

NINTH DAY

Wednesday, February 2, 2011

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2011, convened at 11:32 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Ihara and Solomon who were excused.

The President announced that he had read and approved the Journal of the Eighth Day.

At this time, Senator Green recognized members of the community health association movement who were seated in the gallery. Senator Green also noted today was Community Health Center Day and recognized and congratulated Ms. Beth Giesting, CEO of Hawai'i Primary Care Association, for her efforts and the efforts of community health centers in providing primary care for medically-underserved populations.

Senator Chun Oakland recognized and congratulated Emmanuel Kintu, Ph.D., CEO of Kalihi-Palama Health Center.

At 11:41 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 a.m.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 43 to 49) were read by the Clerk and were placed on file:

Dept. Com. No. 43, from the University of Hawai'i dated November 22, 2010, transmitting the Biennium Operating and Capital Improvements Program Budget Requests for Fiscal Year 2011-13.

Dept. Com. No. 44, from the Department of Budget and Finance dated January 19, 2011, transmitting the Summary Program Reports for the FB 2011-13 Executive Budget for the Departments of Agriculture, Accounting and General Services, Attorney General, Commerce and Consumer Affairs, Hawaiian Home Lands, Human Resources Development, Public Safety, Taxation, and Transportation; the Hawaii State Public Library System; and the Office of the Lieutenant Governor.

Dept. Com. No. 45, from the City and County of Honolulu Police Department dated December 20, 2010, transmitting the Report to the Legislature Concerning Electric Guns in the Custody and Control of the Honolulu Police Department pursuant to Section 134-16(d), HRS.

Dept. Com. No. 46, from the City and County of Honolulu Police Department dated December 20, 2010, transmitting the 2010 Annual Misconduct Report pursuant to Section 52D-3.5, HRS.

Dept. Com. No. 47, from the County of Maui Police Department dated January 10, 2011, transmitting the 2010 Annual Discipline Report on Suspensions and Terminations.

Dept. Com. No. 48, from the State Procurement Office dated January 11, 2011, transmitting the Executive Overview of the State Procurement Office's programs, services, issues and concerns.

Dept. Com. No. 49, from the Department of Budget and Finance dated January 7, 2011, transmitting a report on Transfers from Non-General Funds to General Fund, FY11, pursuant to Section 37-46, HRS.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 24) was read by the Clerk and was deferred:

S.C.R. No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR CERTAIN SMOKING CESSATION METHODS."

Offered by: Senators Baker, Green.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 1519, as amended in S.D. 1, be recommitted to the Committee on Commerce and Consumer Protection.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATORS," was recommitted to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 425, as amended in S.D. 1, be recommitted to the Committee on Human Services.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was recommitted to the Committee on Human Services.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 411, as amended in S.D. 1, be recommitted to the Committee on Health.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health.

Senator Green, for the Committee on Health, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 414, as amended in S.D. 1, be recommitted to the Committee on Health.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was recommitted to the Committee on Health.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 824, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 824, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 643, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCESSIVE SPEEDING," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 1416 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1416, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," 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. 12) recommending that S.B. No. 1328 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1328, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," 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. 13) recommending that S.B. No. 1327, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 1327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PASSENGER FACILITY CHARGES," 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. 14) recommending that S.B. No. 819, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 819, 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. 15) recommending that S.B. No. 1329 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1329, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WEIGHT TAX," 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. 16) recommending that S.B. No. 828, 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 Slom and carried, the report of the Committee was adopted and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HELMET USE," passed Second Reading and was referred to the Committee on Judiciary and Labor.

At this time, the Chair made the following announcement:

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

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

S.B. No.:	Re-referred to:
S.B. No. 414, S.D. 1	Committee on Health, then to the Committee on Ways and Means
S.B. No. 425, S.D. 1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
S.B. No. 1279	Committee on Commerce and Consumer Protection
S.B. No. 1519, S.D. 1	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

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

The Senate reconvened at 11:48 a.m.

ADJOURNMENT

At 11:49 a.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, February 3, 2011.