

FORTY-FIRST DAY

Thursday, March 27, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Frank Chong, United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Whalen who was excused.

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

At this time, the following introductions were made to the members of the Senate:

Senator Baker introduced the following individuals who are the American Cancer Society's Relay for Life Community Ambassadors for Hawaii and commended them for their dedication to the cause of reducing cancer deaths in Hawaii: Angella Brandt, Cynthia Campbell, Frank Chong, David Espinda, Beth Freitas, Bob Hansen, Chris Pablo and Virginia Seng.

Senator Kawamoto then introduced Admiral Walter F. Dorin, who assumed duties as Commander of the US Pacific Fleet on May 4, 2002. Accompanying the Admiral was his wife, Jinny.

At this time, President Bunda invited Admiral Dorin to the podium to the address the members of the Senate. Admiral Dorin addressed the members of the Senate as follows:

"Thank you, Senator Kawamoto, for your generous invitation to be here today and for your very kind introduction. Let me also thank Senator Bunda and all the members of the Hawaii State Senate for taking time out of what I know are your very busy schedules and time from what I know is a very hectic Legislative Session. Jinny and I are truly honored to be here this morning.

"Late last week, as you know, the President launched operation Iraqi Freedom. We're in the early stages of combat and there is much yet to be accomplished. Our men and our women are taking the fight to the Iraqi military and there is no doubt that we will prevail.

"We are witnessing, thanks in large part to the continuous and often live media reporting from our ships and along the front lines, a military that is ready to fight and win this global war on terrorism. We have much to be proud of.

"This Senate is well aware that the United States Navy has a significant presence in Hawaii. However, if you visited the waterfront this morning, you wouldn't see many ships or submarines at the piers. That's because we've deployed five Hawaii-based submarines and five surface ships to the central command, with several others deployed today to the Western Pacific.

"As you can tell, the Pacific Fleet is heavily engaged in this global war on terrorism. Three of the six Pacific Fleet aircraft carrier battle groups are currently in the Arabian Gulf, and a fourth, the USS Nimitz, which stopped here in Hawaii just a few days ago, is on its way to the fight. A fifth carrier battle group, the USS Carl Vinson, is underway in the Western Pacific, keeping a watchful eye on that strategically important part of the world.

"My message to you this morning is a simple one – the military would not be winning this war on terrorism without the support of the American people and the Congress. But perhaps more important are the strong relationships we have with state and local governments that host our military personnel and their families.

"Here in Hawaii, that relationship is resilient and enduring. We share a history that dates back many decades, a history that provides a painful reminder to this nation of the cost of war and the price we pay for our freedom. The people of Hawaii have embraced the military as their own family. We are indeed blessed by the richness of our relationship and we're proud to share in the ohana of Hawaii.

"Once again, I want to express my sincere appreciation for the privilege of visiting the Senate this morning, and most importantly, for all of your continued support of our military men and women who live and work here in Hawaii.

"God bless and mahalo. Thank you."

At 11:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:32 o'clock p.m.

HOUSE COMMUNICATION

Hse. Com. No. 300, informing the Senate that the amendments proposed by the Senate to H.B. No. 1077, H.D. 1, were agreed to by the House and H.B. No. 1077, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on March 25, 2003, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Kim, for the Committee on Economic Development and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 1212) recommending that S.C.R. No. 63, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1212 and S.C.R. No. 63, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON RENOVATION AND RECONSTRUCTION OPTIONS AND THE FORMULATION OF A MASTER PLAN FOR ALOHA STADIUM," was deferred until Friday, March 28, 2003.

Senators Fukunaga and Kim, for the Committee on Economic Development and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 1213) recommending that S.R. No. 41, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1213 and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON RENOVATION AND RECONSTRUCTION OPTIONS AND THE FORMULATION OF A MASTER PLAN FOR ALOHA STADIUM," was deferred until Friday, March 28, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1214) recommending that the Senate advise and consent to the nomination of KURT

K. KAWAFUCHI as Director of the Department of Taxation, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1214 and Gov. Msg. No. 228 was deferred until Friday, March 28, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1215) recommending that H.B. No. 1307, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1307, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATION

MATTER DEFERRED FROM TUESDAY, MARCH 25, 2003

H.C.R. No. 64 (Hse. Com. No. 299):

By unanimous consent, action on H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S HOTELS TO PROVIDE FACILITIES FOR EMAIL AND INTERNET ACCESS FOR THEIR GUESTS," was deferred until Friday, March 28, 2003.

THIRD READING

H.B. No. 401, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Whalen).

H.B. No. 562, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Whalen).

H.B. No. 980, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 980, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SETTLEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Whalen).

H.B. No. 1076, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 1076, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE

JURISDICTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Whalen).

H.B. No. 324, H.D. 1, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, H.B. No. 324, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Whalen).

H.B. No. 993:

By unanimous consent, H.B. No. 993, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," was recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

H.B. No. 1607, H.D. 2, S.D. 1:

Senator Kawamoto moved that H.B. No. 1607, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Inouye rose and said:

"Mr. President, please register my vote in support with reservations, please."

The Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1607, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED EMERGENCY VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ihara). Excused, 1 (Whalen).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, MARCH 25, 2003

Stand. Com. Rep. No. 1210 (S.C.R. No. 38):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO PROMOTE HAWAII FILMMAKERS AND LOCALLY MADE FILMS AS A MEANS OF PROMOTING TOURISM," was adopted.

Stand. Com. Rep. No. 1211 (S.R. No. 24):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 24, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO PROMOTE HAWAII FILMMAKERS AND LOCALLY MADE FILMS AS A MEANS OF PROMOTING TOURISM," was adopted.

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
No. 1212, H.D. 1	Committee on Water, Land, and Agriculture

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
No. 89	Committee on Commerce, Consumer Protection and Housing

ADJOURNMENT

At 12:37 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 28, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate