

SIXTEENTH DAY

Thursday, February 11, 2010

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2010, convened at 11:38 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 Tokuda who was excused.

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

At this time, the following introductions were made to the members of the Senate:

Senator Kidani, on behalf of Senator Espero, introduced a group of students from Friendship Christian School who were accompanied by teacher and assistant pastor Craig Calizo.

Senator Chun Oakland introduced a group of 3rd and 5th grade students from Soto Academy who were accompanied by their teachers Rose Ann Nakamoto and Debra Brockett.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 240 to 244) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 240, submitting for consideration and confirmation, the nomination of LISA M. GINOZA to the office of Associate Judge, Intermediate Court of Appeals, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 241, submitting for consideration and confirmation, the nomination of ROBERT M. BROWNING to the office of Circuit Judge, First Circuit Court, State of Hawaii, for a term of ten years, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 242, submitting for consideration and confirmation, the nomination of KAULANA PARK to the office of Chairman, Department of Hawaiian Home Lands, term to expire December 31, 2010, was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Gov. Msg. No. 243, submitting for consideration and confirmation, the nomination of AARON FUJIOKA to the office of Administrator, State Procurement Office, term to expire August 25, 2013, was referred to the Committee on Judiciary and Government Operations.

Gov. Msg. No. 244, dated February 1, 2010, transmitting the Hawaii Health Systems Corporation's Annual Internal Audit Report for Calendar Year 2009, pursuant to Section 323F-22, HRS, was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 14 to 20) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 14, transmitting H.B. No. 134, H.D. 2, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 134, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 15, transmitting H.B. No. 939, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 939, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 16, transmitting H.B. No. 1684, H.D. 2, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1684, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed First Reading by title and was deferred.

Hse. Com. No. 17, transmitting H.B. No. 1992, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 1992, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed First Reading by title and was deferred.

Hse. Com. No. 18, transmitting H.B. No. 2254, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2254, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER SECURITY," passed First Reading by title and was deferred.

Hse. Com. No. 19, transmitting H.B. No. 2360, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2360, entitled: "A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 20, transmitting H.B. No. 2721, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 2010, was placed on file.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, H.B. No. 2721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 and 80) were read by the Clerk and were deferred:

S.C.R. No. 79 "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN."

Offered by: Senators Ihara, Chun Oakland, Espero, Green, Baker, Bunda, English, Fukunaga, Galuteria, Hemmings, Hooser, Ige, Kidani, Kim, Nishihara, Sakamoto, Slom, Tokuda.

S.C.R. No. 80 "SENATE CONCURRENT RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 34 and 35) were read by the Clerk and were deferred:

S.R. No. 34 "SENATE RESOLUTION URGING THE PROVISION OF ORIENTATION AND ADDITIONAL TRAINING TO INCREASE THE ABILITY OF STATE AGENCY CASE WORKERS TO ADDRESS THE ISSUES FACED BY GRANDPARENTS RAISING GRANDCHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Bunda, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim, Nishihara, Slom, Tokuda.

S.R. No. 35 "SENATE RESOLUTION URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN."

Offered by: Senators Ihara, Chun Oakland, Baker, Espero, Fukunaga, Galuteria, Green, Hemmings, Hooser, Ige, Kidani, Kim.

STANDING COMMITTEE REPORTS

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2173) recommending that S.B. No. 2423 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2174) recommending that S.B. No. 2488, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2488, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Gabbard, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 2175) recommending that S.B. No. 2559, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

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. 2559, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2176) recommending that S.B. No. 2662, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2662, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2177) recommending that S.B. No. 2044, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2044, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF DOMESTIC VIOLENCE SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2178) recommending that S.B. No. 2101, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2179) recommending that S.B. No. 2087, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2180) recommending that S.B. No. 2522, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2181) recommending that S.B. No. 2485, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOKAUEA ISLAND," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2182) recommending that S.B. No. 2523, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2183) recommending that S.B. No. 2525, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Education and Housing.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2525, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Education and Housing.

Senator English, for the Committee on Transportation, International and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2184) recommending that S.B. No. 2545, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2545, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senators English and Espero, for the Committee on Transportation, International and Intergovernmental Affairs and the majority of the Committee on Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 2185) recommending that S.B. No. 2213, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," 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. 2186) recommending that S.B. No. 2299, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," 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. 2187) recommending that S.B. No. 2829, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2829, 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 Sakamoto and English, for the Committee on Education and Housing and the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2188) recommending that S.B. No. 2110, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Senators Sakamoto and English, for the Committee on Education and Housing and the majority of the Committee on Transportation, International and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2189) recommending that S.B. No. 2575, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Housing, presented a report (Stand. Com. Rep. No. 2190) recommending that S.B. No. 2281, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2281, 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.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2191) recommending that S.B. No. 2474 pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2474, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2192) recommending that S.B. No. 2911, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2911, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2193) recommending that S.B. No. 2843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2194) recommending that S.B. No. 2768, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2195) recommending that S.B. No. 2365, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2196) recommending that S.B. No. 2202, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Espero, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 2197) recommending that S.B. No. 2702, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee, Kokubun, and Sakamoto, for the Committee on Water, Land, Agriculture, and Hawaiian Affairs and the majority of the Committee on Higher Education and the Committee on Education and Housing, presented a joint report (Stand. Com. Rep. No. 2198) recommending that S.B. No. 2903, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

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 (Stand. Com. Rep. No. 2199) recommending that S.B. No. 2942, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2942, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," 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. 2200) recommending that S.B. No. 2075 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2075, 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.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2201) recommending that S.B. No. 2088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING OF EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the majority of the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2202) recommending that S.B. No. 2089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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. 2089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHY START," 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. 2203) recommending that S.B. No. 2417 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2417, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the majority of the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 2204) recommending that S.B. No. 2099, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

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. 2099, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Government Operations.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2205) recommending that S.B. No. 2076 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. 2076, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 12, 2010.

