



Vol. 8

SENATOR WILL ESPERO & YOUR LEGISLATURE WORKING FOR YOU

MORE CONFIRMATIONS

The Senate has had the pleasure of confirming several very well qualified, capable, competent administrators as directors of the different state departments. Five more directors were confirmed within the last week, in addition to the 8 already confirmed, bringing the total to 13 confirmations, out of the 15 nominated.

Congratulations to the four department directors who were recently re-confirmed for a second four-year term: Dr. Chiyome Fukino, Ted Liu, Lillian Koller, and Mark Bennett. Several senators praised these directors for implementing needed improvements and for good management of their departments.

Lawrence Reifurth, the current Deputy Director of the Department of Commerce & Consumer Affairs (DCCA), was confirmed as DCCA's new Director. He replaces former Director Mark Recktenwald. The Senate confirmed Recktenwald 25-0 as the new Chief Judge of the Intermediate Court of Appeals.

Department Directors Confirmed by the Senate:

<i>State Department</i>	<i>Director</i>	<i>*re-confirmed for second term unless noted</i>
Accounting & General Services	Russ Saito	
Agriculture	Sandra Lee Kunimoto	
Attorney General	Mark Bennett	
Budget & Finance	Georgina Kawamura	
Business, Economic Development & Tourism	Theodore Liu	
Commerce & Consumer Affairs	Lawrence Reifurth	*new
Defense	Major General Robert Lee	
Hawaiian Home Lands	Micah Kane	
Health	Dr. Chiyome Fukino	
Human Resources Development	Marie Laderta	
Human Services	Lillian Koller	
Taxation	Kurt Kawafuchi	
Transportation	Barry Fukunaga	*new

Governor Lingle did not re-nominate two of her former Cabinet members, Rodney Haraga, Department of Transportation, and Nelson Befitel, Department of Labor. Governor Lingle instead nominated former Interim City Transportation Director Barry Fukunaga to replace Haraga. Fukunaga was confirmed by the Senate. Befitel's term as director ends on May 3. The Governor has until May 2 to nominate a replacement, or name an interim director, until the next legislative session in 2008.

Peter Young, Director of the Department of Land and Natural Resources, while also receiving kudos in some areas, was not re-confirmed for a second term. As my colleague Senator Les Ihara put it, he had concerns about re-confirming Peter Young based on publicly available information alone, but would reject the nomination based on information that is not public. Some issues which negatively impacted Young included the lack of a statewide dam safety inspection program, the deteriorating small boat harbors, staff turnover at the Historical Preservation office, and problems at the Bureau of Conveyances which have resulted in two on-going investigations.

AND NOW FOR THE NEXT ACT

Governor Lingle has signed more bills into law.

S.B. 1444 (Act 033) clarifies the purpose of the Hawaii Youth Correctional Facility (HYCF). A clear purpose helps guide and direct policies, programs, and practices. HYCF's goal is to rehabilitate and prepare youth offenders for successful re-integration into their communities and families.

H.B. 659 (Act 036) designates taro (kalo) as the official state plant. Taro is sacred to Hawaii's kanaka maoli (indigenous people), and is an integral part of Native Hawaiian culture. The kumulipo (creation chant) records Hawaiian genealogy emerging from kalo. Establishing the kalo plant as the official state plant ensures continued respect for this sacred ancestor of the Native Hawaiian people.

S.B. 53 (Act 038) improves access to behavioral health services. Mental health benefits in health care plans will be expanded by including marriage and family therapy.

AND WHAT THE GOVERNOR DIDN'T SIGN INTO LAW

Governor Lingle vetoed H.B. 863, which would have required private construction contractors to pay the prevailing wage in projects that will be more than half used by the State or a county. Certified payrolls would be weekly submitted to the government agency that would use the project. *H.B. 863, Relating to Public Work Projects.*

RESOLUTIONS THAT PASSED

Resolutions approved by both the House and the Senate are said to be "adopted." The resolution then goes to the agency/ies to which they pertain for their implementation. Resolutions are not laws and do not have the force of law, but are requests for actions or studies from other government entities.

S.C.R. 30 seeks to reduce the number of pedestrian fatalities due to too-short walk signals.

The State Department of Transportation and Honolulu City & County Department of Transportation Services are requested to harmonize intersection walk signal lights with the pedestrian's right-of-way in crosswalks law. This would help protect pedestrians while allowing the smooth flow of traffic. Hawaii's pedestrian fatality rate is extremely high, especially among the elderly. Some estimates put Hawaii's elderly pedestrian fatality rate at 169% higher than on the mainland. Insufficient intersection crossing time and the non-synchronization of crosswalk signals to the conditions stipulated in the pedestrian's right of way in a crosswalk law are two possible causes.

S.C.R. 217 urges Congress to increase Medicare reimbursement rates for Hawaii. Physicians and hospitals are financially strained by low Medicare reimbursement rates that do not keep pace with the overall costs of rendering medical care locally. The usual response is to reduce or not provide services at all, which impairs the availability of needed health care. The recent financial collapse of Kahuku Hospital is a case in point. Increasing reimbursement rates help alleviate this dilemma.

RESOLUTIONS STILL BEING CONSIDERED

H.C.R. 312 requests data on the financial costs of keeping Hawaii convicts in mainland prisons. Overcrowding in Hawaii's prisons can be costly. This resolution asks the Department of Public Safety to report accurate costs of imprisoning local offenders in out of state facilities, including housing, transporting and any other costs. The information will help to plan better for the DPS.

(You can reach my office by e-mail at senespero@capitol.hawaii.gov, telephone at 586-6360, or fax at 586-6361. I represent Ewa through lower Waipahu. I chair the Senate Public Safety Committee, am Vice Chair of the Economic Development & Taxation Committee, and am a member of the Committees on Commerce, Consumer Protection, & Affordable Housing, and Transportation & International Affairs.)