

NINTH DAY

Wednesday, January 31, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. 'Ainoa Nani'ole, 'Aha Pūnana Leo, 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 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 241 to 255) were read by the Clerk and were placed on file:

Gov. Msg. No. 241, dated January 25, 2007, transmitting the Final Report on the Incentives for Important Agricultural Lands, prepared by the Department of Agriculture pursuant to Act 183, SLH 2005.

Gov. Msg. No. 242, transmitting the Crime Victim Compensation Commission Annual Report for FY 2006, prepared by the Department of Public Safety pursuant to Section 351-70, HRS.

Gov. Msg. No. 243, letter dated January 29, 2007, 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. 1312, which makes an emergency appropriation of \$626,000 in general funds in Fiscal Year 2006-2007 to cover statewide budgetary shortfalls in electricity payments for facilities assigned to the Department of Accounting and General Services.

Gov. Msg. No. 244, letter dated January 29, 2007, 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. 1313, which makes an emergency appropriation of \$800,000 in general funds and \$2,926,000 in revolving funds in Fiscal Year 2006-2007 to cover increases in property insurance premiums and deductibles.

Gov. Msg. No. 245, letter dated January 29, 2007, 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. 1424, which makes an emergency appropriation of \$250,000 in compliance resolution funds in Fiscal Year 2006-2007 to investigate the power outages that occurred on October 15, 2006 on the islands of Oahu, Maui and Hawaii.

Gov. Msg. No. 246, letter dated January 29, 2007, 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. 1431, which makes an emergency appropriation of \$24,900,000 in general funds in Fiscal Year 2006-2007 to cover emergency relief and recovery operations in the counties of Hawaii, Maui, Kauai, and the city of Honolulu

as a result of the October 15, 2006, Kiholo Bay Earthquake disaster.

Gov. Msg. No. 247, letter dated January 29, 2007, 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. 1456, which makes an emergency appropriation of \$8,377,698 in general funds in Fiscal Year 2006-2007 for ongoing services provided by the adult mental health division to meet a critical funding emergency.

Gov. Msg. No. 248, letter dated January 29, 2007, 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. 1457, which makes an emergency appropriation of \$4,980,523 in general funds in Fiscal Year 2006-2007 to cover the State's Medicaid home and community-based services programs for persons with developmental disabilities and mental retardation, also known as the title XIX waiver program within the Department of Health to meet an existing critical funding emergency.

Gov. Msg. No. 249, letter dated January 29, 2007, 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. 1458, which makes an emergency appropriation of \$1,900,000 in general funds in Fiscal Year 2006-2007 to cover the State's reimbursement costs associated with the delivery of emergency aeromedical services on Oahu by the Hawaii Army National Guard.

Gov. Msg. No. 250, letter dated January 29, 2007, 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. 1459, which makes an emergency appropriation of \$5,299,809 in general funds in Fiscal Year 2006-2007 to address expenses related to early intervention services within the Department of Health to meet an existing critical funding emergency.

Gov. Msg. No. 251, letter dated January 29, 2007, 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. 1463, which makes an emergency appropriation of \$41,000,000 out of Hawaii Health Systems Corporation special fund for Fiscal Year 2006-2007 in order to cover the Hawaii Health Systems Corporation operational costs of providing additional services that will increase the current spending ceiling and comply with the expenditure ceiling requirement to meet an existing critical funding emergency.

Gov. Msg. No. 252, letter dated January 29, 2007, 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. 1464, which makes an emergency appropriation of \$950,000 in general funds in Fiscal Year 2006-2007 to fund a grant pursuant to Chapter 42F, HRS, to Kahuku Hospital on Oahu, provided that the Legislature authorizes such a grant during the Regular Session of 2007, whether before or after the effective date of this Act to meet an existing critical funding emergency.

Gov. Msg. No. 253, letter dated January 29, 2007, 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. 1500, which makes an emergency appropriation of \$4,500,000 to the Department of Taxation for

the unfunded costs associated with administering the City and County of Honolulu surcharge on state general excise tax.

Gov. Msg. No. 254, letter dated January 29, 2007, 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. 1972, which makes an emergency appropriation of \$612,000 in general funds in Fiscal Year 2006-2007 to repair additional cracks in the roof of the Honolulu District Court building, Kauhikaouli Hale, to undertake a thorough structural analysis of the building and to pay for other costs related to the October 15, 2006 earthquake.

Gov. Msg. No. 255, letter dated January 29, 2007, 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. 1947, which makes an emergency appropriation of \$10,000,000 to increase the expenditure ceiling of the Deposit Beverage Container Program special fund in Fiscal Year 2006-2007 to meet a critical funding emergency within the Department of Health to enable appropriate payments to be made to recyclers and to the public.

STANDING COMMITTEE REPORTS

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3) recommending that S.B. No. 70 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. 70, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIFEGUARD SERVICES AT MAKENA STATE PARK ON MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 302, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Economic Development and Taxation.

On motion by Senator Ige, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was recommitted to the Committee on Economic Development and Taxation.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

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| Senate Bill | Referred to: |
| No. 302, S.D. 1 | Committee on Economic Development and Taxation, then to the Committee on Ways and Means |
| No. 741 | Committee on Human Services and Public Housing, then to the Committee on Ways and Means |
| No. 962 | Jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Economic Development and Taxation |
| No. 1420 | Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means |

No. 1615 Committee on Education, then to the Committee on Ways and Means

No. 1678 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 1925 Committee on Water, Land, Agriculture and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1940 Jointly to the Committee on Human Services and Public Housing, the Committee on Intergovernmental and Military Affairs and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Ige, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 1, 2007.