukunaga, Hanabusa, Hee, Inouye, Nishihara, Baker, Chun Oakland, English, Gabbard, Hooser, Ige, Ihara, Kokubun, Menor, Sakamoto, Slom, Taniguchi, Tokuda, Trimble, Tsutsui.

SENATE RESOLUTION

The following resolution (S.R. No. 25) was read by the Clerk and was deferred:

Senate Resolution

S.R. No. 25 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT."

Offered by: Senators Kim, Espero, Fukunaga, Hanabusa, Hee, Inouye, Nishihara, Baker, Chun Oakland, English, Gabbard, Hooser, Ige, Ihara, Kokubun, Menor, Sakamoto, Slom, Taniguchi, Tokuda, Trimble, Tsutsui.

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and Public Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 2066)

recommending that S.B. No. 2079 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 2079, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and Public Housing and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 2067) recommending that S.B. No. 2831, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2068) recommending that S.B. No. 2041 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 2041, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2069) recommending that S.B. No. 2259, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.B. No. 2259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2070) recommending that S.B. No. 2250 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2250, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII HOUSING AUTHORITY TO UPGRADE FIRE SAFETY SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2071) recommending that S.B. No. 2223, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2223, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO HUMAN SERVICES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the majority of the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2072) recommending that S.B. No. 2152, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and S.B. No. 2152, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE TASK FORCE ON AGING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2073) 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 Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2226, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2074) recommending that S.B. No. 2290, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2290, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEVELOPMENTAL DISABILITIES ADVOCACY SYSTEM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2075) recommending that S.B. No. 2735, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2735, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MINORS,” passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2076) recommending that S.B. No. 2050, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2050, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE NUMBER OF BLIND, DEAF, AND DEAF-BLIND PERSONS IN THE STATE OF HAWAII,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services and Public Housing, presented a report (Stand. Com. Rep. No. 2077) recommending that S.B. No. 3062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 3062, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2078) recommending that S.B. No. 3068 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 3068, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Commerce, Consumer Protection and Affordable Housing, presented a report (Stand. Com. Rep. No. 2079) recommending that S.B. No. 2560 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2560, entitled: “A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2080) 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 Ige, seconded by Senator Whalen 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 NATURAL DISASTERS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2081) recommending that S.B. No. 2028, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2028, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AFFORDABLE HOUSING AND A VETERANS CENTER,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 2082) recommending that S.B. No. 2527 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2527, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tokuda, Chair of the Agriculture and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 2498;
S.B. No. 2521;

S.B. No. 2915;
S.B. No. 2907;
S.B. No. 2908;
S.B. No. 3048;
S.B. No. 3135;
S.B. No. 3150;
S.B. No. 3151;
S.B. No. 3152;
S.B. No. 3156; and
S.B. No. 3209,

and the Chair granted the waiver.

Senator Espero, Chair of the Public Safety, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 2353 and 2887, and the Chair granted the waiver.

Senator Hee rose at this time and said:

“Madam President, I wanted to be sure I met the requirements of our Senate Rules by announcing that on Saturday, February 9th, the Committee on Water and Land will be hearing several measures relating to land acquisition, relating to the Kaiwi Coast, relating to the Galbraith Estate, and relating to the Coco Palms Resort.

“The reason I’m making the announcement now is that there will be a measure which we will amend relating to the acquisition of Turtle Bay. We are preparing a measure in conjunction with the advice of the Senate Clerk, and we will have that to the Clerk by 11:00 tomorrow as required by the Rules.

“As everyone knows, there is no vehicle with regard to the Turtle Bay acquisition, which the Governor has noted in her state-of-the-state and an op ed piece in this morning’s *Advertiser*. The intent is to provide a vehicle so that she can indeed demonstrate her commitment to preservation of land. Thank you.”

ADJOURNMENT

At 11:55 a.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 a.m., Wednesday, February 6, 2008.