ORDER OF THE DAY

THIRD READING

S.B. No. 2699, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Tokuda).

S.B. No. 2812, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2596, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE," passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2015, S.D. 1:

On motion by Senator Baker, seconded by Senator Ige and carried, S.B. No. 2015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES," passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2375, S.D. 1:

On motion by Senator English, seconded by Senator Hee and carried, S.B. No. 2375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 2524, S.D. 1:

On motion by Senator Hee, seconded by Senator Bunda and carried, S.B. No. 2524, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2162, H.D. 1, S.D. 1:

Senator Kim moved that H.B. No. 2162, H.D. 1, S.D. 1 pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in support of the measure with reservations as follows:

"I am very happy to see that we have been cutting our expenditures for the Legislature and for the attached agencies. In 2007, the total amount was \$39 million. For this session in 2010, it's \$34.0116 million. And I see reductions—particularly the Senate has, I think, done a better job than the House—and that's all laudable, but I think the point that needs to be made is it's still costing the taxpayers \$34 million plus just to have us meet even if we didn't do anything (which sometimes might be a good thing) and I think that we still need to cut further and to look at other options, including a unicameral legislature. Thank you, Madam President."

The motion was put by the Chair and carried, H.B. No. 2162, H.D. 1, S.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 Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Tokuda).

Senator Green rose on a point of personal privilege as follows:

"Just very briefly: I got a report on some preliminary data from a Dr. Kelly Withy from the medical school who was commissioned, essentially, to do a study of the health care provider shortage statewide. And I'm going to invite her at some point to give a presentation to all of us, but I thought some things stood out. It's a very good report. This is a result of us increasing the fees on medical licenses, and that money is going to basically creating an on-going study of where we're short or where we have too many providers. Some things jump out: On Big Island, where we would need 78 general internal medicine physicians, we have 27. Where we would need 28 pediatricians to take care of our children, we have 19. We have 6 cardiologists, whereas we need 16 to take care of the hearts of our residents on the Big Island. For those who have cancer on the Big Island, we have 3 oncologists, where we would need 7. To deliver our babies, there are 13 OB/GYNs, where we need 28.

"Similarly on Kaua'i: For general internal medicine, the demand would be 30 physicians; we have 16 available. For cardiologists, there's one full-time cardiologist equivalent available, whereas they need six if you have a heart attack. Or cancer physician, whereas they would need three, they have one.

“On Maui, the numbers are similar. General internal medicine, to give us good primary preventative care, we would like to have 62 physicians—they’re general medicine specialists—we have 27. We have only half as many cardiologists as we would need. We could use 12; we have 6. And again, if we were going to deliver babies on Maui, which we do every day, 22 OB/GYNs would be necessary, whereas we have 14.

“The numbers are similar for O’ahu; the numbers, of course, are larger because of our population. For family practice, for example, we have 164 family doctors on O’ahu; 285 would be a proper number. General internal medicine: We have 264 doctors; 425 would be a good number to find illness, to find hypertension, to define diabetes in our population. We have only half as many stomach doctors as we need, 29 out of 57; and orthopedic surgeons, we’re 13 short.

“Finally, if you look at statewide numbers, and I’ll wrap it up here, the estimates are pretty daunting. We are 260 general internal medicine physicians short. We’re 118 family doctors short; general surgeons, 60 short; orthopedic surgeons, 30 short; we’re 40 OB/GYNs short; and for a small state, these numbers are profound. And I’ll just close with probably one of the scariest numbers that Senator Baker and I were discussing, and that is that of the physicians statewide, 43 per cent of the physicians are 55 years or older, which is a common retirement age for many physicians across the country. So, 43 percent.

“The good news, however, is we have this report—it’s going to continue to be available to us—and we have some measures that are also available to us to deal with these issues. One is about health enterprise zones, which is one way to possibly lure physicians into rural areas and underserved areas. We also have the loan repayment proposal that is in conference committee, but because of revenue shortages we were unable to move. But these are some provisions, and there are many discussions about so many solutions to the health care crisis and health care shortage that I think we should continue to take them up and to address these very good numbers. Thank you, Madam President.”

Senator Espero rose on a point of personal privilege as follows:

“First I’d like to thank the senator from Mililani for introducing our guest from Friendship Christian School.

“I just got back from a ceremony on the North-South Road, now to be called the Kualaka’i Road or Kualaka’i Parkway in Kapolei and Ewa. This is a \$155 million project, which will be opening today, and this is a key transportation infrastructure project, not only for the region but for the state as well. Along Kualaka’i Parkway in the coming years, I see at least \$400 million worth of projects to be built, and possibly over \$500 million when you look at UH West O’ahu, the Ray Kroc Center, and the Dubard Lowe shopping center, which will be the second largest shopping center, bigger than Pearlridge.

“Now I bring up transportation infrastructure because this is an integral part that had to be completed, and was completed, for the district. There’s one more project that is now in the hands of Governor Lingle, and that is the rail transit project, the largest public works project in the state. And I know that the Governor will do her due diligence, will do her review and evaluation. But Governor, this is also a big project for West O’ahu and even the whole island and our whole state economy, and I ask you, Governor, to do the right thing. Do your due diligence, but let’s get the rail transit project moving. Thank you.”

At this time, the Chair made the following announcements:

“Referrals and re-referrals are made in accordance with the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

“The deadline for filing standing committee reports on Senate bills that need to pass Second Reading before moving laterally to the final Senate committee is 10:00 p.m. this evening.”

ADJOURNMENT

At 11:54 a.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Friday, February 12, 2010.