

FORTIETH DAY

Tuesday, March 27, 2001

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Norise Kaiser, OSF, Mission Educator for the Franciscan Community, after which the Roll was called showing all Senators present with the exception of Senators Kawamoto and Kim who were excused.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 215, dated March 20, 2001, transmitting the Foreign-Trade Zone No. 9's Annual Report to the Foreign-Trade Zones Board for Federal Fiscal Year Ending September 30, 2000, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 352 and 353) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 352, returning S.B. No. 1061, S.D. 1, which passed Third Reading in the House of Representatives on March 23, 2001, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1061, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS," was deferred until Wednesday, March 28, 2001.

Hse. Com. No. 353, returning S.B. No. 1276, S.D. 1, which passed Third Reading in the House of Representatives on March 23, 2001, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1276, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CYBERSQUATTING," was deferred until Wednesday, March 28, 2001.

STANDING COMMITTEE REPORTS

Senators Kim and Kawamoto, for the Committee on Tourism and Intergovernmental Affairs and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1292) recommending that H.B. No. 1176 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was adopted and H.B. No. 1176, entitled: "A BILL FOR AN ACT RELATING TO INSPECTIONS BY THE COUNTY FIRE CHIEF OR THE CHIEF'S DESIGNEES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 29, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1293) recommending that the Senate advise and consent to the nomination of JOBRIATH L. ROHRER to the Endangered Species Recovery Committee, in accordance with Gov. Msg. No. 161.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1293 and Gov. Msg. No. 161 was deferred until Wednesday, March 28, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1294) recommending that the Senate advise and consent to the nomination of PUANANI ROGERS to the Environmental Council, in accordance with Gov. Msg. No. 162.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1294 and Gov. Msg. No. 162 was deferred until Wednesday, March 28, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1295) recommending that the Senate advise and consent to the nomination of CHRISTINE H.H. CAMP to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 163.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1295 and Gov. Msg. No. 163 was deferred until Wednesday, March 28, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1296) recommending that the Senate advise and consent to the nominations of JOHN MORGAN and JOHN MYRDAL to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 168.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1296 and Gov. Msg. No. 168 was deferred until Wednesday, March 28, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1297) recommending that the Senate advise and consent to the nomination of FRED C. HOLSCHUH, M.D., to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 170.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1297 and Gov. Msg. No. 170 was deferred until Wednesday, March 28, 2001.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1298) recommending that the Senate advise and consent to the nomination of GILBERT S. COLOMA-AGARAN as Chairperson, Board of Land and Natural Resources, in accordance with Gov. Msg. No. 116.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1298 and Gov. Msg. No. 116 was deferred until Wednesday, March 28, 2001.

ORDER OF THE DAY

ADOPTION OF RESOLUTION

**MATTER DEFERRED FROM
FRIDAY, MARCH 23, 2001**

Stand. Com. Rep. No. 1192 (S.C.R. No. 4, S.D. 1):

On motion by Senator English, seconded by Senator Hemmings and carried, Stand. Com. Rep. No. 1192 was adopted and S.C.R. No. 4, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF AN EASEMENT COVERING A PORTION OF SUBMERGED LANDS AT LAHAINA, MAUI, HAWAII, FOR CONCRETE PIER AND DECK PURPOSES," was adopted.

THIRD READING

H.B. No. 1547, H.D. 1:

By unanimous consent, action on H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," was deferred until Wednesday, March 28, 2001.

H.B. No. 986, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 986, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION DOCUMENTS," was deferred until Wednesday, March 28, 2001.

H.B. No. 1001:

By unanimous consent, action on H.B. No. 1001, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," was deferred until Wednesday, March 28, 2001.

H.B. No. 1004, H.D. 1:

By unanimous consent, action on H.B. No. 1004, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORIGINAL JURISDICTION OF THE HAWAII SUPREME COURT," was deferred until Wednesday, March 28, 2001.

H.B. No. 587, H.D. 1:

By unanimous consent, action on H.B. No. 587, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKER LICENSING," was deferred until Wednesday, March 28, 2001.

H.B. No. 645, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 645, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF INCOMPETENT PERSONS," was deferred until Wednesday, March 28, 2001.

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator English, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 28, 2001.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate