

NINTH DAY

Wednesday, January 30, 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 Pastor John Honold, Hope Chapel Kapolei, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

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

At this time, Senators Fukunaga, Sakamoto, Chun Oakland and Ige introduced Barbara Radding Morgan, Educator Astronaut, for her participation in celebrating the 2008 Astronaut Ellison Onizuka Science Day at UH Hilo. Accompanying the honoree was Claude Onizuka and Art Kimura

At 11:51 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 259, letter dated January 29, 2008, which supersedes Gov. Msg. No. 249, dated January 28, 2008, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2708, which makes an emergency appropriation of \$47,142 in general funds for Fiscal Year 2007-2008 for the operations of the Judicial Selection Commission, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 4, transmitting H.B. No. 2688, H.D. 1, which passed Third Reading in the House of Representatives on January 29, 2008, was read by the Clerk and was placed on file.

On motion by Senator Ige, seconded by Senator Whalen and carried, H.B. No. 2688, H.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 First Reading by title and was referred to the Committee on Ways and Means.

SENATE RESOLUTION

The following resolution (S.R. No. 24) was read by the Clerk and was disposed of as follows:

Senate Resolution

S.R. No. 24 "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AGREE TO AN ECONOMY-WIDE REDUCTION IN ITS GREENHOUSE GAS EMISSIONS AND TO COMMIT THE UNITED STATES TO A BINDING INTERNATIONAL TREATY THAT WOULD RESULT IN A SIGNIFICANT AND RAPID GLOBAL REDUCTION IN ATMOSPHERIC GREENHOUSE GAS CONCENTRATION."

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

Senator Ige moved that S.R. No. 24 be adopted, seconded by Senator Whalen.

Senator Trimble rose to inquire:

"Madam President, has this resolution received a hearing?"

The Chair responded: "No."

Senator Trimble further inquired:

"Is it customary to vote on resolutions without a public hearing?"

The Chair replied:

"Senator Trimble, we've done this in many of the resolutions that we've passed during this Session."

Senator then said: "Thank you."

Senator Slom rose and said:

"Madam President, please have the Clerk register a 'no' vote for me on this resolution."

The Chair so ordered.

Senator Trimble rose and said:

"Please register my 'no' vote because it did not receive a public hearing."

The Chair so ordered.

Senator Hemmings rose in opposition to the measure and said:

"Madam President, I rise to speak against the resolution.

"I think my record will show that I have a great concern for conservation and the environment. But oftentimes there are unintended consequences, if I can use a popular word from bygone times, with some of the actions we take. I hearken back to our expediting the ethanol legislation and now realizing in paying the price for it in many ways other than the price at the pump.

"In this particular resolution, it has the state obligating us to binding international agreements that may not be in our best interest, but they also may be. The problem is we don't know. And if we'd had a hearing on this legislation, or this resolution, we could answer some of the questions. The environment is incredibly complicated, and the history is that in many instances we have, with the best of intentions, done things and paid for it.

"So I'm not voting against the concept, but I am voting against the process. And I want the Clerk to please record a 'no' vote on this."

The Chair so ordered.

At 12:01 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 p.m.

Senator Menor rose in favor of the measure and said:

"Madam President, I rise to speak in favor of this resolution.

"As the author and primary sponsor of this reso, I just wanted to clarify the intent behind the resolution. The resolution, of course, would urge President Bush to commit to economy-wide reductions of greenhouse gas emissions in the United States.

"I wanted to point out that we're considering this resolution at this time because of the fact that it is really very timely. As many of you know, the White House has convened a major

economic meeting on energy security and climate change, with 17 invited countries at the East-West Center that's taking place today and tomorrow. And the purpose of those meetings is to discuss potential international agreements on global climate change. This resolution acknowledges the fact that global climate change is having significant detrimental effects on our environment globally. Hawai'i, of course, is particularly vulnerable to the effects of climate change, and that is the reason why the Legislature has demonstrated its commitment to the reduction of greenhouse gas emissions. I believe it's imperative that we partner with the rest of the world in the fight against global warming, and that is why we are appealing through this resolution to the federal government to commit the United States in this effort.

"So I urge my colleagues to vote in favor of this reso. I'd like to point out that this is a resolution; it doesn't have a substantive effect; it's merely a statement on behalf of the Senate expressing our concerns about global warming and the need to come up with comprehensive global solutions to effectively address that problem in the future. So for all of these reasons, I ask my colleagues to support this reso. Thank you."

The motion was then put by the Chair and carried, S.R. No. 24 entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AGREE TO AN ECONOMY-WIDE REDUCTION IN ITS GREENHOUSE GAS EMISSIONS AND TO COMMIT THE UNITED STATES TO A BINDING INTERNATIONAL TREATY THAT WOULD RESULT IN A SIGNIFICANT AND RAPID GLOBAL REDUCTION IN ATMOSPHERIC GREENHOUSE GAS CONCENTRATION," was adopted with Senators Hemmings, Slom, Trimble and Whalen voting "No."

STANDING COMMITTEE REPORTS

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 2001) recommending that S.B. No. 2156 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. 2156, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Chun Oakland, for the Committee on Transportation and International Affairs and the Committee on Human Services and Public Housing, presented a joint report (Stand. Com. Rep. No. 2002) recommending that S.B. No. 2513, 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. 2513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTING PERSONS UNDER A COMPACT OF FREE ASSOCIATION," 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. 2003) recommending that S.B. No. 2695 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. 2695, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," 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. 2004) recommending that S.B. No. 2440 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. 2440, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES," 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. 2005) recommending that S.B. No. 2447 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. 2447, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
S.B. No. 2294	Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means
S.B. No. 2419	Jointly to the Committee on Economic Development and Taxation and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.B. No. 2509	Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means
S.B. No. 2513, S.D. 1	Jointly to the Committee on Transportation and International Affairs and the Committee on Human Services and Public Housing, then jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means
S.B. No. 2691	Committee on Education, then to the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.B. No. 2710	Jointly to the Committee on Judiciary and Labor and the Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means
S.B. No. 2808	Jointly to the Committee on Energy and Environment and the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor
S.B. No. 2832	Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means
S.B. No. 2877	Jointly to the Committee on Education, the Committee on Intergovernmental and Military Affairs and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
S.B. No. 2884	Jointly to the Committee on Water and Land and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.B. No. 2889 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

S.B. No. 2978 Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.B. No. 2982 Committee on Commerce, Consumer Protection and Affordable Housing

S.B. No. 3026 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Judiciary and Labor

S.B. No. 3081 Jointly to the Committee on Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means

S.B. No. 3098 Committee on Water and Land, then to the Committee on Judiciary and Labor

S.B. No. 3115 Committee on Economic Development and Taxation, then to the Committee on Ways and Means

S.B. No. 3124 Jointly to the Committee on Transportation and International Affairs and the Committee on Water and Land, then to the Committee on Ways and Means

S.B. No. 3167 Committee on Economic Development and Taxation, then to the Committee on Ways and Means

S.B. No. 3227 Jointly to the Committee on Transportation and International Affairs and the Committee on Water and Land, then to the Committee on Ways and Means

S.B. No. 3246 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Judiciary and Labor

Senator Ige, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 2155 and 3074.

Senator Ige noted:

“These bills are required to be heard by Friday in order to meet our internal deadlines. S.B. No. 3074 is an emergency appropriation and the department has requested prompt action on this matter.”

The Chair then granted the waiver.

Senator Ige rose on a point of personal privilege and said:

“Madam President, I just wanted to rise on a point of personal privilege before we move to adjourn.

“I did want to publicly thank all the members of the Senate as well as the permanent and session staff for their patience and cooperation with our paperless efforts and the transformation of the Senate. I did want to kind of give you an end of January update on our progress to date.

“Members, this year we’ve had slightly fewer bills introduced—about 500 less bills introduced this Session than in last Session. And just on the initial production of hardcopy bills, the Senate has realized a reduction of more than 2.5 million pages printed to this point in the Session so far. And I did want to commend everyone involved with that reduction. I would like to note that we are producing about 150 CDs everyday that documents are filed and being distributed.

“And just for the members’ note, although we don’t have comparative statistics with the website, through January 29th at the Capitol website, we’ve had 45,000 visitors to the website, generating 3.9 million hits. Most visitors are from the U.S. although we’ve had visitors from Japan, France, India, China, Tanzania, Samoa and Russia, amongst others. Obviously, the

most viewed page is Bill Status, and the most viewed reports are Bills Introduced in the Senate, Bills Introduced in the House, and then the package listings. And the RSS feeds to get automatic notification of changes in documents or of public hearings are being used extensively—more than 1,200 people have registered to receive hearing notices by e-mail.

“So I just wanted to congratulate all the members, thank them for their patience, and let them know that we are working to fine tune the process. So as glitches come up, I definitely would appreciate being informed by them. I just wanted to congratulate everybody for a job well done. Thank you.”

Senator Hemmings rose on a point of personal privilege and said:

“Madam President, I rise on a point of personal privilege.

“Madam President, I think it’s important for a perspective from this side of the aisle on this issue, and I, too, personally want to add my congratulations, especially to Senator Ige who has spearheaded this effort. It is a laudable one, and I think the Majority Party and your leadership team is to be commended for what is being done here.

“I will acknowledge to you that it is difficult to teach some old dogs new tricks, and so at times I wish I had my 11-year-old son Gordon here to help me. But when all of us get over the learning curve, and this thing takes hold, it is going to be, as Senator Ige pointed out, a huge benefit to not only us but to people that follow our work and want the information in a timely and accurate basis. And so I do extend my personal congratulations to your team and to Senator Ige and all those involved in this effort.”

ADJOURNMENT

At 12:11 p.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 a.m., Thursday, January 31, 2008.